

Bristol City Council and an Elected Mayor

Decision making

Bristol City Council provides a range of services from social care to waste collections, with an annual turnover of around £1 billion.

Running an undertaking as large and complex as the Council requires a great number of decisions to be taken ranging from major strategic and policy decisions to those related to day-to-day operation and delivery of services. Legislation sets out the overall structures to enable decisions to be taken and this includes the following:

- Full Council – consisting of the Mayor plus all 70 [Councillors](#)
- Mayor and Cabinet (also known as the Executive) – consisting of the Mayor and between 2-9 councillors who each have a portfolio of services.
- Overview and Scrutiny Committees – consisting of councillors who are not in the Cabinet (also known as backbench councillors)
- Regulatory and Quasi-judicial committees – consisting of councillors (usually appointed in committees whose membership is required to reflect the size of different groups elected to the authority).
- Officer Structure – to support the work of the Council overall.

Councils including Bristol have a [constitution](#) that sets out in more detail how the Council operates, how decisions are made, who makes them and the procedures that must be followed to ensure that the process is efficient, transparent and accountable to local people. Following the referendum in May, the constitution is in the process of being updated to reflect the new arrangements.

The role and powers of the Mayor

The Mayor is responsible for all of the Council's executive functions which are not specifically stated to be the responsibility of any other part of the Council, whether by law or under the constitution.

The elected Mayor [as the council leader system before] will decide which kind of decisions are taken by either:

- themselves individually
- or delegated to the Cabinet (known as the Executive)
- or delegated to individual Cabinet members
- or delegated to officers.

All key decisions must be made in public unless the matter is confidential.

Most decision making of the council is delegated down to officers because of the volume of decisions that must be made.

These powers are similar to the current Leader and Cabinet model, as no specific additional formal powers for Mayors have yet been specified by government.

The Cabinet

The Cabinet is made up of the Mayor and councillors appointed (and removed) by the Mayor (including one appointed as Deputy Mayor). The Cabinet can have responsibilities for particular aspects of the Council's services as the Mayor sees fit. The cabinet is made up of between 2-9 councillors, from any of the 70 that are elected

The whole Cabinet takes 'key' decisions collectively. Key decisions are those with 'major financial implications' or as 'having an impact on more than one ward'. All 'key decisions' must be made in public unless the matter has good cause to be considered confidentially.

The level of those decisions has been decided in Bristol as those involving funds of £500k or more.

Officers

The council has paid employees (officers) under the direction of a Chief Executive and a board of Strategic Directors (related to individual service areas). Officers give advice and guidance, implement decisions and deliver the council's services. Some senior officers have been delegated the power to make decisions on behalf of the council.

Regulatory, Corporate and Ethical Functions

The law requires that there are a number of local authority functions which are 'not to be the responsibility of an authority's executive' so some important decisions will continue to be taken independently of an elected Mayor.

In brief these functions are:

- Functions relating to town and country planning and development (Development Control Planning Committees)
- Licensing and registration functions (Licensing Committee, Public Safety and Protection Committee)
- Functions relating to health and safety at work (Public Safety and Protection Committee)
- Functions relating to elections (Full Council, Selection Committee and officer delegation)
- Functions relating to name and status of areas and individuals (i.e. changing the name of a district, conferring titles of Honorary Alderman etc) –(Full Council)
- Functions related to public rights of way (Public Rights of Way and Greens Committee)
- Power to make, amend revoke or re-enact by laws (Full Council)
- Functions relating to (local government) pensions, power to appoint staff, and to determine the terms and conditions on which they hold office - including procedures for their dismissal (Human Resources Committee, Selection Committee, Appeals Committee)
- Duty to approve the local authority's statement of accounts, income, expenditure and balance sheet, review the effectiveness of the council's governance arrangements, risk management framework and internal control environment– (Audit Committee)

The Council deals with these functions either through Full Council or through the establishment of specific committees (often referred to as regulatory or 'quasi-judicial' committees). A full list of these committees is included in Part 3 of the Council's Constitution, under [Responsibility for Functions](#).

Full Council

The Mayor and all 70 of the elected Councillors will sit in full Council. This meets every 2 months. Its chief roles include:

- Setting and approving the major policies and budget within which the Council operates [having first been proposed by the Mayor and requiring a two-thirds majority to over-turn or amend the Mayor's proposals]
- Adopting and agreeing changes to the Constitution [by a two-thirds majority]
- Agreeing and amending the terms of reference for committees, their composition and appointments to committees
- Acting as a forum for policy and political debate on issues affecting the City and its people

Checks and Balances

Non-executive councillors (i.e. those not in the Cabinet) perform a **scrutiny** role as members of overview and scrutiny committees. These reflect the overall political composition of the whole Council. They examine and challenge (in advance) decisions to be made by the Cabinet to ensure that they meet the needs of local people. Overview and Scrutiny Committees also have a role in monitoring the performance of services and the development of Council policy.

Decisions which have been made but have not been implemented can be "called-in" by any two councillors. When this happens the decision is reviewed by a call-in committee of councillors who may decide to let the decision stand, ask Cabinet to reconsider it or refer it to Full Council for debate. The call-in committee cannot overturn a decision made by Cabinet. This means in effect that major decisions taken by the Mayor (or the cabinet collectively/individually) do not come into effect until there has been a standard period of around a week for other councillors to consider whether to 'call it in' for detailed review.

