

This is the shortened version of a discussion paper prepared by the Democracy Group of Claiming our Future. It is intended to stimulate debate amongst claiming our future participants, at local and national level. This is one of three papers which look at: better local government, the conditions for participation, and the Constitution. Claiming our Future will host a series of local meetings on these and other themes in the lead up to a national meeting on democracy on Saturday 26 May in Dublin. The longer discussion paper is available on the Claiming our Future website: www.claimingourfuture.ie.

The ambition of the Democracy group is to deepen discussion of the third policy priority adopted by Claiming our Future in October 2010: 'to change the way we govern ourselves'. To get involved, or to comment on this paper you can contact Anna Visser on annavisser@eircom.net, or call Claiming our Future on 018870726.



CLAIMING OUR FUTURE

a progressive movement for an equal,
sustainable and thriving Ireland

Creating Real Local Governance

Democracy Group Working Paper

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Table of Contents

1	'CREATING REAL LOCAL GOVERNANCE'	2
1.1	BACKGROUND	2
1.2	A PERIOD OF DECLINE	3
1.3	FUNCTIONS	4
1.4	FUNDING - HOW SHOULD LOCAL GOVERNMENT SERVICES BE FUNDED?	4
1.5	STRUCTURES	4

1 'CREATING REAL LOCAL GOVERNANCE'

1.1 Background

It is the experience of most European and US citizens that governance of their affairs begins in their town or district with a meaningful level of policy making and delivery of day to day services. In Ireland local government is generally seen as something of a side show with little relevance in peoples' lives. In some countries decisions over the vast majority of public expenditure is taken at local level. In Ireland local government only manages 6 % of state expenditure.

It may seem un-necessary to say that local government services are, among all of those provided by the state, the only ones each citizen must engage with every day of their lives. So why is the standing of local governance/democracy as it is? Why is our form of local government the poor relation?

Given best international practice there is and has been an obvious need to look at the nature governance in Ireland for some years. Any analysis now should focus firstly on the role and function of local government. Secondly the question of how its funding is organised needs to be addressed. Only when these aspects are complete can there be proposals regarding structures and operating systems. Previous reviews have primarily only looked at structure.

It is an underpinning principle of governance in the EU that decisions be taken at levels as close to the citizen as is possible. The typical system in many European states facilitates this in a manner which is unknown to Irish residents. This is the principle of 'subsidiarity' meaning that decisions should be made at the level closest to the delivery which reflects the needs of the citizen.

A major issue in Ireland is that there is a serious lack of understanding of the role and functions that our local government systems are, and are not, responsible for.

Essentially Town, City or County Councils in Ireland are limited to the overseeing of services in areas of roads and water, land zoning, planning development, fire services and social housing with a requirement that they provide waste services either directly or indirectly. These are primarily engineering type functions.

Councils also provide services such as libraries, arts, parks, environmental education, sport, community facilities/development and facilitating the physical planning for economic projects.

There is no meaningful role however for managing essential services areas such as health, education, transportation, policing, social protection, childcare, labour or enterprise

1.2 A Period of Decline

In the past Councils were effective units of governance when it was clear that health, (vocational) education, agriculture, tourism and enterprise (development) were connected to the County/City Council.

Gradually over the past fifty years these functions have been stripped away with the establishment of new bodies to deliver state services through among others Health Boards/HSE, ACoT/Teagasc, IDA/Enterprise Ireland/City or County Enterprise Boards, Regional Tourism Boards. The operation systems for these (and services such as policing and transport which were never within Councils' remits) rarely correspond to any easily recognisable county/city boundaries and have no local democratic input to their design, operations or review relative to local circumstances.

The introduction of the yet unproven Joint Policing Committees is the only meaningful new addition to the functioning of our local Councils in the recent past.

This has left us with a system which because it is so debased in terms of critical areas of function; and has been so lacking in financial strength since domestic property taxes (rates) were abolished in 1977; that is not seen as relevant in their lives by citizens. This relevance has been further debased through the establishment of a wide range of EU or centrally funded local development bodies over the past 20 years.

The standing of local government is also demonstrated in the differences in voter turnout at local as against Dáil elections. The disparity indicates that the electorate do not believe that casting a vote at Council elections is of the same importance as voting in a general election.

There is within the even limited form of local governance we have, a further democratic deficit in that many major decisions are taken solely by the Management ('Executive functions') with little input from our elected representatives. The reasons for this are many and disputed but the range of powers remaining with our Councillors ('Reserved Functions') are diminishing.

Any new system to be put in place therefore needs to engage citizens and attract a corps of highly able and committed participant representatives (from across the whole socio-economic spectrum) who know that their involvement in the system does make a difference in their communities. It needs to stretch beyond normal party structures to provide a role for those who choose to commit to civil society outside of the party political system.

Below are a range of questions/prompts to stimulate a debate on what form of Local Governance we want for ourselves.

1.3 Functions

What functions of public service delivery should a local democracy have influence or control over?

How best should local citizens and their representatives **effect influence** over areas of daily living which are currently controlled by centralised Departments of State or National Agencies?

Are there aspects of the work of some Departments or Agencies which might be **devolved** to local level?

What delivery and/or operational changes, if any, need to be brought about **to make public service provision relevant** to local circumstances?

1.4 Funding - How should Local Government services be funded?

Should they continue to rely primarily on **central government grants** and/or should they have access to locally raised funds?

Should any locally generated funds be based on **property** ownership? What scope is there for **service usage** charges?

Should the Oireachtas set parameters and **allow local charge variations** to reflect local priorities or should there be standard national charges? What

Would the creation of a local funding system increase the **expectation of accountability**?

1.5 Structures

What is the **optimum unit size** of Local Governance organisation balanced between local, efficiency and critical population numbers?

Has the **Local Government Act 2001** and the principles informing the 'Better Local Government' papers which preceded it delivered much of which the citizen would be aware'?

Have the **Strategic Policy Committees (SPCs)** provided at new focus on policy formation and given a greater role to representatives of the four pillars of Partnership in influencing Councils' priorities and direction?

Have the **County/City Development Boards (CDBs) –or replacement SPCs - a continuing relevance** to bring local co-operation between the various bodies operating in their catchment areas?

How should the range of **local development bodies** operate in the context of a new and enhanced local government system? Should they **stay outside** it as they currently operate; should there be a **more formal relationship** or should they be **fully integrated** into reformed Councils? What objectively are the pros and cons of each option?

Are the **Town Councils** are model to build on or are they glorified talk shops with few resources or little influence? Is it fair or an encumbrance that citizens who live in areas with Town Councils have an additional layer of democracy in which to participate or under which to suffer?

Would a **sub-county/city structure**, with or without the existence of town councils, increase public service efficiency or enhance civil society?

Are our GAA **counties best** or do we need to grow multi-county/regional structures to achieve delivery capacities?

What geographic or sectoral fora, including what range of membership, would best enhance our **democratic ideals**?

What requirements should there be on Councils to ensure **greater public engagement** in the decision making processes?

Does the idea of local **plebiscites/referenda** have a place in local democracy?

Would the creation of **directly elected (Lord) Mayors** for five year terms be a good or bad idea?

What **powers should be reserved for Councillors** exclusively?

Should Councils **be disbanded** if they fail to adopt policy as set out in law?
