

# No overall control

Learning further lessons from  
councils without a majority administration



# Foreword

The forthcoming Local and European Parliamentary elections in May 2014 will be a particularly busy time for councils, on top of the challenge of responding to existing economic, social and environmental issues within an ever tightening financial environment. It is quite possible that local political landscapes will change and that some councils will find themselves without a majority administration, some for the first time.

Coming to terms with operating in a no overall control environment can be challenging for leading members and senior officers alike. Whilst everybody will want to respond in their own way and in the context of their own local situation it can also be helpful to learn from the experiences of others.

So we have talked to a range of leaders and chief executives whose councils have moved to a no overall control situation to capture their experiences and pass on the lessons they have learnt. Each council differs and relationships vary but we hope that a guide consolidating learning from those prepared to share their experiences will be useful.

In addition the Local Government Association (LGA) offers all councils that change political control, whether to a single party administration or no overall control, up to five days free support from our experienced member peers and free support for councillors in opposition who are likely to form administrations. This can typically involve facilitating workshops and away days to build relationships, clarifying strategic priorities and mentoring for leaders or portfolio holders. Further details are available from the LGA principal adviser for your area, whose details can be found at the back of this guide.

We do hope you find this publication useful and would like to thank the leading members, chief executives and managing directors who have given their time to share their experiences and the lessons they have learnt. Should you have any comments or suggestions, or wish to contribute to the growing body of work on this subject, please let us know.

## **Councillor Peter Fleming**

Chairman, LGA Improvement and Innovation Board  
Leader of the Council,  
Sevenoaks District Council

## **Michael Coughlin**

Executive Director  
Workforce, Leadership and Productivity, LGA

Nb. This updates our earlier guide 'No overall control. The experience of chief executives in councils without a majority administration'.<sup>1</sup> We have captured the experiences of leading members as well as chief executives, included a wider range of councils, and taken the opportunity to refresh previous case studies.

<sup>1</sup> Which can be found at: <http://tinyurl.com/pwq9stn>

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# Lessons learnt for political leaders

## Political leaders – forward planning: what to consider before the election

If there is a possibility of a council moving to no overall control, there is a lot that the political group leaders can do in the pre-election period to prepare for this outcome. The council leaders we spoke to offered the following advice:

- **Make your manifesto realistic:** when writing your manifesto or plan for change, make sure it is realistic in terms of what you could actually achieve. If your party finds itself becoming part of the new administration, you will want its promises to be viable.
- **Scenario planning:** consider the possible outcomes of the election. If no overall control is a possibility for your council, consider the different scenarios for your party. Do not assume that the most likely scenario is inevitable. Plan for the unexpected.
- **Look at common ground:** review the manifestos of other political groups to see potential areas of agreement and the key issues of contention, so you are prepared for any negotiations.
- **Check your party rules:** there may be national rules governing how you can and cannot work in a no overall control or coalition situation.
- **Brief your councillors:** explore what no overall control could mean in practice in your council, and get a sense of how your councillors would feel about working with other political parties. Prepare your

negotiating team and ensure that members are ready to begin discussions as soon as the election results are known.

- **Get to grips with the issues:** if there is any chance that you could become leader or deputy leader of the council, spend some time before the election getting to grips with the key issues. Talk to the chief executive and chief officers. Encourage key councillors in your party, who may find themselves in cabinet or lead member roles, to get up to speed with the relevant issues.
- **Consider talking to the other parties:** you may choose to begin talking to other group leaders or councillors to pave the way for any formal discussions that might take place after the election. You may even decide to go further than that and begin detailed planning for a joint administration now. Remember that the leadership of political groups can change following an election.
- **Ask other leaders for advice:** the case studies in this guide give examples of how some councils have tackled the shift to no overall control. Talk to these or other council leaders who have experienced, or are experiencing, this shift.

## Political leaders – immediately after the election

Once the votes have been counted, it is time for the decision making to begin. There are many options for forming an administration in no overall control situations but the advice of the council leaders we spoke to can help in a range of different scenarios.

- **Consider all the options:** these can include forming a minority administration, a formal coalition with another party or parties, informal agreements on an issue basis or other arrangements.
- **Be secure in your own position:** canvass support for your role as group leader. When a council moves to no overall control, it can be an uncertain time for all the parties. Ensuring you have the backing of your members will mean you are negotiating from a strong position.
- **Do not assume the most likely scenario is inevitable:** again, expect the unexpected. Even if you are one of the smaller political groups in the council, you could end up being part of the administration.
- **Get to know the priorities of the other parties:** you need to know where you agree, where you can agree to disagree, and where you disagree strongly.
- **Talk to the other parties:** work out who you can work with. Have meetings and/or talk to other group leaders. You may choose to involve other senior councillors from your political group in some of these meetings. Put your common themes, ideas and ambitions on the table and work from there. If you do not want to work with anyone else, tell the other groups.
- **Ask your chief executive for advice and information:** during the discussion stage, your chief executive will become as involved as you want them to be. They, and other officers, can help with practical measures such as arranging meeting rooms, providing information and facilitating discussions, and of course can offer impartial and confidential advice.
- **Keep your councillors briefed:** you may want to bring councillors from your own group together, as their opinions will be important in the final decision. Some members will want to begin preparing for possible cabinet or executive roles.
- **Do not feel rushed into a decision:** do not

close down your options too early or make speedy decisions that you may regret later. Take your time over the important decisions if that feels right, but bear in mind that officers and members will be keen to get on with council business as soon as possible.

