

Leading Locally

how New Zealand's mayors get things done

Abstract

New Zealand's directly elected mayors are considered an example of a weak mayoral model, with mayors having limited legal powers to make decisions or appointments. However, many mayors continue to shape policy direction alongside their councillor colleagues. This article examines how a collaborative leadership approach allows mayors to successfully lead locally even without strong executive powers. Future reforms of local government should consider how to build on this leadership framework.

Keywords mayors, leadership, local government, policy implementation

In April 2021 the government announced a review of local government, which among other things seeks to achieve public trust and confidence in local authorities, strong leadership, and effective partnerships between *mana whenua* and central and local government in order to better provide for communities (Department of Internal Affairs, 2021). This article suggests that in

terms of New Zealand's directly elected mayors, many of the foundations for these are already in place. It presents evidence from a recent national survey of mayors which demonstrates the importance of local networks and consensual decision making in how New Zealand's mayors manage to lead successfully, even when they find themselves with a minority of support around the council table.

The article also develops a leadership framework, which reflects the value of trust and influence within mayor and councillor relationships and considers the implications for this being reflected in local government's relationship and status with central government and ministers.

New Zealand mayors

The role of a directly elected mayor is still comparatively young, dating back to 1989. From the mid-19th century the office of mayor was largely ceremonial (Cheyne, 2017). There are currently 67 territorial authorities in New Zealand, each with a mayor elected from the district at large, together with over 700 councillors. The 11 regional councils comprise 120 councillors, and at each council one of these is elected first as a councillor and then appointed as chair by their fellow councillors.

The mayors' current range of powers and responsibilities is younger still, arising from challenges with the creation of the Auckland 'super city' council. Not only was the new mayor of Auckland given additional powers of appointment and a clear leadership role (Mouat and Dodson, 2013); there were also amendments to the Local

Table 1: The local government leadership framework

Influences	Institutional/formal Legislation, standing orders, council constitution	Informal Relations with council parties, CEO, officers	Individual Experience, background
Leadership roles	Policy, budget, vetoes, appointments, personnel	Relations with parties, backbenchers, CEO, chief officers	Articulate, ability to dominate, negotiate competencies/experience
A. Governmental			
B. Governance	Representation, outside memberships, decentralised structures	Relations with lobbies, interests, other levels of government	Reticulist abilities/skills Established contacts/networks
C. Allegiance	Term of office, formal relation to council Power of recall/dismissal Abolition of office	Relations with outside parties, lobbies, electorate Power	Approachable, accessible? Risk of corruption: 'clientelism' Power

Source: Elcock and Fenwick, 2012

Government Act 2002 to provide a defined set of powers for mayors across the country.

Asquith (2012) argued that this created a potential power vacuum between the perception and reality of the mayor's powers and role. These new powers allowed mayors to appoint a deputy, appoint council committees and chairs, and assign the role of leading the development of plans, policies and budgets (Cheyne, 2017). Yet under the new arrangements there is no mayoral veto, whereas councillors can vote down the mayor's proposed appointments. Many mayors saw these changes as just 'legislation catching up with common practice' (Local Government New Zealand, 2015) rather than a new set of tools. They saw the idea of a council overturning a deputy mayor appointment as meaningless and nonsensical. Yet these changes have created situations where the mayor's power can be openly challenged by councillors, something which has the potential to create discord around the council table and be interpreted as dysfunction by the public.

Current challenges

A visitor finding themselves in New Zealand in November 2020, just a year after the last set of local elections, might have been forgiven for wondering if any directly elected mayor was able to achieve their policy objectives. One mayor found themselves forced to clear all media comments with council officers (Peacock, 2020). A report into another council, at the request of the minister for local government, recommended that Crown advisors be appointed to support the council. Shortly after supporting this report, the mayor resigned (Shand, 2020).

Another council, addressing the same request, published a report which asked that independent advisors work with the mayor and that the mayor delegate powers to the deputy (Savory, 2020). Finally, the capital's mayor lost a high-profile vote on a flagship land sale policy and was termed a 'lame duck' (Hunt, 2020).

