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## **Addressing the legitimacy of the council-manager executive in local government**

Urban scholars have noted the recent trend in many western European countries to strengthen local political executives. For example, Borraz and John (2004) examine leadership change in Germany, Italy, Norway, England, France and Spain. Italy has introduced directly elected mayors, and a separation of powers between executive and legislative arms of municipal government (Magnier, 2004). In England, a similar separation of powers was recently introduced, with opportunities for municipalities to adopt a directly elected mayor, perhaps with a council-manager (Hambleton, 2000a; Leach and Wilson, 2004). In Germany, there has been a “bush-fire like spread of the direct election of mayors” (Wollmann, 2004: 154). Ireland is due to introduce directly elected mayors in 2004 (Larsen, 2002: 111). In France and Spain, the shifting institutional context offers new, significant roles for more assertive local political leaders (Genieys, Ballart, and Valarié 2004). Central and Eastern Europe is also undergoing leadership change. For example Poland has recently introduced directly elected mayors, moving into line with reforms of the 1990s in Slovakia, Bulgaria, Romania, Slovenia and Hungary (Swianiewicz, 2004).

Legitimacy is a recurrent theme in the academic analysis of these reforms, especially in relation to Western Europe. It is often argued that these reforms are designed to strengthen the legitimacy of political executives and that they in turn serve to strengthen the legitimacy of the local political system. For example, Borraz and John argue that “the move towards stronger leadership models are a response to lower electoral turnouts and the difficulty of achieving political accountability – what is often termed a legitimacy crisis” (2004: 114). Magnier (2004) refers to the re-legitimation of Italian mayors, and Leach and Wilson note the tension between “the democratic legitimacy of the elected mayor [and] the powers of blockage and delay [of] the council” (2004: 142). The concept of legitimacy is multi-faceted and we argue that there needs to be a systematic approach to the concept of legitimacy to gain a deeper understanding of the impact of leadership reform.

This paper uses the concept of legitimacy as a means to contribute to the ongoing debate about leadership change. It explores the council-manager model of decision-making, one of the options available to local councils in England, and in use in Australia, Finland, Ireland, New Zealand, and many US cities. It draws on research carried in Stoke-on-Trent, a city in England which adopted a version of the council-manager model, including a directly elected mayor, in 2002.

The analysis proceeds as follows. First, following Haus and Heinelt (2004) the concept of legitimacy is disaggregated into its component parts of input, throughput, and output legitimation. Second, the paper draws on international literature relating to the council-manager model to identify its core values and illustrate its key characteristics. Third, the paper describes the council-manager model as introduced in Stoke-on-Trent, and discusses it in terms of input, throughput, and output legitimation. Fourth, the paper discusses how some of the aspects the model lacks in terms of legitimation are addressed by the introduction of a form of decentralised, deliberative forums in Stoke-on-Trent, called the Community Facilitation Service. Conclusions are offered about the potential for the council-manager form to contribute to the legitimation of modern urban governance.

## The legitimation of governance

References to legitimacy permeate democratic theory, but can often be traced back to very different understandings of why it is needed, how it is achieved, and how it can be maintained. The most useful starting point is the works of the sociologist Max Weber, who conceptualises the state as the monopoly of legitimate coercion, upon which the emergence of democratic structures and the rule of law depend (Weber, 1991). For Weber, legitimacy is the authority of the ruling elite to take and implement decisions on behalf of subordinate groups or classes and thus, any regime that has minimum acceptance has some semblance of legitimacy even if this is grounded on the use of force. Control of some kind must be kept over subordinate classes or categories, since they have the potential to destabilise the political economy. The most efficient way for the ruling class to control the subordinate classes is through their voluntary acquiescence, and in so doing, the “imperative of keeping internal order mutates over time into what neo-Marxists or post-Marxists ... call legitimation” (Dryzek, 2000:95).

A modern democratic leader (or system) can be considered to be legitimate because they have complied with the rules and procedures of democratic elections and the checks and balances of modern democratic institutions. Increasingly however, attention to the formal requirements of democracy is not enough to ensure legitimacy. A system and its leaders must also respond to *perceptions* and *expectations* of legitimacy. The current trend of ‘democratic deficit’ in western democracies, of declining interest and participation in the traditional representative democratic processes, threatens the legitimacy of contemporary urban leaders, and challenges them to find ways to *legitimate* their leadership, and the system of which they form a part. Legitimation - the manner and process by which a state or political system receives justification - in modern democratic societies cannot be achieved solely through coercion or even the persuasion or argumentation of politicians. Instead, it needs to enable a ‘conversation’ about what the electorate expect and what is actually achievable. This conversation is a complex process that requires investment in long-term education and the provision of institutional frameworks for such a deliberative process to happen.