- **Work out the detail:** as you move towards an agreement, begin to work out the details, for example what the governance arrangements will be, how the groups in the administration will share information and make decisions, how often you will meet and so on.
- **Think about the key positions:** the cabinet places or committee chairs and the chairs of other committees such as overview and scrutiny. Listen to the other parties' requests and talk to your own senior members and administration partners about how to distribute these opportunities.

## Political leaders – in the longer term

Once the new political arrangements are consolidated, there are a few final tips to consider as you settle into your new role.

- **Consider whether a written agreement is needed to facilitate the new arrangements:** in many cases a spoken agreement may be preferred, and this can offer flexibility but written agreements and protocols can be helpful for members, officers and the public.
- **Get up to speed:** a new council leader faces a steep learning curve. Arrange briefings with the chief officers so that you can begin to get up to speed with the key issues. Your relationship with the chief executive will be very important in helping the new arrangements to settle in.
- **Be patient:** it could take a couple of weeks to get everyone on board and understanding the new political structure. There are likely to be disagreements over who gets what

and what the new administration's priorities should be. It is up to you to make sure that all the parties in a joint administration are reasonably happy with the final decision.

- **Take the lead:** As leader, your first priorities will be to hold the arrangement together and ensure there is a shared policy line on as many issues as possible. You will need to be aware of what is going well and where tensions are rising, and you will spend a lot of time talking to the other parties and trying to reach agreement.
- **Be clear about the ownership of issues and projects:** for example, whether something is an officer or a member issue; you may want to provide opportunities for opposition parties to get involved or take a lead on projects or committees.
- **Keep talking to everyone:** it is easy to leave someone out of the loop. Maintain good relationships with the other group leaders, your cabinet or executive members, the chief executive and other senior officers.
- **Do not expect to reach agreement with other groups:** at least not all the time but keeping them in the loop and ensuring they understand why a decision has been made can help to get business through the council. Every political party in a no overall council has to compromise sometimes, including the largest party.
- **Accept that things will not always work out:** there may be an element of trial and error in setting up systems and processes that ensure everything runs smoothly. If something is not working, do not be afraid to try another approach.
- **Constructive dialogue is crucial:** as leader in a no overall control council, you will need the support, or at the very least the advice, of others. Be open and inclusive and seek to reach consensus but be strong and decisive where necessary.

## Political leaders – learning from experience

Summarised here are some quoted key lessons from leaders to help share their experiences:

“Any group that could form a major part in an administration should think ahead. We didn't expect to be pitched into the executive positions and it took members some time to get to grips with their portfolios. Do the groundwork before the election.”

**Councillor Geoff Wheeler (Labour),  
Leader, Stroud District Council**

“We try to encourage a culture of respect across the council chamber. We are all elected to do the best for our communities, and what unites us as councillors is usually greater than what divides us politically.”

**Councillor Roger Blaney (Conservative),  
Leader, Newark and Sherwood District Council**

“Don't take the election result for granted, and never underestimate the potential size of any protest vote. National politics will always play a part in local elections. The best way of trying to protect your own seat is to look after your electorate.”

**Councillor Martin Curtis (Conservative),  
Leader, Cambridgeshire County Council**

“Make sure you are absolutely on top of your game. Know what’s going on and have the strong support of the chief executive and other senior officers. Within the cabinet provide a very strong leadership, as outside the cabinet, that has to be balanced by being a leader who takes a more consensual approach.”

**Councillor Mehboob Khan (Labour),  
former Leader, Kirklees Council**

“I spend a lot of my time now talking to the other group leaders and trying to get a consensus. Being open and honest is the way to do it. There are some things we would never concede on and some things the opposition would never agree with.”

**Councillor Keith Glazier (Conservative),  
Leader, East Sussex County Council**

# Lessons learnt for chief executives

## Chief executives – forward planning: what to consider before the election

This section, for chief executives and managing directors, builds on the advice offered in the previous version of this publication. The chief executives and managing directors we spoke to this time reiterated much of that advice, stressing its importance, and added new thoughts and ideas.

In the weeks and months before an election, there is a lot that the chief executive or managing director can do if they think there is a possibility of their council moving to no overall control. Those we spoke to offered the following advice for before and after an election.

- **Scenario planning:** think about the possible outcomes, working with your monitoring officer to map out how various scenarios will work in practice. Consider whether any constitutional change or changes to agreed protocol will be necessary. Consider the possibility of changes to the group leaders, as well as to the structural and governance arrangements. Even after all this, expect the unexpected.
- **Look at common ground:** review the manifestos of the political groups to see potential areas of agreement and the key issues of contention so you are prepared. Understand the dynamics of the political parties and how they do or do not interact with each other. Get to know their priorities and motivations and assess their likely appetite for working across the political spectrum.
- **Build and maintain good relationships across the political spectrum:** it is more important than ever that the chief executive has good relationships with councillors, particularly group leaders and other leading members. You need to be seen as a trusted, impartial adviser. You may choose to talk to group leaders about how they see things going after the election and their expectations of your team, making it clear you will be there to help in the critical post-election period.
- **Prepare information for members:** have information and guidance on hand as soon as it is needed, such as details of the early decisions members will have to take, the cabinet or committee structure and appointments to external organisations.
- **Brief your staff:** a change to no overall control will impact on different parts of the council to varying degrees. It can be helpful to talk through scenarios and what the changes may involve with senior managers ahead of the elections. This will help them to support the council through the transition and beyond. You may also choose to brief all staff and explain that it will be 'business as usual' while any negotiations take place.
- **Read about the experiences of others:** the case studies in this guide give examples of how some councils have tackled the shift to no overall control. Talk to these or others who have experienced, or are experiencing, this shift.