In the current term there have been a series of open defeats and challenges for mayors. The mayor of Wellington, Andy Foster, has been defeated over a range of issues and faced numerous challenges from councillors, and even a code of conduct complaint regarding a council vote (ibid.). The mayor of Waitomo, John Robertson, found himself the subject of a code of conduct complaint from all councillors after he published his personal views ahead of a vote on rates increases (an issue he campaigned on), before suffering a unanimous defeat at the council table (Gullery, 2020). In Dunedin, Aaron Hawkins was heavily defeated over plans to pedestrianise the city centre, an issue he actively campaigned on prior to his election (Macleay, 2020). The mayor of Tauranga, Tenby Powell, was subject to what was termed a 'coup', receiving a letter of requisition from a majority of councillors to replace his deputy. In response, the deputy stood down and a replacement was appointed by the mayor, only to receive a further letter of requisition from the same majority group. Eventually Powell resigned his position and called for commissioners to be installed. All four of these mayors had beaten incumbents in 2019 (Bay of Plenty Times, 2020).

What can account for these issues? And are they endemic, or isolated cases?

Mayoral leadership

Elcock and Fenwick's local government leadership framework (Elcock and Fenwick, 2012) enables comparison not only of leaders in different jurisdictions and models, but also between different leaders in the same country. It considers the institutional and formal aspects of the role, the informal relationships within the administration that the mayor must manage, and the personal or charismatic qualities the mayor brings. The framework then focuses on the relationship between leaders' attributes and their leadership roles, which are analysed against their formal governmental role, the governance aspects of their role and their understanding of political allegiances. Using the framework allows us to understand what mayors actually do in office, rather than just consider a role description (Fenwick and Elcock, 2014). It moves beyond simple successes and failures and enables us to consider the importance local leaders attach to the various roles and attributes in the framework and how these relate to their achievements or failures.

This framework was used to investigate the current state of mayoral leadership in New Zealand. In 2020 mayors and councillors across the country (with the exception of Auckland, which is governed by separate legislation) were sent an online questionnaire which attempted to gain an understanding of their views on collaboration, influence and leadership styles; results are summarised in Figures 1 and 2. Fifty-three per cent of mayors (35) and 25% of councillors (170) responded. In comparison, the 2015 survey by Local

Figure 1: When you think of your role in shaping council policy objectives and decision making, to what extent do you agree with the following? (question to mayors)