Habermas (1975) describes the phenomenon of ‘legitimation crisis’, in modern political systems, which require popular consent (as opposed to violent coercion) to maintain their political authority in meeting major social problems. According to Habermas, the capitalist system’s need to accumulate capital is at odds with increasing popular demand for social equality, and the failure to manage these contradictory pressures leads to a legitimation crisis. In the context of European democracies, what means are available to leaders to strengthen their legitimacy and reconcile the contradictory pressures of economic competition and social inclusion? Are there new institutional mechanisms that can enable leaders to address the democratic deficit and growing disenchantment with traditional forms of representative democracy?

Haus and Heinelt (2004) draw on Scharpf (1999) to identify three such *processes of legitimation*; input, throughput, and output. Each aspect rests on a different democratic precept:

- a) Input-legitimation through *participation*. According to Scharpf, “political choices are legitimate if and because they reflect the ‘will of the people’ – that is, if they can be derived from the authentic preferences of the members of a community” (1999: 6). Input legitimation can be achieved through demonstrating that popular consent underpins the political system.
- b) Throughput-legitimation through *transparency*. Legitimation of a political system is also achieved through having transparent and accountable structures and procedures. A political system’s “social environment has to understand how measures are taken and who is responsible for them” (Haus and Henelt, 2004, p!\*).
- c) Output-legitimation through *effectiveness*. Following Scharpf, “political choices are legitimate if and because they effectively promote the common welfare of the constituency in question” (1999: 6). A political system generates output legitimation as it promotes the common good.

In these terms, leaders can respond to the ‘legitimacy crisis’ by showing popular consent for what they do, acting in an open, visible manner, and pursuing policies that better the common good. But legitimation is not something that only leaders generate, it is a two way process between those governing and the governing. The legitimation of a system rests on citizens that are prepared to be involved in, or at least, informed about policy decision-making, to hold their leaders to account, and to defining what is meant by the common good.

In the context of modern local governance, which entails a blurring of the traditional public/private divide, and greater involvement of non-state actors in any or all stages of policy development, decision-making and implementation, the challenge for leaders is to positively influence as well as to fulfil their electorate’s expectations and perceptions of good leadership. There are multiple routes for citizens to be involved in governance (participation), competing sources of information available to the general public over which the government does not have control, and which empower the public to demand accountability (transparency) from their leaders, and to have a greater awareness of how other city leaders are performing and what their policies are achieving (effectiveness).

In the following section we examine the core values and key characteristics of the council manager model, before proceeding to discuss it in terms of legitimation.

### **The council-manager model of decision-making**

Svara (1990: 45-54) distinguishes between mayor-council forms of government and council-manager forms. Mouritzen and Svara (2002: 55-56) offer a typology of executive forms: strong-mayor; committee leader; collective; and council-manager. The primary concern of this analysis is the council-manager form. The core value of this model is professionalism (Mouritzen and Svara, 2002: 52-53). The essence of the model is that a full-time, salaried manager is appointed by the council and given considerable discretion and authority to run municipal affairs. The professionalism

that the council manager has the potential to bring is valued for several reasons. First, advanced management knowledge and skills are seen as valuable to run the city bureaucracy. Following Mouritzen and Svara, council managers can bring “an infusion of problem analysis and strategic thinking, well-framed proposals that draw on the experience of other municipalities, consistency and fairness in service delivery, continuity and sustained commitment, and productive use of resources” (2002: 52-53). The implication is that while politicians are strong in terms of representation, articulating views and providing vision, they lack the expertise and experience to run organisations and ensure the sound use of resources. Second, the model can serve to shield decision-making in local government from unnecessary and potentially detrimental political intervention. The council manager can ‘get on with the job’, without the constraints that parties and voters place on elected politicians. Third, the model is seen as a way of preventing corruption. The model was originally developed to counter corrupt political machines in American cities (Hambleton, 2000b: 5). By giving extensive executive authority to a paid executive, the incentives for favouritism and nepotism were lessened.