## Chief executives – immediately after the election

Once the votes have been counted, it is time for the decision making to begin. There are many options for forming an administration when no one party has overall control but the advice of the chief executives and managing directors we spoke to can be helpful in a range of different scenarios.

- **Give it time:** make sure the group leaders have each other's phone numbers, then do not be afraid to step back and give them time to work things out. Let them know you are available at any time to offer advice, information and practical help such as a neutral space for meetings. Even if you have planned ahead, it can take time for parties to agree who will run the council and how.
- **Support deal making if appropriate between the parties:** chief executives can have a uniquely valuable role in being trusted facilitators but it is a judgement call in each council as to how far your councillors will want you to go. If the key individuals are not talking to each other, you may need to take a more active role, getting them round the table and helping them find common ground. Your reputation for confidentiality, impartiality and sound judgement is, of course, vital.
- **Ensure you know and understand the priorities of the new leader(s):** consider ways of helping them deliver these. Offer to come to a meeting of all members of the group or groups in the new administration. It can be an opportunity to bring them up to speed on the key issues and provide advice on things like decision making and how they can work effectively as a group.
- **Consider practical matters such as briefings and protocols:** the issue of who gets information, and when, can be a real point of contention in councils new to no overall control. Consider what is best in your

council and discuss this with (and be led by) the political leadership. You may opt for joint briefings or briefing the parties separately, or a combination approach (with joint briefings for the bigger issues and behind-closed-doors discussions between the leaders; and individual briefings, which allow them to tell you what they think without the other groups present). Protocols can cover issues such as how senior officers will work with group leaders and members.

- **Consider whether written agreements will be needed to facilitate the new arrangements:** in many cases, councillors prefer a spoken agreement, which can offer more flexibility but written agreements and protocols can be helpful, particularly further down the line.
- **Work with the party leaders to agree an external communications protocol:** this involves things such as signing off press releases to ensure that communications with local people can continue. The heads of communication and democratic services should work together on this.
- **Brief your management team:** they need to understand the new arrangements and their practical implications. Decisions for example may take longer and there may be more people to consult. Make sure staff are briefed on the changes in the appropriate way, and talk to the council's key partners.
- **Ask other chief executives for advice:** have a hotline to chief executives in similar councils with experience of no overall control. Learning from others and sharing intelligence can be invaluable.

## Chief executives – in the longer term

After the post-election period, there are a few final tips to consider as your council settles into its new arrangements.

- **Keep talking:** maintain close relationships with all the group leaders and communicate

effectively with councillors, senior officers and partners. Appropriate and sensitive communication is key to success. Work with the administration on converting their manifesto into action, identifying some 'quick wins' they can begin to work on immediately.

- **Notice what is working and what is not working:** be aware of what seems to be going well and where tensions are rising. Ensure your senior team do the same. Respond in a very sensitive way. You are likely to spend more time supporting your politicians in the early days of a new no overall control administration. Tell them you can offer advice on how to work as a group, formulate policy and make decisions if they need it.
- **Ensure you remain impartial, objective and helpful:** keep meeting with all group leaders and not just the council leader. You may want to arrange regular one-to-ones to brief them on key issues, along with meetings for all the group leaders where tensions can be aired and common ground identified. Make sure your senior officers are giving all the groups access to the same advice, information and guidance.
- **Consider away-days or strategy seminars with the cabinet and senior team:** this can help build relationships and clarify priorities. Think about whether an external facilitator could help. Just because parties form a joint administration, do not assume they will automatically work together well.
- **Offer support and training to new cabinet or lead members:** try to anticipate this and offer it before they have to ask. External organisations including the LGA can provide support, such as mentoring, to politicians in these circumstances.
- **Remember the opposition parties:** it is important that you spend time talking to and briefing all the groups from now on. Sometimes the largest group may not have a role in the administration. Maintain a good relationship with all groups and act as a conduit between them if necessary, helping

them to find middle ground. You may want to look for opportunities for the opposition to be involved and suggest these to the political leadership.

- **Regularly review how things are working:** particularly in terms of how effectively senior officers, group leaders and yourself are communicating with each other. Are the current systems working well or is there a need to modify them? Is the cycle of meetings working and does everyone feel they are being heard? Is a need emerging for a formal, written agreement between the partners in the administration?
- **Do not assume that things are set in stone:** anticipate further change – the political landscape may have settled down for now but do not assume the administration will remain the same until the next election.