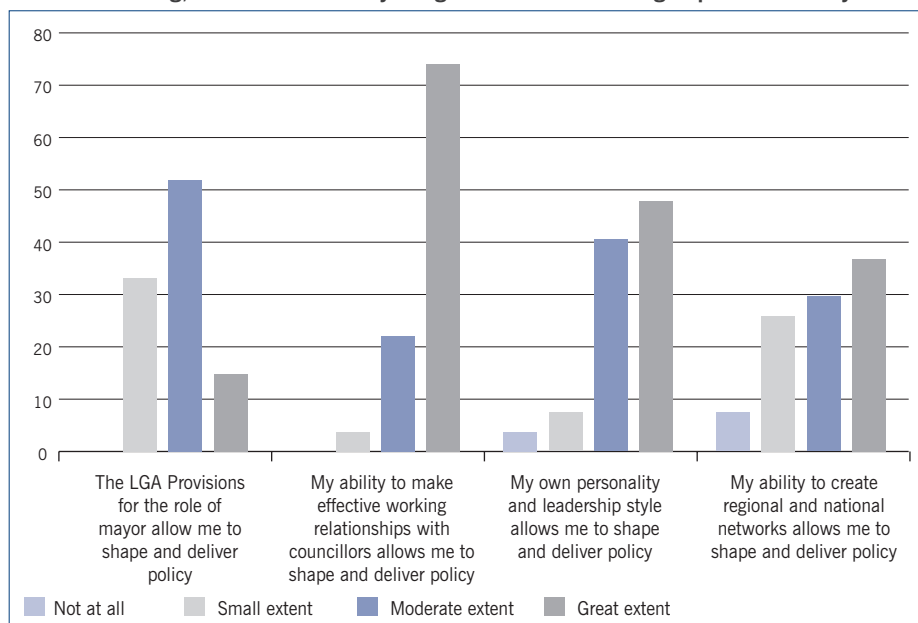
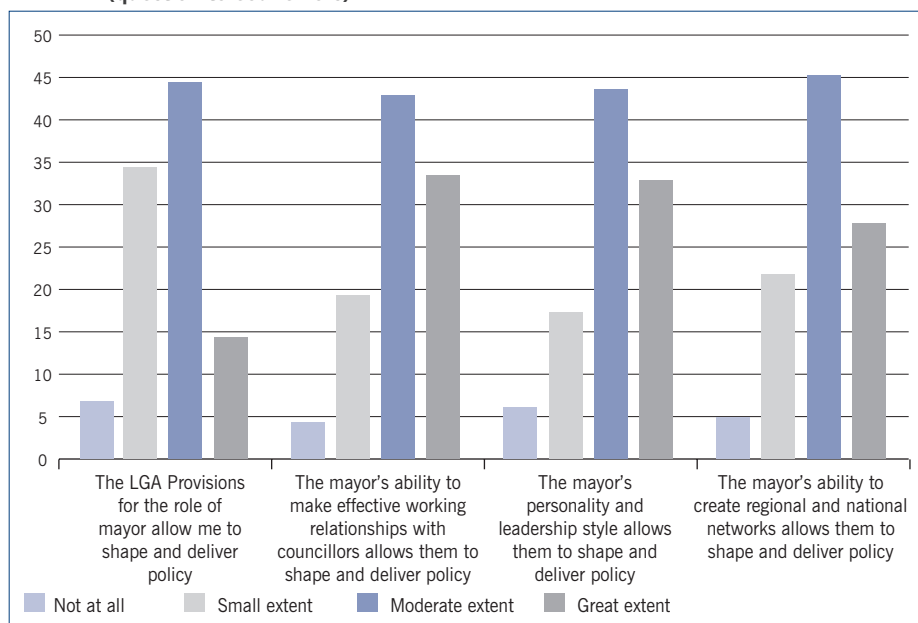


Figure 2: When you think of the mayor's role in shaping council policy objectives and decision making, to what extent do you agree with the following? (question to councillors)



Government New Zealand received a 41% response rate from mayors. The survey was followed up by four semi-structured interviews with mayors.

How mayors and councillors see leadership

New Zealand does not have a strong tradition of councillors being elected on a common policy platform or party grouping, and alliances are more often formed on an issue by issue basis (Webster et al., 2019). With the absence of party groups it can be hard at times to ascertain whether a mayor is in a majority, or even perceives whether or not they are.

The survey showed that mayors had a reasonably higher view of their ability to create coalitions of support on issues than those councillors on the receiving end: 60% of mayors felt they commanded a majority of support, with only 17% feeling they were in a minority. In contrast, only 46% of councillors believed the mayor had an absolute majority and 21% felt they were in a minority.

Section 41a of the Local Government Act provides the legal framework for the formal and constitutional role of the mayor. The Act provides a range of formal powers that the mayor can use. It is telling,

though, that 65% of mayors did not use these powers at the start of their term. Mayors and councillors saw other factors, reflecting the informal and relationship aspects of the mayor's role, as being of greater importance.

Mayors raised concerns over the scope and clarity of the Local Government Act. One mayor commented that the provisions in the Act to 'lead the development of policies and plans' lacked clarity on how far a mayor could go, or whether councillors could oppose them in this regard. The legal framework around the powers of patronage, such as the appointment of a deputy mayor, has illustrated that not only are these powers soft, but they are also confusing. The legal advice provided to Horowhenua District Council in 2016 highlighted not only that the councillors could overturn the mayor's appointments, but that once council had done this the mayor was then powerless to impose their will on council for the rest of the term (Simpson Grierson, 2016).

