



TASC Response to the Green Paper on Local Government Reform

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TASC's work on local government reform

TASC's involvement in the issue of local government reform extends back to 2003 when TASC (with Democratic Dialogue in Northern Ireland) established the Democracy Commission to respond to widespread concerns about the nature of democracy in Ireland and Northern Ireland. Such was the importance of local government reform that the report of the Commission¹ dedicated a chapter to it, making a series of recommendations.

TASC developed its work on local government when it initiated the Democratic Audit Ireland project in 2005, the first ever comprehensive assessment of the state of democracy in Ireland and Northern Ireland. In 2007, TASC published 'Power to the People? Assessing Democracy in Ireland'² which built on the findings of the Democracy Commission and Democratic Audit Ireland, which again dedicates a chapter on local governance in Ireland. This was shortly followed by an extended analysis of local government and governance in Ireland in the TASC pamphlet, 'Governing Below the Centre'³. A separate analysis of the impact of state agencies on national governance and political accountability, 'Outsourcing Government'⁴ took up many of the themes affecting local government in relation to the 'agencification' of the public service.

Since November 2007, TASC has implemented a number of activities to develop new thinking on how to reform local government in Ireland in the context of the Government's announcement of the local government reform programme. In November, TASC convened a roundtable involving councillors, county and city managers and academics to assist in the development of a TASC position paper on the local government system. A subsequent public forum on local government reform was held in January 2008 to open up debate on reform among the general public. Invited speakers included Minister for Environment, Mr. John Gormley TD, and Dublin City Manager Mr. John Tierney⁵. This participative approach has informed TASC's evolving position on local government reform, which are set out in the following pages.

TASC is very grateful for the time, expertise and commitment of all of the people involved to date. In particular, we wish to express our appreciation to Catherine Murphy, who has been central to the development of our ideas and to Thomas Geoghegan, TASC's Policy Development Officer.

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1. EXECUTIVE SUMMARY

1.1. The case for reform

TASC welcomes the Government Green Paper on local government reform, *Stronger Local Democracy*. There are two compelling reasons to reform local government and governance in Ireland:

- Rapid social and demographic change requires a new set of institutions; and
- Existing local government structures, functions and funding are in need of radical overhaul, entailing whole-of-government reform

1.2. Absence of radical reform

The announcement of the Minister for the Environment, Heritage and Local Government, Mr. John Gormley TD, that the local government reform process would “*lead towards one of the largest reforms ever to occur in how local government works in Ireland*” was a very welcome one. Unfortunately, the Green Paper is disappointing in two key respects. Concrete policy options for radical reform are largely absent and much of the discussion gives contradictory and confusing messages.

1.3. Focus on the directly-elected mayor

The introduction of a directly-elected mayor for the ‘Dublin region’ by 2011 is the single concrete reform proposed in the Green Paper. We see this proposal as the vehicle by which a wider set of reforms could be introduced and piloted in one region. But first we need concrete policy options setting out how we could reconfigure the structures and functions of national governance.

1.4. Real reforms for regional, county and sub-county government needed

The Green Paper has failed to address the following questions:

- What powers should be devolved to the regional tier? Should these powers be purely strategic, or should there be scope for transferring some operational functions to them as reforms of other government tiers progress? Over what geographical area should this occur?
- How will the regional tier be governed? Should the current system be maintained, or should we consider direct elections to a regional assembly, and if so, should there be a supporting executive?
- What will the implications of a regional mayor and regional tier be for the county and sub-county tiers in light of the need for reform at these levels of government?
- How will issues related to state agencies and local government bodies be handled in light of the need to simplify and rationalise local government structures and to strengthen democratic accountability?

The government must, at the next stage of this reform process, articulate a clear vision of what local government in Ireland should look like. It must do the following:

- specify the geographical remit of the directly-elected mayor. The areas contained within the ‘Greater Dublin Region’, i.e., the counties of Dublin, Meath, Kildare and Wicklow, would be appropriate not least because these

boundaries are coterminous with those of the newly-established Dublin Transport Authority;

- provide clarity on the functions and powers of Dublin's directly-elected mayor and set out detailed proposals for the governance of the Greater Dublin Region in a manner which gives real teeth to this tier and also lends itself to replication across the country;
- open up national debate on the county tier of local government in the context of whole-of-government reform vis-à-vis strengthening democracy and improving service delivery;
- establish a process for the reform of the sub-county tier of local government in the Greater Dublin Region, paying particular attention to the current work of area committees. A constructive approach would be the establishment of a government commission on the sub-county tier, piloted in the Greater Dublin Region and chaired by the directly-elected regional mayor; and,
- link the reform of public agencies and local bodies to the reform of regional, county and sub-county government. This should be in the context of devolving public services to local level and strengthening the role of local government in directing local development.