## Chief executives – learning from experience

Many of the chief executives and managing directors we spoke to in preparing this guide were already working in councils under no overall control. They said talking to other chief executives about their experience helped them learn. They were therefore happy to share their experiences:

**“Chief executives must have a good understanding of what could happen at the next election. Understand the dynamics of the political parties and how they do or don't interact with each other.”**

**David Hagg, Chief Executive, Stroud District Council**

“The run-up to an election is crucial in terms of talking to leaders about anticipating no overall control. Talk with them about who they might be prepared to collaborate with, which policy issues they might feel able to compromise on and where there might be similarities between the political groups.”

**Adrian Lythgo, Chief Executive, Kirklees Metropolitan Borough Council**

“Approach the new leaders early. Don’t tell them what you think they want to hear; tell them how it is. Bring them up to speed quickly and encourage them to think about how they are going to work together as a team.”

**David Burbage, Managing Director, Isle of Wight Council**

“Your role following the election is to act as the oil in the political machinery, never thinking that you are part of the machinery.”

**Mark Lloyd, Chief Executive, Cambridgeshire County Council**

“I see my role as mediating and holding the ring, trying to help members have conversations that can be tricky at times. It’s about supporting the politicians so they can be effective.”

**Penny Thompson, Chief Executive, Brighton & Hove City Council**

“Success in a no overall control authority really comes down to relationships based on trust, openness and honesty. As Chief Executive you’ve got to invest a lot of time and effort working across the groups in an open and objective manner.”

**Rob Walsh, Chief Executive, North East Lincolnshire Council**

“You need to anticipate and expect change. There is a moment after the election where things start to settle down and you come out with an arrangement, but don’t expect that to necessarily remain the same until the next election.”

**Andrew Muter, Chief Executive, Newark & Sherwood District Council**

# Case studies

## Case study: Brighton & Hove City Council

Brighton & Hove's history of no overall control stretches back to 2003. During that time the administration has been led by Labour, the Conservatives and, since 2011, the Green Party. One of the key learning points for councillors and officers has been that no two administrations are the same. The council may remain under no overall control but different administrations run it in very different ways.

In 2011, the possibility of the Green Party winning the largest share of seats in a local council for the first time had been widely noted. The party prepared for all outcomes. Key councillors were briefed and a negotiating team was appointed prior to polling day. Once the election results were known, the Green Party approached the other groups for discussions, and the result was a Green-led minority administration.

As outlined in the previous version of this case study, Penny Thompson arrived as chief executive 18 months later, in December 2012. She had made it clear she would only take the job if there was a unanimous decision on her appointment between all the group leaders. Councillor Jason Kitcat, who had become Council Leader six months earlier, agrees that starting from this position of openness, trust and cross-party consensus on the appointment was critical: "It wouldn't have worked if the chief executive did not have the confidence of all the parties. That would have set us up for instability."

Senior officers must behave in an even-handed way in a no overall control council,

Thompson says. "This is something I return to with colleagues again and again. We keep it at the forefront of our conversations – perception is all in this situation." On a practical level, this means taking care over how each group is briefed. "I'm continually asking colleagues whether opposition members have been briefed and are in the know," she says.

Cross-party briefings often begin at the formative stage of an idea or policy through the monthly group leaders meeting. The parties agreed the terms of reference between them and the meeting is chaired by the chief executive, who acts as facilitator. It is a chance to debate contentious issues early on and get a feel for the views of each group. Often agreement is reached, and if not, then everyone understands why a decision is being taken. There are also pre-meetings before every committee, involving the chair, deputy and opposition spokespeople from each group, which help shape the agenda and find common ground. The budget review group is cross-party and meets regularly.

Some constitutional changes have been made, including one relating to the call-in procedures following a spate of decisions being called in. Now, call-ins must have the backing of five members representing more than one political group. The council also opted to move to a committee system.

The level of trust between the chief executive, senior managers and group leaders is key, says Thompson. "We try to keep the contested political discussions in their proper place. There are disagreements, but the vast majority of the council's business is managed in a very open and straightforward way."

## Case study: Cambridgeshire County Council

The Conservatives had experienced an uninterrupted period of majority control of Cambridgeshire County Council since 1997, so their loss of control in 2013 came as a surprise. “Nobody saw this coming at all,” says Conservative Councillor Martin Curtis, who became Leader of the Council three weeks later. “We were expecting a bounce to UKIP but not on this scale.”

The final tally saw the Conservatives with 32 seats, Liberal Democrats 14, UKIP 12, Labour seven, and four Independents. The Conservatives lost their group leader, who until the election had also been the council’s leader.

Councillor Curtis says they did not launch into “crisis mode” but took a measured response, partly because he was not elected as group leader until later that month. “That delay was helpful. There were all sorts of discussions going on around possible political alliances, and my feeling is that we would have rushed into them at our peril.” Senior members spent time looking at who they could work with, both politically and personally.

Mark Lloyd, Chief Executive of Cambridgeshire since 2008, says the most important preparation for a period of no overall control had been done in the preceding years; strong councillor/officer relationships were established and responsibilities were clear. Officers knew they worked for the whole council all of the time. “If a council always does its business that way, then a surprising election result shouldn’t knock it off course.”

Immediately after the elections, Lloyd offered his office as a neutral space for discussions and got all the group leaders to meet together. Following that, he facilitated conversations between them. “We got to the point where the political groups agreed to enable the Conservatives to run a minority administration. That has worked well so far,” he says.