In response to a potential “leadership gap” (Hambleton, 1998: 14), some council-manager models incorporate a directly elected mayor. An elected politician has political authority which an appointed official, no matter how powerful, lacks. Therefore, in versions of the council-manager model that feature a directly elected mayor, it is possible to argue that they are based on the values of professionalism and political leadership. Political leadership entails “raising controversial issues, proposing innovative plans and projects, setting direction, generating resources, making compromises, and mobilising citizens” (Mouritzen and Svara, 2002: 52). While these tasks are not necessarily beyond a council manager the (input) legitimacy of the mayor gives them considerable leverage. Combined professional and political power offers a strong base for executive leadership. Indeed, leadership is vital in local governance, where there is a need for “powerful but creative figures to give a direction to local policy-making [who] can make the shifting framework of individuals and organisations work together” (Borraz and John, 2004: 112). The style of leadership that effective council-manager mayors engage in has been called ‘facilitative leadership’ where the mayor empowers, guides, influences others, rather than trying to direct other participants in the governmental process (Svara, 1994: 6).

Overall authority in council-manager systems rests with the council, and considerable autonomy delegated to the council-manager. The ‘city manager’ or ‘council manager’<sup>1</sup> has powers more akin to an elected politician rather than a traditional local government chief executive officer (CEO). But the council manager is appointed by the council and, as noted above, lacks the authority that election brings. This means that, as Svara points out, “the council ultimately wins all battles with the manager” (1990: 52). Nevertheless, the model ensures that the council manager has considerable control over the bureaucracy, substantial resources, and significant inputs into the policy process.

There is no simplistic split between politics and administration, or policy and implementation in the council-manager model. Rather, there is room for complementary and overlapping roles between politicians and the manager in relation

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<sup>1</sup> We use the term ‘council manager’, but often ‘council manager’ and ‘city manager’ are used interchangeably.

to the direction of policy and the means to achieve it (Svara, 1998). The council manager informs the deliberations of the council, advising and discussing as appropriate. The council oversees the administration headed by the city manager, scrutinising departmental performance. So the model allows for the manager to be involved in politics and policy and for the council to be concerned with administration and implementation, and recognises the interplay between the actors in the system.

The council-manager form of decision-making is not uniform across systems of local government. It is however, possible to identify typical features of the model. These are (see Svara, 1990: 51-52; Mouritzen and Svara, 2002: 56; Hambleton, 2000b: 5-6; Stoker and Wolman, 1992: 244):

- the council appoints the council manager
- the council can dismiss the council manager
- the council manager is answerable to the council
- the council delegates its authority to the council manager
- the council manager proposes policies, and the city budget, for approval by the council
- the council manager appoints all council staff
- there is no separation of powers between executive and legislative council arms

The council-manager model has been developed in different ways and implemented in various forms across and within different countries. Versions of the council-manager form of local government decision-making occur in the US, England, Australia, New Zealand, Ireland, and Finland. Between these countries, considerable differences occur. As noted above, the model may or may not include a directly elected mayor. For example, in New Zealand all council-manager governments have alongside the council manager a directly elected mayor. This is also the case in some US council-manager cities. While generally there is no separation of powers in council manager governments, the English model does entail a split between an executive comprising a mayor and council manager, and an Assembly made up of ward councillors (Hambleton, 2000a). Normally the council appoints directly the council manager but in Ireland this appointment is made outside the council by a national appointments agency (Barrington, 1991: 168). The council-manager may not have an entirely free hand when it comes to staffing. In Australia the council must be consulted on the appointment of senior officials (Marshall, Witherby, and Dollery, 1999: 46).

Matters such as the breadth of functions that municipalities are responsible for, the extent of control over finance, will also impact on the operation of the model. There will also be great differences caused by national and local political culture. In the English context, it is worth mentioning “the long-term cultural traditions of local politics in urban England, and in particular the continued dominance of the party group, which is in many ways inimical to the exercise of individual political leadership” (Leach and Wilson, 2004: 134). It is against this background that the introduction of the council-manager model in England is examined.

## **The council-manager model, Stoke-on-Trent**

The Labour Government under Blair passed the Local Government Act 2000, which introduced new models of political management to England. This Act abolished the old committee system, and replaced it with models that emphasised individual political leadership (Hambleton, 2000a; Leach and Wilson, 2004). As part of the reforms, the Blair Government also created the Greater London Authority, including the UK's first directly elected mayor (Sweeting, 2003). These models drew heavily on practice in other countries for inspiration (Hambleton and Sweeting, 2004). Councils were obliged to introduce one of four new models of decision-making:

- a directly elected mayor, with a cabinet
- a directly elected mayor, and council manager
- a cabinet and a leader
- a reformed committee system (only available to councils under 85,000 in population)

Most councils opted for the cabinet and leader model, as it seemed to represent the least threat to established party norms in local government (Leach and Wilson, 2004: 137-8). Ten councils, after local referendums, opted for the mayor-cabinet model. The only English council to adopt the mayor and council-manager form was Stoke-on-Trent, ratified by a local referendum in 2002.