Of the mayors surveyed, 74% felt that their relationship with councillors allowed them to shape and deliver policy. Mayors also felt they had an important relationship with the chief executive and that this again helped shape and deliver policy. One mayor commented that the two of them had 'moved the district together'.

Mayors indicated that they tried to keep open dialogue with councillors and provide reports back to them on their activities. Councillors appreciated a 'climate of trust', mutual respect and openness. Some councillors felt that the relationships only worked where they were facilitated, or that councillors were afraid of 'courting controversy' by challenging the mayor. It was clear that where councillors felt they were not respected by the mayor, this was a serious breakdown or weakness in the relationship.

Many of the mayors interviewed argued that they are elected on a platform or an agreement with the community, rather than a political party, which they then have a mandate to deliver. Yet absence of party allegiance creates a tension in mayoral leadership: each council vote must be won. As one councillor remarked, 'the mayor cannot make promises to his constituents ... without gaining the

Table 2: New Zealand's local government leadership framework

Leadership roles	Influences		
	Institutional/formal Legislation, standing orders, council constitution	Informal Relations with council parties, CEO, officers	Individual Experience, background
A. Governmental	Low use of legal powers Lack of clarity over extent of powers	'Climate of trust', relationships with councillors tend to be consensual (and where they are not it creates problems) Strong link and relationship between mayor and CEO	Non-party Individual votes on each issue and policy
B. Governance	Mayor is the chair of and external representative face of council within locality, region and country	Regional networks not considered high priority for mayors	Community –conduit
C. Allegiance	Subordinate role of local government Short terms/electoral cycle Code of conduct and accountability	Ability to use remunerated posts for support base	Largely uncorrupted system, though note ministerial intervention issue

support of council'. Each individual policy issue needs to be considered and many mayors simply do not 'propose things that don't have majority support'. There are advantages to this approach, and a recognition that members are elected on local community issues over policy, which is more reflective of the role and structure of local government (Reid, 2019).

Mayors can form and lead the governance agenda through chairing meetings and leading council decisions. One councillor described the mayor as 'the public spokesperson/team captain. They point/shape direction'. Some councillors saw the agenda and meeting role of the mayor as a negative factor for councillors to deal with. Councillors could be left with less opportunity to contribute or raise different points of view if the mayor guides and controls the meeting. Another councillor commented that the direction is being set by the mayor, deputy and chief executive and that 'it requires a lot of effort on the part of the balance of our small number of elected members to change that direction'.

Twenty-three per cent of mayors noted the relationship with other government bodies as a major challenge to achieving policy goals; this was higher than expected and could be a figure that continues to grow. Mayors play an increasing role in providing regional leadership and representation across a range of issues, not always with the full or ongoing support of their councillors. As local councils respond to water reforms and greater focus on

regional economic development, it will challenge mayors to ensure they can not only lead on national issues but bring their local councillors along (Botting, 2020).

In New Zealand, territorial authorities perform a narrow range of functions and have an even narrower ability to raise revenue. One mayor noted that the biggest barrier to success wasn't political in nature but the constraints caused by a lack of funding mechanisms. Beyond the creation of the Auckland 'super city', moves to amalgamate other councils and services have been unsuccessful (Kortt, Dollery and Drew, 2016). Regional networks were considered less important than other factors in achieving policy outcomes. This may change over time as governance changes push a more regional and collaborative focus on councils.

Mayors act as a clear and obvious conduit between the community and council. This is used to 'point/shape' the council direction. The Local Government Act gives the mayor the role of 'leading the people in the district', and 88% of mayors saw themselves as performing this key role through their personality and leadership style.

The office of mayor, like many of the functions of New Zealand's local government, exists in a subordinate role to that of central government, with no constitutional certainty. Central government has extended its role into intervening in council decision making, replacing councillors with commissioners or other oversight mechanisms, which has

been seen to have weakened the interest and engagement of local government (Brower and Kleynbos, 2015).