Lloyd holds a monthly group leaders meeting and one-to-ones with each of them: “I see the leader of the council often but not at the expense of seeing the other group leaders. I brief them on what is happening, financial performance and other issues on the horizon. In a minority administration it’s unwise to spring surprises on the other political groups. It’s our job to brief all of them in the same way.”

He says senior managers need to think about how they can make the council work as well as it possibly can in this new situation. “The whole organisation has to reinvent itself, and it’s the chief executive’s job to help everyone understand this new reality.”

The council has opened up some of its decision-making processes, such as re-invigorating ‘spokes meetings’ to offer political group spokespeople a bigger insight into key issues. The process to build the budget, which previously involved the cabinet and senior managers, has been opened up to include group leaders.

Councillor Curtis says the focus must be on what is right for local people. Compromise on all sides is essential: “You can’t steam-roller your agenda through a no overall control council, even if you run the cabinet. Never take an election result for granted and don’t underestimate the size of any protest vote. National politics will always play a big role in local elections.”

## Case study: East Sussex County Council

In East Sussex, the move to no overall control in 2013 followed 12 years of a Conservative majority administration. This time, the Conservatives won 20 of the council's 49 seats, with the rest shared between five other political and Independent groups.

After the election, the Conservative group leader, Councillor Keith Glazier, brought his councillors together for a meeting where they agreed they would attempt to run the council as a minority administration. If the opposition parties formed a coalition, the Conservatives would go into opposition. He met with the other group leaders to tell them this and to look for collaborative ways of working with them to ensure the Council could continue to function effectively.

At an officer level, the senior management team had, prior to the election, considered a range of possible electoral outcomes. Chief Executive, Becky Shaw, recalls: "We envisaged what would happen under different scenarios and what steps we would need to take. The fact that we had spent time talking about it made a huge difference, as we had a clear action plan to work with the new council and had identified areas of potential difficulty." Senior officers were prepared for most of the questions the members wanted immediate answers to, such as political proportionality on committees and external appointments.

Shaw says it was very useful to talk to chief executives in other no overall control councils, both new and established. "It really helped to know what others were doing and how different places took different approaches. It helped our problem-solving and ensured we didn't miss important issues that needed to be addressed." She also bore in mind that some members were very tired: "The demands on members during the run-up and aftermath of an election sometimes gets lost on officers. The members were amazingly resilient but they

were tired, some were in low spirits and they had to step straight into full-on negotiating."

No coalition was formed and the Conservatives now run a minority administration, making informal agreements with other parties on an issue basis. So far it has worked well. In the chief executive's opinion, this success is due to the willingness of all the groups to co-operate in the interests of East Sussex, to a very inclusive and collaborative approach by the leader and cabinet, and to a robust business planning process (and scrutiny arrangements), which enable all members to participate.

The other key ingredient was that members and officers were mindful, throughout the negotiations and afterwards, of the importance of protecting the council's reputation and maintaining public confidence.

Councillor Glazier says: "I have placed great emphasis on talking to other group leaders, trying to get a consensus. There is no point in thinking you are running a council the way you used to – we genuinely need people to be joined up." He is "honest and open" and says others in this situation should fear nothing: "If you have good policies and delivered a good service before the election, the chances are you will be able to continue to do that. But it's important to work hard to understand the other parties."

## Case study: Isle of Wight Council

The unitary authority on the Isle of Wight had a Conservative majority administration since 2005. Going into the 2013 full-council elections, the Conservatives were confident of winning a third term but it all changed when Independent councillors made significant gains. The results left the Conservatives with 15 seats, a group called the Island Independents with 15, two UKIP, two Labour, one Liberal Democrat and five non-aligned Independents.

Prior to the 2013 elections, a large group of Independent councillors and candidates had been quietly preparing for a larger stake in the council (Independents already held 10 of the 40 seats). In the months leading up to May, they came together to form the Island Independents as a non-political, mutually supportive group, and developed a 'framework for change' outlining their aspirations.

The council's Managing Director, David Burbage, says his team had scenario-planned for the possibility of a hung council but had not considered that the Independents might do so well. "We were aware that there could be a difficult period of horse-trading, so in a sense it was better to be dealing with a minority administration rather than an alignment of two or three smaller groups," he says.

At the election count, Burbage approached the Island Independents' leader, Councillor Ian Stephens, to say he was there to offer advice as needed. As soon as the results were known, the group formed an alliance with the five other Independent councillors, who were brought into the Island Independents group. They now took half the seats on the council and formed a minority administration.

Burbage attended a group meeting two days later to bring all the members of the new administration up to speed on important issues such as the budget. He offered advice on what they needed to consider, such as

how to operate as a group to formulate policy and reach decisions. The role of Chair of Council was given to a Conservative member. Councillor Stephens dismissed concerns that this gave away the casting vote, saying he would rather work to reach consensus before that point. The chair of overview and scrutiny is Labour and the audit committee chair is a Liberal Democrat.

Some say that bringing Independent members together is like "herding cats" but Councillor Stephens is enjoying the opportunity to prove them wrong: "The key is to lead in an open and honest way." Officers worked with the group to identify some immediate actions they could take and began working towards some of their bigger ambitions, such as a governance review (led by a cross-party working group) and a root and branch review of services.