In Stoke-on-Trent citizens vote for the directly elected mayor and their local councillors. There are 20 wards in Stoke-on-Trent and each elects three councillors on a first-past-the-post basis, so there are 60 councillors in all. The mayor, in line with other English directly elected mayors, is elected using a system of first and second preferences. Should no candidate receive more than 50% of first preferences, then all but the top two candidates are eliminated. The second preferences of the winning candidates are redistributed and the winner is the candidate with the most votes after two rounds of counting.

There is a separation of powers between the executive (the Mayor and the Council Manager), and the legislative body (the Full Council). The Mayor is the principal spokesperson for the council, and provides political leadership. The Mayor must appoint a Deputy Mayor and can, if he/she wishes, also appoint an Executive Advisory Committee made up of councillors. The Mayor and Council Manager are both responsible for proposing the budget and overall policy framework, for approval (or rejection) by the Full Council. The constitution of Stoke-on-Trent gives the Council Manager considerable executive discretion. The Council Manager's duties include appointing all staff and implementing the policy framework, and taking executive decisions within that framework. The Council Manager must have regard to the advice of the Mayor, but need not follow it. The Full Council oversees the executive through a system of overview and scrutiny committees. The Full Council appoints the Council Manager and can suspend and remove the Council Manager.

The current Mayor stood as an independent candidate and won the contest after a second round of counting, on a turnout of 24% (Rallings, Thrasher, and Cowling, 2002: 86). The Labour group is the largest on the council, but it does not have a majority of seats. There is also a large number of independent candidates. The next

section considers the Stoke-on-Trent system of decision-making in relation to input, throughput, and output legitimation.

In relation to input legitimation, the consent of the electorate is given to the executive in three senses. First, citizens participate directly in the choice of leader. The Mayor is directly elected, and gains the consent of the electorate through this process. Second, the consent of the electorate is given to the executive as the Full Council (i.e. all the councillors) select the Council Manager. This consent is not direct but instead given through the representative process. Third, consent is given through the Full Council agreeing to budget and policies of the executive. Again, this consent is via the representative process, but the executive must operate within the overall framework that the council has agreed.

Against this, the extent of input legitimacy is limited by several factors. The turnout in the mayoral election was low - less than one in four of the electorate voted. This brings into question the extent of popular consent for the chosen candidate. Moreover, the 'electoral contact' between the Mayor and the electorate is infrequent. The Mayor is elected for a term of four years, and between elections, there is nothing that the electorate or the council can do to remove the Mayor. There is no provision for 'recall' for the Mayor. Consent is given to the Mayor in an infrequent, single-shot, one off manner. Also, as theorists of deliberative democracy point out, as voting need not entail much public deliberation, the representative process may not provide genuine, informed consent (Fishkin, 1991).

In relation to throughput legitimation, both the Mayor and Council Manager are highly visible. Within the council it is clear that the executive are the key decision-makers. In the broader context, both are often in the local media, explaining and defending council policies. The Mayor has the profile that being elected on a city-wide grants. So the visibility of the executive is good. Decisions are also made in line with an overall policy framework that the Full Council has agreed, and there are various opportunities for councillors and members of the public to question the executive about decisions, including via overview and scrutiny committees. Additionally, there is provision for councillors to 'call in' contentious decisions for further consideration. Also, the Council Manager is made accountable to the Full Council as it can suspend or fire the Council Manager.. Yet while in many respects the throughput legitimation that this model offers is strong, there are qualifications. The Council's ability to fire the Council Manager seems something of a 'nuclear option'. Councillors complain of the lack of control over the executive given by overview and scrutiny committees. As is the case in the Greater London Authority, "scrutiny does not amount to control" (Pimlott and Rao, 2002: 165). So while the executive may be accountable for their activities in terms of giving an account, their accountability to the council is somewhat less.

In relation to output legitimation, as noted above, the model of decision-making is based on the virtues of strong management. The idea is that the Council Manager has comprehensive bureaucratic control, combined with the political leadership offered by the Mayor. This set-up should guard against departmentalism and 'silo' mentalities, and instead lead to joined-up decision-making geared towards a politically defined vision. The bureaucracy that the executive control should therefore be well-placed to gear its services to the needs of the local community. Furthermore

the speed of decision-making that the model offers facilitates working in arenas outside the municipality, in partnerships and other local networks.