The role of scrutiny and accountability is not clearly defined, although many survey respondents recognised its importance. Systems such as the code of conduct were mentioned as a mechanism to hold mayors to account.

While only a minority of councillors felt the mayor used their powers of patronage to acknowledge supporters or opponents, and even fewer mayors acknowledged that this occurred, it is still highlighted as an area of interest. Some councillors considered that the 'stacking' of committee chairs, with additional remuneration, was a tactic to ensure the mayor went undefeated, though mayors insisted that all appointments were based on 'skills and experience'.

Mayors and any public officials are at risk of becoming captured or even corrupted by office. While on one level the extent of this can be measured by the rather small number of allegations of wrongdoing or personal gain, Elcock and Fenwick also consider the wider 'control' issue (Elcock and Fenwick, 2012). New Zealand's mayors with their absence of a party to support them can find themselves at greater risk of clientelism, or the need to reward and gratify supporters. There should be some concern that although the numbers are small, a greater number of councillors (22%) perceive that mayors use appointments to acknowledge supporters than the number of mayors (17%) who actually used this approach.

Implications for local government leadership

The institutional framework and legal powers of the role of mayor do not appear to drive or guide the way mayors get things done. The formal powers are used in a more practical, tactical or operational way, to dominate council meetings or debates. Several aspects of the statutory framework either create uncertainty (such as the deputy mayor appointment) or are contentious issues (the electoral term, local government's statutory settings or revenue).

Mayors clearly rely on their ability to create and maintain informal relationships in order to be successful: 74% of

Councillors reinforce the importance of the role of relationships above the legal framework, or 'building good relationships and mutual respect'. As one mayor noted, they always 'socialised and shared policy ideas ... even if popular with the public'. The flip side is that when those relationships fail, council can appear to be in difficulty: 'The mayor shows no respect for the elected councillors so he receives no support, respect, or trust from them.'

Within the informal framework, trust and relationships were considered important in agreeing on policy outcomes. Mayors saw the value in creating a common purpose or strategic vision at the start of

'independent' and will continue to need to create councillor support on the major issues in front of them.

How do councils function with disagreement?

'We have 12 councillors each working independently, and the mayor needs a majority to proceed. He does not use his casting vote and does not overstep his mandate.' Many would agree with this councillor's comments, but in that situation, does it matter if not all 13 people agree? Mayors can be faced with opposition on votes without it needing to lead to chaos or dysfunction.

When Tauranga City Council received a letter from the Department of Internal Affairs regarding issues of 'significant conflict among elected representatives', the council's response included commentary that while the council acknowledged the issue of 'dysfunctional governance arising from the failure or breakdown of key relationships', it also noted that, despite the challenges, 'the formal decision-making processes of Council [are] not significantly impacted' (Tauranga City Council, 2020).

It may be that some defeats are considered more of a problem than others. The deputy mayor's appointment appears to act as a proxy for the mayor's strength. One mayor discussed how they had announced their new deputy prior to the election. Another, clear in their knowledge that they risked losing any vote, rather than risk political capital on who would be deputy simply left it to councillors to decide. The Local Government Act contains provisions and a process for the mayor to appoint a deputy mayor; it also contains a process for a majority of councillors to remove the deputy. The move by a majority of councillors in Tauranga to exercise this right was labelled a 'coup' (Shand, 2020) and led not only to the resignation of the deputy mayor and ultimately the mayor, but also to the start of a process towards replacing the elected council with a commission (Department of Internal Affairs, 2018). Irrespective of the rather tabloid language exchanged between councillors, the decision to take on and defeat a mayor was made by a majority of councillors in accordance with the Local Government Act. Though an independent

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respondents strongly acknowledged their development of such relationships, with a further 22% also positively acknowledging their importance. Mayors rank the importance of informal relationships much higher than either the legal framework or their individual personality in achieving policy objectives.

This view was also shared by councillors. One councillor commented, 'discussion, clear information and consensus' or on a more practical level relationships were managed by 'achieving consensus within a majority of elected members through informal discussion'.