1.5 Strengthen trust in local government

A difficult challenge for local government reform is addressing the political and cultural problem of the general lack of trust in local government among citizens, councillors, managers and central government departments.

The Green Paper's only solution is a set of new democratic procedures intended to give local citizens a stronger voice in local decision-making over services, budgets etc. But in reality, such democratic innovations can only work when there is something to be democratic about. TASC believes that without real transfer of functions and powers to local government, such innovations are merely hollow gestures.

1.6 Devolve more 'person-centred' services to local government

The issue of trust is also a function of the citizen's sense of disconnection from local government. 'Democratic distance', as measured by the high ratio of citizens to each councillor, is one factor contributing to this disconnect. The continued centralisation and fragmentation of public services, which denies local citizens a voice in how services in their areas are delivered, is a further driver of this problem. TASC believes that devolving more 'person-centred' services to local government with real citizen participation (i.e. crèche facilities, recreation, health, education), in contrast to 'hard' services largely taken for granted (i.e. waste-water, roads) is a vital measure to bridge the gap between citizens and their local government.

1.7 Transfer power from managers to councillors

The Government has committed to ensuring that local decision making is rebalanced in favour of democratically-elected representatives, but the Green Paper effectively reinforces the relatively powerful role of the manager in the existing system, signalling a reluctance to take action on this issue. TASC believes power must be incrementally transferred to councillors so that a coherent system of accountability to the citizen can be achieved. The aim of such reform must be to change the culture of

decision making (and its corollary, a failure to take decisions) at national and local levels.

1.8 Take the local government funding crisis seriously

The Green Paper fails to address the growing funding crisis facing local government. The Indecon report has pointed to a funding shortfall of between €415 million and €1.5 billion by 2010 for day-to-day running costs. This situation is worsening with the drying up of development levies following the collapse of the construction sector. The Green Paper has deferred this issue to the Commission on Taxation but the terms of reference for the Commission are so narrow as to preclude any major change to local government funding in a way that respects the principles of the European Charter of Local Self-Government. Funding reform is central to local government reform as a whole. The current situation is unsustainable and action will have to be taken.

1.9 Commitment to radical reform must be backed up by actions, not words

Real local government reform has been repeatedly kicked to touch by successive governments. The piecemeal reforms offered to date have only delayed the inevitable – local government is facing mounting crisis and we simply cannot afford to put it off any longer.

The Democracy Commission, reporting in 2004, argued that the inadequacies of local government demonstrate the lack of commitment of successive Governments to the basic principle of subsidiarity. TASC urges this Government to show decisive leadership in reforming local government and to demonstrate its commitment to the radical reform promised by Minister Gormley. We must, therefore, see a clear set of proposals for reform put to the public in the White Paper that provide real vision and willingness to deliver a whole-of-government approach.

2. RESPONSE TO THE GREEN PAPER

2.1 Introduction

There are two compelling reasons to reform local government and governance in Ireland. Firstly, the country has undergone rapid social and demographic change which now requires a new set of institutions that can respond to and shape the future. Secondly, in Ireland, local government structures, functions and funding are in need of a radical overhaul. Such is the scale of the challenge confronting the local government system that reform must entail whole-of-government reform. In the absence of such an approach any effort to reform the system will be limited in effect.

One approach that has influenced TASC's thinking is the report of the Lyons Inquiry, a recent initiative to review local government in the UK. It suggests that 'place-shaping' should be the primary purpose of local government, which is described as the "creative use of powers and influence to promote the general well-being of a community and its citizens"⁶. Local government would be responsible for creating secure and integrated communities, promoting economic prosperity benefiting individuals and public services, and promoting sustainable lifestyles and minimising environmental degradation. Central government would provide the policy environment and the necessary supports to enable this occur.