Nevertheless, there is a danger that decision-making is too centralised, and the executive could become overloaded, slowing down decision-making, or leading to poorly thought out, rushed, and ill-conceived policies. Furthermore, the extent of checks and balances in the system can limit executive freedom, and undermine their capacity. Though the council finds it difficult to control the executive, the council can delay decisions by calling them in, the can block decisions by throwing out the policy framework, and limit the resources available to the executive by trimming the budget. Within the broader frameworks of governance, the executive in Stoke-on-Trent urban leaders face all the demands of the complex, multi-level environment within which they work, compounded by high citizen expectations, yet with limited resources granted to them. As Borraz and John point out in relation to new elected mayors generally, but with equal applicability to the Stoke-on-Trent executive, should “mayors fail to accomplish what is expected of them, this could further weaken the legitimacy of local government” (2004: 115).

In relation to legitimation overall, the model offers a mixed picture. It has elements that show the consent of the electorate, offer transparency, and can unite the bureaucracy. Against that, there is a danger of lack of deliberation, calling into question the extent of consent, varied accountability, and the system appears centralised. How then, can these shortcomings be mitigated by the Community Facilitation Service?

### **The Community Facilitation Service**

In this section, we consider the contribution of the ‘Community Facilitation Service’ (CFS) to input, throughput and output legitimation processes in Stoke-on-Trent and in particular, whether the CFS can address any of the challenges posed by the council-manager model.

The CFS has three key features which make it of interest to policy makers and academics alike. First, it is a *decentralisation* or *localisation* mechanism that attempts to both bring decision-makers and bureaucrats closer to service users, and creates space for the involvement of local residents in identifying local needs and shaping policy processes. It is part of what could be called a second wave of decentralisation during the 1990s and continuing today, evidenced by attempts by local governments around the world to address the problems of disengaged citizens and inadequate service delivery at the local level. Decentralisation (localisation) can be seen as “a vehicle for ‘empowering people in the neighbourhoods’” (Burns, Hambleton & Hoggett, 1994:6). In Britain, area and neighbourhood governance moved back up the agenda with the Labour government in 1997, which developed an Act inviting local authorities to experiment with new forms of community involvement (Local Government Act 2000). The objectives that inspire efforts to localise are hugely varied, from saving money to promoting civic renewal, developing a new role for councillors or creating a framework for mainstreaming local regeneration initiatives (Hogget & Kimberlee, 2001). New institutional arrangements for participatory and localised planning and decision-making are evolving, from participatory budgeting in

Porto Alegre, Brazil and *gram sabhas* throughout India, to 'area working' in Nottingham and 'area coordination' in Coventry.

The question underlying these many and varied attempts, as posed by Fung and Wright in their theory of "Empowered Participatory Governance", is whether "the reorganisation of formal state institutions can stimulate democratic engagement in civil society, and so form a virtuous circle of reciprocal reinforcement" (2003:15). For an institutional arrangement to do this, they suggest that it must meet the following "general principles:

- a focus on specific, tangible problems
- involvement of ordinary people affected by these problems and officials close to them
- the deliberative development of solutions to these problems"(2003: 15).

This introduces the second feature of the CFS: deliberation. The CFS establishes area forums, at which residents experience decision-making by consent through deliberation, and are also given voting rights alongside their ward councillors. Dryzek argues that the recent 'turn' in the theory of democracy towards deliberation represents a "renewed concern with the authenticity of democracy" (2000:1). Increasingly, democratic *legitimacy* has come to be seen in terms of "the opportunity to participate in effective deliberation on the part of those subject to collective decisions" (2000: 1).

Thirdly, the CFS brings together officers from different public and voluntary sector service providers, both at a strategic city level, and at the area forums, to share information and coordinate activities. This joining-up of services is a crucial challenge for contemporary English local politics, and is an England-wide governance issue, if not international. Pressure on local governments across Europe to respond to the needs of the disadvantaged and excluded has increased with the growing strain on, and declining capacity of, national welfare systems (Stewart, 2004). This increased responsibility has not been accompanied by a decisive devolution of power, and in England many services continue to be centrally controlled from separate departments, delivering services locally alongside new institutions and agencies which are often centrally initiated. It is therefore a major local governance challenge for councils to co-ordinate these services and ensure that excluded or disadvantaged groups are reached.