When looking at the techniques or approaches used to achieve majority support, there is strong recognition of the use of meetings and portfolio responsibilities (utilising people's skills and interest), but little recognition that patronage or the use of third party mediators provides any support mechanism.

the term, and several councillors noted this in an appreciative manner. One of the mayors interviewed had even created this vision before the election, realised they had enough councillors in support of the vision and delivered it to the chief executive on the first day of their term of office. This contrasts with the current mayor of Wellington's 150-day plan, which, although made public, has failed to get council support. Successful mayors appear to socialise and share policy ideas before any formal proposals. The ability to meet informally or away from public meeting settings is well regarded by councillors, one of whom noted that councillors will informally advise the mayor when a majority is against an issue.

The mayor's individual role does include the use of appointments and remunerated posts to achieve policy outcomes. Interestingly, this is something councillors see as a more prevalent issue than do mayors. Most mayors are still

report makes little comment on this episode, where it does it highlights it as an example of a 'fundamental lack of trust', without addressing the rightful legal context (Review and Observer Team, 2020).

Initial research found that the new mayoral powers added little to the way that mayors operated, and that many of the changes did not provide a new executive role but simply put in place a legal framework around existing practices (Local Government New Zealand, 2015). A majority of mayors only use the legal framework to a moderate extent. However, the introduction of these limited powers has clarified the extent to which mayors can and cannot operate. This clarification has seen a number of councillors 'test' the limits of this, whether it is through the use of the powers to overturn a deputy, or simply through controlling the agenda and outcomes (as in Wellington and Waitomo). If councillors can successfully achieve policy outcomes this way, then the period of so-called dysfunction could be here to stay.

Mayoral leadership and the future reform of local government

The independent governance reviews of the Tauranga and Invercargill councils have both made recommendations that look to bring in experts and enforcers rather than empower and build up the leadership role and capability of mayors. If we are concerned about the capability and quality of local leaders, it is essential not only that we understand the role of local leadership; we also need to commit to supporting those individuals to grow

and develop in their roles.

Mayors expressed consistently that they led through relationship building and negotiation rather than the legislative power of the role. Rather than employ a top-down and legislative solution to problem solving from a central government perspective, a greater emphasis should be placed on the relationship between the centre and local government and how an informal and consensual relationship can be supported between the two layers of governance, rather than further municipal reform.

Irrespective of the legal powers and role the mayor holds, when they do not command trust and influence councillors can extend their own role and flex their collective muscle. They are not content with voting down changes to parking fees when they can overturn the mayor's chosen deputy or committee chairs and structure. Mayors need to build trust with their council colleagues and it seems that the mandate from the wider electorate provides little comfort around the council table when they don't have this. The balance between the authority of the council and the authority of the mayor is not one demarcated by the legal limits of the roles or the politics of those holding the roles, but whether they can successfully negotiate and find collective solutions.

Greater legal powers either for the mayor to achieve their agenda or for ministers to restrict the actions of elected councils could well undermine the trust relationship which works effectively around council tables, and provides for little long-term recognition of the relationship

between elected members and the communities they serve. Greater understanding and recognition that our diverse communities will elect a group of individuals with different ideals and personalities who may disagree on key issues yet this can still lead to effective governance and negotiated solutions being found is a more positive way forward for the challenges facing mayors.

Intervention and cries of dysfunction undermine the many mayors who successfully find negotiated solutions and compromises. The empowerment and recognition of a mayor's ability to appoint a deputy and lead the district, and at times have councillors who disagree with them, should be seen as a robust and healthy part of our local democracy. The connection between the local population, local democracy and leadership formed from the framework places a considerable emphasis on the importance of local knowledge and understanding as a key leadership factor – something far removed from the current desire of central government to introduce commissioners or external monitors.

The development of a leadership framework demonstrates that the role mayors play in leading locally and their ability to navigate uncertainty both politically and managerially without the need to resort to party political labels should be acknowledged and supported. Any reform of the local government sector should build on the leadership and influence that mayors bring successfully to the council table, rather than provide them with additional and unnecessary legal powers to govern.

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