Green Paper on Local Government Reform
Stronger Local Democracy: Options for Change
Comhar input to public consultation on Green Paper,
September 2008

Context

Comhar SDC welcomes the Green Paper and appreciates the opportunity to make input into the consultation process. Comhar SDC believes that strong and vibrant local government is essential to the delivery of sustainable development.

The planned review of the National Sustainable Development Strategy in 2008 coupled with the latest proposals for local government reform offer potential for mutually reinforcing the framework for local democracy and implementation of sustainable development at local level.

Comhar SDC is committed to making its contribution to this process in 2008. Our Annual Conference in 20081 will focus on ‘Implementing Sustainable Development: Empowering Local Communities’. Comhar SDC has already commissioned research on how enhanced County and City Development Boards can contribute to this process. Later in the year, Comhar SDC will offer the outputs from the research and from the conference as a further stakeholder contribution to the discussions on strengthening local democracy.

A Mayor for Dublin

Should a Dublin major be elected for the city council area for the Dublin region?
How should such a region be defined? Should it include the whole of county Dublin or extend beyond into Meath, Wicklow and Kildare?

We support a directly elected mayor. It is essential that the geographic boundaries are well defined and respect potential future considerations. Defining the boundaries is a difficult task and it needs to be conducted properly in the beginning. The Dublin region continues to grow and its population extends into the four border counties of Wicklow, Kildare, Meath and Louth. This area is a natural hinterland for Dublin. Incorporating a larger area means a larger scope for action, quicker decision making and more authority. It also ensures coherence in plans. For example, with regards to transport, people commuting from border counties into Dublin city centre have a direct impact on congestion and public transport needs in the Dublin area. However, encompassing a larger area can affect manageability and result in loss of focus. Having said this, with adequate resources and manpower these issues may be overcome.

1 11th and 12th November, Radisson Hotel, Stephens Street, Dublin 2.
What set of functions should the mayor have? What relationships should the mayor have with the Dublin Transport Authority?

The mayor should not simply be an extra layer, with no real authority or power. Developing this role is an opportunity to enact real change. One important point to make is that the role of the mayor needs to be extremely well defined and his/her powers should be clarified. This needs to be stated in terms of the role (mission statement) of the mayor and a clear set of targets that he/she is expected to meet. Accountability requirements also need to be drawn up.

Introducing a mayor presents a great opportunity to change the way we think about development. By encouraging sustainable development, that promotes social and environmental agendas, as well as economic, the mayor would have a huge positive impact on the future of the city region. Some functions include transport, planning (ensuring there is coherent planning strategy for the Dublin region, and incorporating knowledge of services and transport in allowing development), social inclusion, sustainable housing provision, economic development, culture, biodiversity, waste, air and water quality and noise pollution.

A link with the transport authority would be essential, as transport is one of the key concerns in Dublin’s development. It is essential in ensuring continued economic success and in reducing carbon emissions (through effective and efficient public transport services).

How would a regional mayor work with the 4 Dublin Local Authorities?

Existing local authority structures in Dublin should be retained. The mayor could be an effective means of closing the gap between elected representatives of the local authorities and management. Through a partnership agreement the mayor could work with both to meet both local authority and regional mayor agendas. The role and powers of the mayor need to be clearly defined to avoid conflict. Some tasks appropriate to local authorities and the mayor may overlap. Which party has the final say on the matter must be established before the mayor role is launched. If the mayor has final say on some issues that must be implemented by local authorities, appropriate funding must available to carry out the task. If the remit of the mayor extends to the adjoining counties (or portions of the adjoining counties) relationships with the relevant county/city councils must be established.

Should there be a role for the Dublin Regional Authority?

Regional authorities could potentially play a more significant role in Ireland and offer a valuable link between national and local government. They play more of strategic role than a delivery role, and as a result do not always get the necessary funds. The Dublin
regional authority could play a significant role in retaining links between the mayor and both national and local government, as well as ensuring a flow of information between the three parties.

**Should there be an elected mayor for both City and region, or could there be a combined office of City and Regional mayor?**

The National Development Plan and the National Spatial Strategy (NSS) have clear regional dimensions which require better arrangements for regional cooperation and implementation. Development of the Gateways and Hubs, envisaged by the NSS, requires cooperation across local authorities. Current regional authorities lack operational responsibilities and a direct electoral mandate.