The following section gives a little more detail on the organisation and functioning of the CFS. The initiative involves the creation of ten decentralised forums designed to engage communities and 'join up' service provision at neighbourhood level for greater efficiency and to co-ordinate multi-agency responses to cross-cutting issues such as drug abuse. Each forum covers two electoral wards. Membership of the forum is on a geographical basis; residents and councillors who live in the designated area, and service providers (statutory and voluntary sector) who work in the area. The Forum is formally constituted (after a collective drafting process), and its members come from three, also formally constituted, sub-arenas: Councillors (six ward councillors, elected on a four-yearly basis by their geographical electorate); the Community Network (residents who have volunteered to participate, and a wider network of organisations and individuals in the area who may attend or

may have voice through other residents); and the Area Implementation Team (AIT) – service providers, namely council departments, health and education.

The CFS is a relatively fledgling initiative. Policy development began early in 2002, staff were seconded in July 2002 and 10 preliminary Area Forums were held in September of the same year. A year of workshops and data collection passed, until the first fully-fledged Area Forum was launched in September 2003 after a lengthy process of collaborative institutional design, bottom-up problem identification and the preparation of area ‘action plans’ to be fed into city level joint planning processes. The individual forums are developing at different rates, because of the differing skills and experience of their members and of the community facilitators who were seconded from the council and other agencies to set up the forums.

We now turn to examine how the CFS addresses the legitimisation challenges posed by the council-manager model. The identified shortcomings of the council-manager model in terms of *input legitimisation* are; fragile or limited consent by the electorate (because of the infrequent citizen contact with the Elected Mayor) and by the elected members of the representative system (because they have no power to dismiss the mayor). The establishment of a deliberative forum (the CFS) can be viewed as a direct response to these legitimisation weaknesses. As a decentralising mechanism, the CFS creates new spaces for participation (input legitimisation). These spaces – the area forums - have the potential to stimulate democratic engagement in civil society, since residents experience deliberation alongside their elected representatives and service providers who have a direct, practical interest in the locality. The forums take place on a six-weekly basis and resident participation in these is either direct, or via community networks which feed into the forums. Councillors and senior officers attend these forums, so contact between citizens and the political system is significantly increased. Following Dryzek, we can thus establish a firm link between deliberation and legitimacy.

The CFS provides an interface for engagement between representative and direct forms of democracy. This is an enormous and as yet in England under-explored aspect of local governance but which is extremely relevant to the legitimisation of local government reforms. The council-manager model reduces the traditional powers of the senior councillor as portfolio holder and concentrates these powers in the dual executive of directly elected mayor and council manager. There is a sense in which councillors have been shifted from a proactive (portfolio holder) to a reactive position (scrutiny & overview commissions) under this model, with no guidelines on how to re-engage them. There is potential for the CFS to support councillors in a stronger role as community leaders, through its mechanisms to bring local stakeholders together with ward councillors to exchange information and deliberate over priorities and co-ordinated approaches to problem solving. However, if developing a new role for councillors is not a core objective of the service, then it will not easily be realised<sup>2</sup>. Furthermore, the disengagement of councillors is also a throughput legitimisation problem of the council manager model, as we see below.

As well as providing input legitimisation through participation, the process of public deliberation of local problems and priorities by users and providers is seen by

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<sup>2</sup> see Hoggett & Kimberlee 2001 on how strategic arrangements for area governance need to reflect the flow from objectives, which must be clear.

those involved and active in the process as positive and increases the *responsiveness and accountability* of the public sector. The area forum gives priority to residents – it facilitates their interaction with representatives of the local authority and other service agencies within a more responsive and accountable institutional arrangement. This interaction facilitates greater transparency through public discussion and scrutiny of agency activities. Each forum has a community champion who is a senior council officer, and his/her presence at the forum enhances the accountability of the local authority towards the community, and builds trust. This feature builds on the throughput legitimation provided by the visibility of the executive in the council-manager model.

The identified shortcomings of the council-manager model in terms of throughput legitimation is the *lack* of deliberation experienced by councillors in this model of representative local democracy; and the degree to which the dual executive of the directly elected mayor and council-manager are insulated from the rest of the council. This CFS attempts to counter this in two ways. Firstly, the forums increase the visibility of the council-manager and other senior officers as community champions. Secondly, the forums provide a space for the exchange of information between service providers, elected representatives and residents, which helps to mitigate the sense of exclusion experienced by some councillors vis-à-vis the executive. However, at least at this early stage in the lifetime of both the council-manager model and the CFS in Stoke-on-Trent, councillor involvement in the forums is not sufficient to mitigate their sense of being sidelined or ‘out of the loop’ at city-level.