The arrangement is working well, says Burbage, in part due to the leadership's approach to transparency and engaging all members. The Island Independents are prepared to listen and learn, and many officers have found the absence of party politics refreshing. Councillor Stephens says it is important to embrace overview and scrutiny as a tool for ensuring the policies are strong, and to encourage a culture of respect. "This is a cabinet with respect for fellow members across the chamber as well as for staff, stakeholders and residents," he says.

## Case study: Kirklees Metropolitan Borough Council

Kirklees Council has had a no overall control administration since 1999. When Adrian Lythgo became Chief Executive in 2010, he knew the political context, having been Director of Finance for the previous year.

Labour, the Conservatives and the Liberal Democrats have all formed the largest group at some point since 1999, and the Green Party has also played a role in forming administrations. At times, the three largest groups have been of broadly equal size but by 2013 Labour were two seats short of a majority. Kirklees has had formal coalitions at times, most recently at the 2009 election when Labour and the Liberal Democrats came together. Otherwise it has had minority or majority administrations.

Councillor Mehboob Khan was Council Leader from 2009 until February 2014, when he resigned to take up a new job. The Labour and Liberal Democrat coalition in 2009 had been six months in the making, he says, down to the detail of who would be in the cabinet and how they would make decisions and share information. That was the only time any planning went into forming a coalition prior to an election. The arrangement lasted for a year, as in 2010 the Liberal Democrats lost seats and Labour became a minority administration.

Lythgo says that in councils where no overall control is a possibility, the chief executive should talk with group leaders well before the election to understand how they are thinking and what the options might be. "The run-up period is important in terms of discussing what they might be prepared to do and who they might be prepared to work with," he says. Chief executives should be aware of common policy interests and identify areas for potential post-election discussion. After the election, they should make sure the leaders are talking

to each other, if that is appropriate in the local circumstances.

Councillor Khan says: "The cabinet has lots of powers, so once you have formed an administration you don't always need to make reference to the other groups to get things done. However, no administration would last long behaving like that in no overall control." Instead it is critical to talk to the other group leaders and compromise where possible.

As a matter of routine, Lythgo holds meetings with the group leaders individually every three or four weeks, and chairs joint meetings including all of them about eight times a year. Each group decides how many members to bring. It is an opportunity to "consult them on issues which I know they have a shared interest in, sometimes a constitutional issue, sometimes policy," he says. It is, however, getting more difficult to reach consensus, mainly because of cuts to the council's budget. Discussions on issues such as libraries, children's centres and swimming pools are always likely to split political opinion and make consensus more difficult, says Lythgo.

In between the chief executive's group leaders meetings, all the group leaders meet regularly together. The leader uses these more informal meetings as an opportunity to listen, and this dialogue ensures he can change track in what the administration is doing if necessary.



## Case study: Newark and Sherwood District Council

In recent years, it has been rare for any political group to have a large majority in Newark and Sherwood. With a history of no overall control administrations, a culture of respect and shared responsibility has developed across the council chamber.

As outlined in the previous version of this case study, Newark and Sherwood switched back to no overall control in 2011. Chief Executive Andrew Muter talked with the leaders of the largest groups, the Conservatives and Labour, to help broker a way forward. The parties considered a coalition but Labour's national party rules meant they could not join as the smaller party, so Labour agreed to let the Conservative group form a minority administration.

One year later, Councillor Roger Blaney became Leader and made an alliance agreement with two Independent councillors, having had the idea in mind for a while. Muter offered a draft alliance agreement to use if they wished. This gave the Independents flexibility to vote against the Conservatives or abstain but with an expectation they would seek to reach agreement on key issues.

In practice, with a majority of two, the alliance still has to maintain a high level of cooperation with the opposition and will look for consensus where possible. The Chief Executive acts as a conduit between groups where necessary but steers clear of politics. It works well, Muter says, partly due to the history of no overall control here, and also because of the behaviour and values of the politicians. They want to do the best they can for the community and district, which brings scope for collaboration. Officers help them to find common ground.

Last year the council moved to a committee system on the basis that it would share decision making more widely. Councillor

Blaney offered some vice-chair positions to Labour but they declined. "Quite understandably, they didn't want to be fettered in terms of being able to challenge and criticise," he says. Opposition spokespeople are involved in the pre-committee agenda meetings, which provides an opportunity for engagement.

Finding some stability in the post-election period is important, Councillor Blaney says, so officers can be given a clear direction and implement plans and policies with confidence. Putting that into practice involves forming good relationships between officers and members. "As leader you need the support, or at very least the advice of others, and you will only get that if you have an ongoing constructive dialogue with them."

Muter says it does no harm to have conversations with leading members prior to an election about what would happen under different scenarios, making it clear that as Chief Executive you are there to help if necessary. He also runs a checklist in his head at election time: "Are the key members who need to talk to each other doing so? Is somebody missing? If conversations are going on, you only need to provide a light touch; be aware, be supportive and encourage the leaders to get to a resolution. If conversations aren't happening you need to take a much more active role, getting them round the table and helping them to find common ground."

## Case study: North East Lincolnshire Council

As outlined in the previous version of this case study, North East Lincolnshire has a long history as a no overall control council. For much of the past decade it was run as a Conservative/Liberal Democrat coalition, long before the idea had occurred to national politicians. In 2011, Labour became the largest group and formed a minority administration, before gaining majority control a year later.