A combined office of City and Regional Mayor offers some advantages. Directly elected mayors for Dublin and gateway cities (Limerick, Cork, Galway and Waterford) with executive authority for their adjoining metropolitan areas and hinterland could provide a context for the coherent development of regional cities.

**Elected mayors and the division of responsibility in local government**

**Should every county and city council have an elected mayor?**

Having an elected representative that the public can identify with may improve participation in the democratic process. In terms of funding, implementing an elected mayor does not have to cost a lot of money, as they would be carry out a role already available in the county council, but under more view from the public. If every city and county council are to have directly elected mayors is important that this change would be introduced in all counties at the same time.

**Should the decision to adopt a full term mayor be one for local decision making (at council level or by plebiscite)?**

One of the main benefits of the mayor is the fact that local communities and media can put a face to county council, which would hopefully positively impact on democratic participation. With this aim in mind, a plebiscite would be the best option and would engage the public from the beginning of the process. People will not spend the time and effort getting involved unless they feel like they can make a difference. Therefore, it makes sense to include people at the earliest stage possible and allow them to see that they can make an input.

**Could mayors be elected for 5 years from among council members instead of direct election?**

Direct election would be the best option in encouraging democratic participation.. Politicians, policy makers and strategists need to trust the electorate and the public urgently need a democratic process that they once again can believe in, it is about shared
responsibility the engine that will drive change. However, national government needs to be given powers to intervene if the chosen structure is not working effectively. Councils working successfully in this regard should be given recognition and examples of best practice should be communicated. Local and national government can learn a lot from this process and the successes and failures should be monitored and recorded for learning purposes.

What functions should mayors have?

If the mayor is to publicly represent the county council, he must be in a position to enact change and deliver on promises. A mayor with little power and an inability to meet commitments will not improve relations between the local communities and their respective local authorities. The most favourable option would be for the mayor to propose the development plan (while ensuring it is in line with national targets and commitments). This would allow local communities to have situationally relevant development plans, while keeping in line with national and EU guidelines and legislation. In line with this, the mayor could play some role in proposing the budget (but not finalising- the budget would need the back up of the manager). This would allow the budget to be synchronised with the development plan.

Should other changes be introduced to complement the provision of full term mayors, for example, a cabinet style local leadership?

We back the development of stronger cabinet style governance and support longer SPC chair terms, which would balance the position of a directly elected mayor and encourage the establishment of natural leaders.

Should policy powers, which have been granted to managers in recent years, be returned to local politicians? If so how is compliance with national policy and law ensured?

Local politicians should be more involved in assessing policy options and have greater responsibility in decision making. However, along side this responsibility must come accountability. A balance needs to be struck in providing greater discretion to elected representatives and the need to ensure compliance with national policy and legislation. Measures which make lines of accountability clear are necessary. It may be worth providing financial support to councillors with increased responsibility and accountability and full time positions to larger county councils. Training courses and conferences informing councillors of their role and best practice would be recommended. Regular communication with national government would ensure that national and EU legislation is adhered to. Regional authorities could play a greater role in this regard.

How would directly elected mayors interact with central government?

There needs to be definite links between mayors and national government. This could be conducted through a board, or through a mayor representative body, similar to the County
and City Managers Association for local authority executive managers. This communication must be two way. The mayors must be able to communicate with national government as easily as national government can communicate with local government. Establishing strong links and effective means of communication with local government should be a key priority of national government in order to succeed in local government reform.

**Town government and strengthening connections with communities**

**How can town councils and county councils cooperate to govern towns better?**

There needs to be stronger lines of communication between town and county councils, which could be facilitated through regular meetings and liaison officers. With growing populations in urban areas, town councils play an important role in ensuring locally significant solutions to unique problems. In order to provide town government with more power, their boundaries could be extended to include their immediate environs.

**Can more responsibility for local decisions be delegated from county councils to town councils? If so how?**

The taskforce on active citizenship found that there is a ‘democratic deficit at local level due to a perceived absence of meaningful opportunities for civic participation in decision-making about local issues.’ This is due to two overlapping issues. The first relates to the perceived inability of communities to communicate effectively with central government. The second is in regards to the lack of appropriate means of solving local problems locally. Town government could play a very important role in bridging that gap, especially if communication lines to higher tiers of government were opened up. Frequent communication with the relevant local authority to avoid duplication of work or conflict in decisions is necessary. There needs to be cooperation between the two bodies. In order to delegate decision making powers town government needs to be provided with adequate training.