In terms of both throughput and output legitimation, the area forums, - and the sub-forum of the Area Implementation Team – are useful arenas for service providers to meet and exchange information and to begin to coordinate activities. This in itself contributes to joined up working by service delivery agents and the more efficient delivery of local services. A core feature of the CFS is that it aims to break down ‘silo’ thinking in the individual service agencies. It has developed out of a recognition that to address social exclusion, economic competitiveness and multiple deprivation that are city wide issues, all stakeholders have to work together.

A shortcoming of the council-manager model in terms of output legitimation is the danger of over- centralisation; so much rests on two individuals. This has implications for information sharing and efficiency in decision-making, both key aspects of output legitimation. A second danger is that the dual executive’s decision-making is vulnerable to blocking by the Full Council, and so the speed and professionalism which are hallmarks of the council-manager model come under threat if the councillors chose to undermine them, or feel disenfranchised. Can the CFS compensate in any way for these significant risks? This is the most difficult aspect for the CFS to address, because it is a process-oriented, participatory initiative that is not output-based. It addresses output legitimation through effectiveness by bringing together the relevant stakeholders to plan and share information, so that services can be made more responsive to local needs. Also, as a model of decentralised planning, decision-making and joint implementation, it can act as a counterweight to the centralised leadership model. It is precisely its contribution to input legitimation through participation (of residents, councillors and service delivery representatives), and to throughput legitimation through transparency (exchange of information,

visibility of senior staff including the Council Manager herself), that the CFS helps to mitigate the risks to output legitimation inherent in the council-manager model.

## **Conclusions**

Institutional design is vital to local governance. The reforms that strengthen local political executives in Europe have the potential to alter the dynamics of local governance. We have examined leadership change in relation to the council-manager model of decision-making. Using Stoke-on-Trent as an example we have argued that, as a response to the 'legitimacy crisis' in local governance, there are both strengths and weaknesses in the legitimation that the council-manager model brings. Some of these are inherent in the model, some (e.g. the low election turnout) relate to local characteristics.

Institutional design can alleviate these problems. In Stoke-on-Trent, the CFS has helped to mitigate some of the legitimacy problems of the council-manager model. It is designed to bring a measure of deliberative consent and decentralisation in what might otherwise be a centralised model with infrequent contact between the executive and the electorate. The design of institutional arrangements for local governance can therefore be improved by assessing how a proposed initiative may contribute to the legitimacy of the political system and leadership. Input, throughput and output legitimation, are therefore useful concepts both for academic analysis and policy design and development.

A further lesson for policy and practice is that it is both possible and increasingly necessary to combine elements of representative democracy and participatory democracy in local governance if the legitimation provided by participation, accountability and effectiveness are to be given equal weight. The council-manager model, while responding to some aspects of the legitimation crisis in English local government, is not enough on its own, and benefits from the complementary aspects of a decentralised, participatory mechanism.

It is difficult to compare one English city to the over 3000 US cities with city managers, or all the city and district council managers of New Zealand. It is however worth noting that while in Stoke-on-Trent reforms have left an executive of two serving a council of 60, in the other two countries the average number of councillors per city is 12 or 13 and these individuals play a strategic role in city politics. This raises the question of the changing role for councillors in local governance, and whether there is a need for such a comparatively high number of councillors in English local authorities with the council-manager system of decision-making.