Councillor Chris Shaw became Council Leader at the 2011 election. One of his first moves was to instigate fortnightly meetings with all the group leaders and deputies. He offered some positions to opposition members, such as the chairs of scrutiny, to provide a way for them to challenge the cabinet. “When we were in opposition we were kept out of everything, so one of the first things I did was make sure both opposition group leaders had an office and were involved,” he says.

Councillor Shaw says it is important to treat the opposition groups as you would wish to be treated. There is a need for genuine dialogue but in a no overall control situation the party in administration makes the final decisions. “We decided that we weren’t going to run the council as if we were walking on eggshells – you can’t run a council by consultation – but we always try to bring the other parties with us.”

Rob Walsh was on the senior management team during the period of no overall control in 2011-12 and became Chief Executive in January 2014. He says that when it comes to the big decisions, all 42 councillors usually agree. “Part of the reason for that, whatever the political make-up of the council, is because officers have invested a lot of time advising members objectively and working with them to build consensus,” he says.

Walsh says it is interesting and challenging to work in a council with elections three out of

every four years, where the political balance can change. He believes it is important for officers to understand the significance of integrity, impartiality and objectivity, and the credibility that is established with politicians as a result. “You need a very good working relationship with your leader, and you also have to establish a rapport with the opposition group leaders. Be open and honest with them and minimise the surprises.”

The council established a written protocol about how senior officers will work with members, right down to how to engage with scrutiny chairs, which is reviewed every year. There is no formal meeting of the group leaders but there is a member development group, which includes them all and is primarily about taking the role of councillors forward but also provides an opportunity to discuss key issues.

Walsh advises chief executives in councils that could become no overall control to talk to the leaders of the relevant groups as early as possible: “Spend time thinking and talking about how you expect it to work. Engage the group leaders, asking them about their expectations of you and your team. Start talking about it now, rather than waiting until the morning after the night before.”

## Case study: London Borough of Redbridge

In May 2010, on the same day that the Conservatives and Liberal Democrats published their agreement for a national Government coalition, Conservative and Liberal Democrat councillors were signing a similar agreement to run Redbridge Council.

Redbridge holds whole-council elections every four years. In 2009, three years into an election cycle, the Conservatives lost overall control due to some councillor defections. The party decided to agree a memorandum of understanding with the Liberal Democrats that both parties would agree on important issues and would otherwise be free to vote differently.

Heading into the 2010 elections, the Conservatives were confident of regaining majority control. Redbridge Leader, Councillor Keith Prince, says entering into any kind of partnership was simply “not on the radar”. On the day, the Conservatives took 30 of the 63 seats, Labour 26 and the Liberal Democrats seven.

Councillor Prince began conversations with the other two party leaders. A Labour and Conservative coalition was “never really going to be on the cards,” he says, so it came down to a straight choice by the Liberal Democrats whether they chose to enter into a partnership agreement with Labour or the Conservatives. They opted for the latter, with their Leader, Councillor Ian Bond, becoming Deputy Leader of the Council.

A formal agreement was put together by the two parties, which set out the arrangements clearly for the benefit of the partners, officers and the public. At the time, Councillor Prince said: “Both the parties will continue to maintain their individual policies and principles, whilst working together in the best interests of Redbridge residents.” Under the terms of the agreement, the cabinet was reduced to nine members, seven Conservatives and two Liberal

Democrats, with the scrutiny committees chaired by Labour.

Councillor Prince says trust and tolerance are critical to making a partnership work, along with a good working relationship between both group leaders. “You have to be honest and play the long game. Don’t try to make quick, cheap political gains, as you’ll pay the price further down the road,” he says. The downsides include slower decision making and not being able to push some policies through if the parties disagree.

In 2014 the council was heading into another election, which meant the partners had begun thinking and acting as opponents again. The next administration will face some challenging decisions on financial issues, so Roger Hampson, Chief Executive at Redbridge since 2000, began having informal chats with all the group leaders, months before the election, to lay the groundwork for those decisions.

Hampson says a solid coalition arrangement can be far more stable than slim majority control, when renegade councillors can ensure that votes are lost. “The great advantage of a coalition is that, when it comes to a vote, the policies have already been argued through by everyone who needs to have a say in them. Here in Redbridge, senior politicians have risen to the occasion and I think it helped that we have a strong officer team, who were not fazed by no overall control.”

## Case study: Stroud District Council

As outlined in the previous version of this case study, Stroud found itself with no overall control in 2012. The outcome was not a complete surprise but the chair of council then resigned from the largest group.

A period of negotiation began. Chief Executive David Hagg says: “The political groups needed time, so we had a quiet period where I spoke to each of the leaders and let them work out a way forward.” It was important to keep the lines of communication open with group leaders and to make sure that “the conversations I was having with them were in the right sequence,” which depended on the current state of the negotiations.

Hagg says that stepping back from the discussions felt “a bit uncomfortable” but gave the parties space to work things out. “You can’t afford to over-involve yourself as chief executive in the dialogue. I was there to help and offer advice.”

The Conservatives were expected to make an arrangement with another party but no agreement was reached. Talks continued between the groups, with regular updates for other councillors on the latest position and to get the decisions endorsed. The outcome was that Labour formed an arrangement with the Liberal Democrat and Green parties. Councillor Geoff Wheeler, the new leader of the Labour group, unexpectedly found himself becoming leader of the council. He says one of the lessons he learnt from the experience is to “expect the unexpected”.