However, town councils will never be able to achieve the economies of scale that larger body could. They may not perform as well on certain tasks due to financial and staffing deficits. Joint committees for certain functions may be better option, especially in the early stages of reform. It could meet the aim of bringing decision to a local level while still ensuring sufficient resources to carry out essential tasks. Joint committees must delegate real power to town councils. This could relate to drawing up programmes of work and strategic plans for the town’s development. This would allow local authorities to focus on the staffing and administrative services within the town boundaries.

It would also be a positive step to better integrate town councils with relevant county council area committees, which could be achieved through the joint committees. All policies and activities need to be consistent and mutually supportive.
What criteria should be set before new town councils can be established? Alternatively, are county council area committees better placed to serve towns?

This should be completed on a case by case basis, taking issues such as size (over 7,500) and growth into consideration. Town councils may not be necessary in every town of this size, due to difference in how local authorities operate. By considering each case individually costly structures that do not work in a particular area will not be constructed. For some growing towns, especially gateway towns outside the Dublin hinterland, town councils could be an important tool in developing effective development plans.

Should communities have a greater direct say in local governance matters, such as budgeting? Would regular town hall meetings, petitions rights and plebiscites on important issues help?

While new town councils would be of benefit in certain areas, Ireland already has an extensive range of local government and local development structures. Developing these existing structures could provide a cost effective way of increasing citizen engagement. The creation of new town councils should happen in conjunction with developing other forms of local democracy. In areas where town councils are not introduced, local authorities in union with area committees should explore new modes of local democracy. A case can be made for elected governance at local community level to feed into Community and Voluntary Fora, local development agencies, area committees etc. At present self-appointed community leaders with no broad representative mandate fill this role. Roles for community level councils could include drafting of local action plans, administering the Community Fund, providing e board members for local development agencies etc.

In this vein, the taskforce on active citizenship recommended that the County/City Community and Voluntary Fora in each Local Authority should be supported and fortified. They should also be organised on the basis of local electoral areas and should be renamed the ‘Civic Fora’. Public agencies at local level should have to confer with the Civic Fora with regards to the development and implementation of their policies at local level. Representatives of the Civic Fora should be in frequent communication with Local Authority Area Committees and contribute to the work of the County/City Development Board.

Local authorities should be encouraged to use Section 109 of the LG Act 2001 to establish a Community Fund to foster greater participation of community and voluntary sector and active citizenship engagement.

Plebiscites are an important tool in local decision making. However, clear guidelines for use need to be drafted. In addition, the electorate must be well educated on the issues they are voting for, which could be conducted through local newsletters, meetings and debates. Other important tools include participatory budgeting, town/area meetings (will be more successful in areas where there is already a degree of civic engagement and people feel like they can make a difference) and enhancing relationships with local community groups.
How can local authorities provide a more efficient service while recognising that local authorities are much more than service providers?

While local authorities need to be continually developing and streamlining services they also need to concentrate on ‘softer activities’ such as developing links with the community, and funding and supporting community groups. Local government is expected to be as efficient as organisations in the market place, but also has to administer many added functions and does not have a single focus.

In streamlining service, technology is an important tool. It releases people from monotonous and time consuming tasks. This time can be spent on developing better public relations and on more ‘social’ tasks. However, not all tasks should be delegated to technology, and customers need to be able to contact service representative personally if necessary. In bringing people closer to local government structures, more personal forms of communication are necessary.

Monitoring and reporting on progress and service delivery is essential in building and maintaining high standards. Indicators are crucial in this regard. Best practice should be showcased and utilised as a ‘good example’, although it should recognised that it may not be transferable to all local authorities.

Many local authorities simultaneously work in competition and cooperation. The cooperation element of this relationship needs to be emphasised. Mutual benefits can be attained through sharing services and expertise.

**The role of regional governance and local linkages with national government**

Should regional mayors be introduced, if appropriate, in certain Gateway cities and towns?  
Could certain city or county councils be amalgamated, or could a common mayor be elected to lead both city and county councils in key Gateways?