## References

- Barrington, T.J. (1991) 'Local government in Ireland', in Batley, R. and Stoker, G. (eds.) *Local government in Europe. Trends and developments*. Macmillan: Basingstoke, pp155-169.
- Borraz, O. and John, P. (2004) 'The transformation of urban political leadership in Western Europe', *International Journal of Urban and Regional Research*, Vol. 28, No. 1, pp 107-20.
- Burns, D., Hambleton, R. and Hoggett, P. (1994) *The Politics of Decentralisation: Revitalising Local Democracy*. Macmillan: London
- Dryzek, J.S. (2000) *Deliberative Democracy and Beyond: Liberals, Critics, Contestations*. Oxford University Press: Oxford.
- Fishkin, J. (1991) *Democracy and deliberation. New directions for democratic reform*. Yale University Press: New Haven.
- Fung, A. and Wright, E. O. (2003) *Deepening Democracy: Institutional Innovations in Empowered Participatory Governance. The Real Utopias Project IV*. Verso: London.
- Genieys, W., Ballart, X., and Valarié, P. (2004) 'From 'great' leaders to building networks: the emergence of a new urban leadership in Southern Europe?', *International Journal of Urban and Regional Research*, Vol. 28, No. 1, pp. 183-99.
- Hambleton, R. (1998) *Local government political management arrangements – an international perspective*. The Scottish Office Central Research Unit: Edinburgh.
- Hambleton, Robin. (2000a) 'Modernising political management in local government.' *Urban Studies*, Vol.37, No.5-6, 931-950
- Hambleton, R. (2000b) *The council manager model: enhancing political and managerial leadership*. The Improvement and Development Agency: London.
- Hambleton, R. and Sweeting, D. (2004) 'US-style leadership for English local government?'. *Public Administration Review*, forthcoming
- Haus, M., and Heinelt, H. (2004) 'How to achieve governability at the local level? Theoretical and conceptual considerations on a complementarity of urban leadership and community involvement' in Haus, M. and Heinelt, H. (eds) *Democratic choices for cities*. Routledge: London.
- Hogget, P. and Kimberlee, R., (2001) *Going Local? Area and Neighbourhood Governance*. Occasional Paper No. 1 – 2001, Centre for Local Democracy. University of the West of England: Bristol
- Larsen, H. (2002) 'Directly elected mayors – democratic renewal or constitutional confusion?', in Caulfield, J. and Larsen, H. (eds) *Local Government at the millennium*. Leske and Budrich: Opladen.
- Leach, S. and Wilson, D. (2004) 'Urban elites in England: New models of executive governance', *International Journal of Urban and Regional Research*, Vol. 28, No. 1, pp 134-49.

- Magnier, A. (2004) 'Between institutional learning and re-legitimation: Italian mayors in the unending reform', *International Journal of Urban and Regional Research*, Vol. 28, No. 1, pp. 166-182.
- Marshall, N. Witherby, A. and Dollery, B. (1999) 'Management, markets, and democracy: Australian local government reform in the 1990s'. *Local Government Studies*, Vol. 25, No. 3, Autumn, pp34-57.
- Mouritzen, P.E. and Svara, J.H. (2002) *Leadership at the apex. Politicians and administrators in Western local governments*. University of Pittsburgh Press: Pittsburgh.
- Pimlott, B. and Rao, N. (2002) *Governing London*. Oxford: Oxford University Press.
- Rallings, C., Thrasher, M., and Cowling, D. (2002) 'Mayoral referendums and elections', *Local Government Studies*, Vol. 28, No. 4, pp. 67-90.
- Scharpf, F. (1999) *Governing in Europe. Effective and democratic?* Oxford University Press: Oxford.
- Stewart, M. (2004) 'Collaboration in Multi-actor Governance' in Haus, M. and Heinelt, H. (eds) *Democratic choices for cities*. Routledge: London.
- Stoker, G. and Wolman, H. (1992) Drawing lessons from US experience: an elected mayor for British local government. *Public Administration*, Vol. 70, Summer 1992, pp. 241-267.
- Svara, J.H. (1990) *Official leadership in the city. Patterns of conflict and cooperation*. Oxford University Press: New York
- Svara, J.H. (1994) 'Redefining leadership in local government: the facilitative model', in Svara J.H and associates, *Facilitative leadership in local government. Lessons from successful mayors and chairpersons*. Jossey Bass: San Francisco.
- Svara, J.H. (1998) 'The politics-administration dichotomy as aberration'. *Public Administration Review*, Vol. 58, No. 1, January/February, pp. 51-58.
- Sweeting, D. (2003) 'How strong is the Mayor of London?' *Policy & Politics*, vol. 31, no. 4, pp. 465-78.
- Swianiewicz, P. (2004) 'Cities in States in Transition: From Statism to Democracy' in Haus, M. and Heinelt, H. (eds) *Democratic choices for cities*. Routledge: London.
- Weber, M. (1991) 'Politics as a vocation' in H.H. Gerth and C. Wright Mills (eds.), *Max Weber 2<sup>nd</sup> edition*, London: Routledge.
- Wollmann, H. (2004) 'Urban leadership in German local politics: The rise, role, and performance of the directly elected (chief executive) mayor', *International Journal of Urban and Regional Research*, Vol. 28, No. 1, pp.150-65.