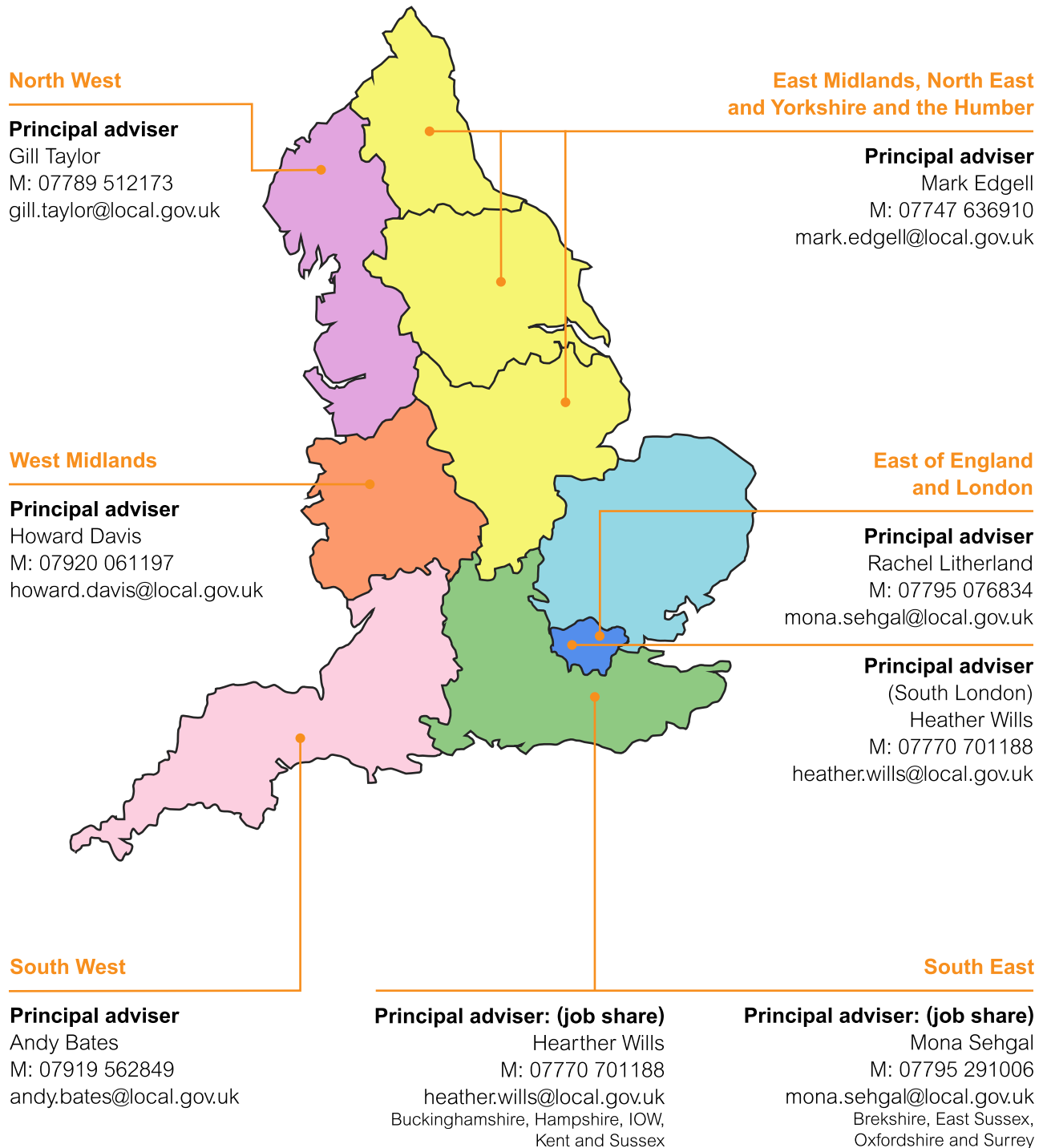
Before the election, Hagg had raised the possibility of a no overall control outcome in a briefing session for staff. He said it would be “business as usual” should it take time to form an administration. It took a fortnight to get the new political structure fully agreed. During that time the three group leaders debated which policies and agenda items they could agree on, and discussed and bargained on the executive posts.

The three parties focused on the common themes in their manifestos and created a joint set of priorities. Where there was not a unanimous agreement, for example with a proposal to move to a committee system, the issue was put aside for discussion later on. The group leaders agreed not to have a formal coalition and written agreement but a “co-operative arrangement” on an issue basis. The decision to move to a committee system was made at a later date on the basis that this would involve more members and make it easier to reach cross-chamber agreement.

Councillor Wheeler says: “In my experience, preparation before the election, in the form of gathering information and making contact with chief officers and group leaders, is the key. Any group likely to form an administration should ideally be getting on with that work before the election. It’s a very steep learning curve once you become leader of the council. If you’ve done the preparation you can hit the ground running.”

The chief executive also made time to communicate with the Conservative group. Hagg says: “It was important to make sure they were not excluded, particularly as they were still the largest group.”

# Principal advisers – geographical allocations









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