Regional authorities are in prime position to deliver a more coherent local government in Ireland. However, to be effective regional mayors should have a democratic mandate from the region with a clear assignment of functions. There is the danger, that at this level, a mayor would only create another layer of bureaucracy without implementing any real change. Reforming regional authorities must involve a serious thinking process about their role and powers. On the other hand, there could be advantages in providing for directly elected mayors to Dublin and gateway cities (Limerick, Cork, Galway and Waterford) with executive authority for their adjoining metropolitan areas and hinterland which would provide a context for coherent development of regional cities.

Are there other ways in which the governance of Gateway cities and towns could be strengthened in support of stronger regional centres?
More links between local authorities in the same region and reinforcing regional authorities would strengthen the governance of Gateway cities and towns.

**How can powers for local democratic representatives be increased while ensuring compliance with national and EU obligations?**

This, as recognised by the Minister, is one of the key issues that needs to be balanced in reforming local government. This could be achieved by setting annual targets for local government in areas subject to national and EU legislation. However, the local authority can choose how they will attain these targets. To make this process more democratic local authorities could be involved in the construction of targets, although national government should have the final say. Local authorities should also be informed of the reason why these targets need to be met and their wider implications. Communities should be granted the freedom and autonomy to come with innovative specialised ideas suitable for the area that encourages participant democracy. We need both local and national policies and they need to have strong links. People must also be involved at the community level. There needs to be communication from community to central government as well as the other way around. But community level schemes must be allowed to act independently and not be controlled by central government. They also need some financial autonomy.

**How can local government and Government Departments work better together to achieve common aims?**

One of the main areas that needs to be improved is communication structures. Local government needs to be able to communicate with central government. This becomes more important as they become more independent to ensure that national and EU regulations are adhered to. This could be achieved through formal means such as regular meetings (with all relevant departments present) and informal means.

At the moment, local government is over reliant on national government. Granting more responsibility will mean that local government can perform tasks that currently require the aid of central government. Delegating responsibility meets the dual aim of freeing up central government resources for policy making and national issues, while allowing local authorities the freedom to solve problems in a locally sensitive manner. Realising that both structures are working towards a common aim with mutual benefits needs to be communicated and acknowledged among local authority and department participants.

**Can local authorities themselves work more cohesively and collectively to betterment of the local government sector? If so how?**

Local authorities have depended on national government for a long time and change will not happen overnight. While providing local authorities with more independence is for the long term good, supportive structures and advice should be given, especially in the initial stages of the process.
Quality service, value for money and the financing of local government

Can a directly elected mayor help to promote the good work of local authorities while making them more responsive when problems arise?

A directly elected mayor can make achievements more public and signal a cultural shift in thinking about local authorities. If people have more faith in them, more likely to rely on them thus increasing civic engagement.

Can local government take on greater leadership in co-ordinating the efforts of all state agencies in delivering services locally?

This would require significant funds and training but would be the long term goal of the reform process. Enhanced County and City Development Boards can be the key drivers for this.

Can new ways of sharing services between local authorities free up resources for more efficient service delivery?

This would require huge amounts of trust and a radical shift in thinking. Regional authority leadership would be essential in this regard. In addition, the benefits for both local authorities must be mutual.

How can we ensure that local authority recruitment practices respond to changing needs?

A major influencer in attracting the best staff is more challenging attractive roles. Technological advancements mean that many of the monotonous jobs have been taken from people, leaving resources for more complex ‘social’ jobs, which may be more attractive.

What principles should be adopted in considering the financing of local government?

Resourcing is key issue for local government in the delivery of its expanded remit. Local revenue raising creates a linkage between the costs and benefits of the services that local authorities provide. Legislative provisions should be expanded to allow local authorities to recover a greater proportion of land value increase which arises through planning gain from the provision of public infrastructure and services or the granting of planning permission.2

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2 Sections 48 and 49 of the 2000 Planning Act provide for the levying of development charges with the granting of planning permission. These development levies should take into account such increases in the
There needs to be more transparency in local government financing. Money raised through certain local taxes or charges should be allocated to a specific cause so that citizens can see the benefits of the tax. For example, money from parking used in developing sustainable transport etc.

**Can the political autonomy of local government be enhanced without greater responsibility or raising funds locally?**

While this is a significant issue, it is more important at the moment that local authorities have more autonomy in how the money is spent and in developing strategic development plans.

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*market value added to land as a result of public policy. See “Comhar Recommendations for Small Village Development”, based on a study by Emer O’Siochru (Feasta) and Billy Murphy (County Wexford Partnership), February 2004*