Differences between the elected mayor and council leader system

Elected Mayor	Council Leader
The system from 19 th November 2012.	The current system until 19 th November 2012.
The Elected Mayor will be directly elected by the people of Bristol.	The Council Leader is elected by the full council of 70 locally elected councillors.
The Elected Mayor will be in addition to the 70 elected councillors (and will not be a councillor themselves).	The Council Leader is one of the 70 elected councillors.
The Elected Mayor holds office for four years and cannot be voted out of office by the councillors.	The Council Leader is elected by the council for a period of up to four years, but can be voted out of office if they no longer have the support of the majority of the other 70 councillors.
Each year the elected Mayor will present a budget and major policies to the council. Those plans could be approved by a majority. However, any changes proposed by the council would need to have the support of at least two-thirds of the council.	Each year the Council Leader presents a budget and major policies to the council. They can be approved by a majority and, in the same way, any changes proposed by the council require a majority.
<p>The elected Mayor will be scrutinised through full council and councillor committees, as well as through direct elections across the whole city, normally on a four year cycle.</p> <p>A directly elected Mayor cannot be removed from their post by the voters during their term of office.</p>	<p>The Council Leader is held to account through full council and councillor committees. He or she also has to stand for election as a local councillor every four years in one of Bristol's 35 electoral wards.</p> <p>A Council Leader cannot be removed from their post by the voters during their term of office.</p>

Elected mayors may also enjoy informal or “soft” powers, deriving principally from their direct election, which could enable them to influence, persuade and co-ordinate on a wider scale.

What does local government do?

Councils (or local authorities as they are also known) work primarily with and for, people who live, work or study in their local area to determine and deliver local priorities.

This work is also undertaken in conjunction with other parts of the public sector including the NHS, Fire and Police Services. Local Government provides a wide range of services, either directly through their employees, in partnership or by commissioning services from outside organisations. They also have responsibility for the economic, social and environmental 'wellbeing' of their area, acting as Community Leaders.

Many council services are mandatory. This means that the council must do them because they are under a duty to do so by law (e.g. to operate an alcohol licensing regime under the Licensing Act 2003). Some mandatory (or statutory) functions are tightly controlled by central government, resulting in a similar level of service across the country (e.g. the homelessness duty). Other mandatory requirements (e.g. the library function) leave councils with some discretion over the level and type of service they provide. Having said that, the **level** at which mandatory/statutory services are provided by councils is rarely specified in any detail in law, meaning that there is actually a great degree of choice (in allocation of resources) that can be exercised in planning these services.

Some council services and functions are discretionary. These are services a council can choose to provide but does not have to. They range from large economic regeneration projects, to the removal of wasp nests. Councils have a general power to charge for discretionary services provided they are not prohibited from doing so by other legislation (sometimes referred to as a 'general power of competence'). Councils can charge for some services, for example arts and entertainment activities, sport and recreational facilities and some pest control services. Councils provide over 700 services.

How does Bristol City Council work?

Bristol City Council is a unitary authority, which means it is responsible for all local government services (including Education and Social Care) within Bristol. Unitary authorities are constituted under the Local Government Act 1992, which amended the Local Government Act 1972 to allow the existence of counties that are not divided into districts.

Democratic representation

In addition to the Mayor (after November's election) the people of Bristol are represented on Bristol City Council by 70 Elected Councillors (also known as Elected Members) – two for each of the city's 35 electoral areas (known as wards).

Councillors are elected to represent people in a defined geographical area for a fixed term of four years, unless elected at a by-election in which case the time will be shorter. Councillors have to balance the needs and interests of local people, political parties and the legal requirements of council working.

In Bristol currently one third of the councillors are elected every three out of four years. Some other Councils elect their Councillors all together every four years (all out elections). The Council is currently consulting local people for their views about this approach, and will debate whether or not to move to all-out elections in January 2013 (with such a change requiring a two-thirds majority of the Council to come into effect)

Planning Ahead

The Council is required by law to publish a 'forward plan' listing when key decisions will be taken. The public can attend most council meetings and by prior arrangement make representations at them.

Local Decision Making

The Council has 14 neighbourhood partnerships that are made up of the councillors who represent the wards of the partnership area (partnership areas are normally made up of 2 or 3 adjoining wards) along with other individuals who live and work in the area.

The councillors on a neighbourhood partnership also comprise a council committee known as a 'neighbourhood committee' and have delegated powers to take certain local decisions on behalf of the Council.

Certain budgets are devolved to each partnership from the council to spend upon neighbourhood improvement. These include the wellbeing budget (£10k per ward), highway budgets (variable), Clean and Green Budgets (£1500 per NP area), and influence on council services and contracts.

Feeding into these partnerships are the neighbourhood forums, which are held within individual wards/communities. These are led by members of the neighbourhood and give residents an opportunity to engage with appropriate officers (for example the grounds maintenance manager for their area) from the council, police and other key agencies about particular issues and to make suggestions for improvement.

The Role of the Lord Mayor

The roles of directly elected Mayor and Lord Mayor are very different – although the similarity of the titles is confusing. The main difference is that aside from chairing Full Council and the Downs Committee, the Lord Mayor doesn't have any power to take decisions.

The Lord Mayor is one of the existing 70 elected councillors chosen annually by full council. A Mayor has existed in Bristol since 1216 although the Lord Mayoralty granted by Queen Victoria in 1899. The Lord Mayor is usually someone who has been a councillor for a number of years, and is normally a new appointment every year. The office of Lord Mayor is a (largely) ceremonial post, and by tradition, the councillor who holds that office takes no part in the political life of the council for their year of office. The Lord Mayor will impartially chair meetings of the full Council and represent the council at civic and ceremonial occasions.