We also look to Scandinavian states, which are considered to be among those in Europe to have implemented the most far-reaching decentralisation and democratisation reforms. In contrast to Ireland, Scandinavian municipalities are responsible for a far wider range of public services, are the main instruments in the implementation of the welfare state and have greater autonomy in how to raise and allocate funding. In some respects a more critical feature of the system is that Scandinavian local authorities have a much clearer policy environment where service-level expectations are delineated by the state rather than the broad brush policy environment in Ireland.

While the Lyons report represents a new wave in thinking on reform, the Scandinavian experience represents actual successful practice.

We recognise that each country must find its path to better local government and that, historically, local government reform in Ireland has been less than successful, largely due to its restricted nature, compared to other similar European states. Against this background, TASC believes that Government must commit to an ambitious, progressive and sustained reform programme rather than simply more piecemeal, short-term fixes.

Historical context of local government reform in Ireland

The contested (and congested) nature of local government in Ireland has its roots in the foundation of the state.

Our current system of local government is based on the provisions of the Local Government (Ireland) Act 1898, which replaced the colonial 'grand jury' system with a system of elected councils. Prior to this Act, the country had been run on the basis of

the British ‘shire’ system whereby counties, established over centuries under English rule, were administered by centrally-appointed representatives of the Crown.

Since 1925, successive governments strengthened the centralised nature of the Irish state. To this end, the 1940 County Management Act introduced county and city managers who were “responsible for practically all the functions of the local authority”⁷. The role of councillors vis-à-vis managers was partly restored in 1955 with the City and County Management (Amendment) Act, but the centralised nature of the state and general suspicion of local government has continued to this day. A further nail in the coffin of local government was the abolition of domestic rates in 1977, justifiably or not, which significantly removed the capacity for independence of action, making local authorities more dependent on central government for resources.

In a country marked by anti-colonial struggle followed by civil war, the need for ensuring national cohesion was considered practically necessary and politically desirable by all sides when in national government.

A changing Ireland

Over the past two decades, the economic, social and political landscapes in Ireland have changed dramatically.

Irish society has become more populous, diverse, and socially mobile. Urbanisation has accelerated alongside economic prosperity, with a higher percentage of the Irish population living in cities and large towns than ever before. Irish society has become more complex, it is increasingly multicultural, and family structures and people’s life-cycles are changing. Processes of globalisation, such as economic restructuring and deepened economic, political and social interactions worldwide, have presented new pressures and possibilities. Ireland’s membership of the European Union has involved Ireland in a wider complex of institutions and regulations, impacting on domestic developments. And with these changes has come an Irish citizenry more demanding of public services, and with a greater desire to have a say in how the country is run, despite declining levels of political party membership and electoral turnout.

All this is presenting local governance in Ireland with new challenges and opportunities as these processes of integration affect economic, physical and social structures.

2.2 Principles

TASC acknowledges that radical reform of local government will require a planned holistic approach, carefully piloted and gradually implemented. However, it is critical that this programme takes account of a number of principles which TASC believes are essential to the delivery of real reform and the achievement of wider public goods.

(1) Transfer power and services downwards to the lowest appropriate level

Technically, Ireland is in compliance with key aspects of the European Charter of Local Self-Government, ratified by the Government in 2002. But in reality we have operated a minimalist interpretation of compliance, and in so doing have failed to honour the spirit of the Charter in respect of devolution of responsibilities and powers to the local level. Ninety-four per cent of local public expenditure decisions continue

to be made by central government; and of some 30 functions allocated to local authorities in Germany, only 10 are allocated to local authorities in Ireland – none involve education, health or welfare. Moreover, the past 20 years have seen the proliferation of around 500 local-level agencies each fulfilling 22 distinct roles⁸. Ireland is relatively unique in that we have a system that is spread across a range of political and institutional responsibilities at the national level. This system is replicated at the local level with a range of bodies, some with a democratic mandate, some not, but are nonetheless seen as models of participative governance. The increasing reliance on agencies and partnerships to deliver services and development over past years has made access to services seem impenetrable from the citizen's point of view. Inevitably, there is widespread duplication of effort and agencies often compete over resources rather than strategically pool them to achieve common objectives, impacting on the lives of citizens. Scandinavian systems provide examples whereby clearly defined responsibilities allocated to different levels of local government (regional, municipal) set them in a relationship of mutual cooperation, not competition.

(2) Increase the 'voice' of citizens to influence policies and services

In Scandinavia's experience, transferring political power downwards reduces the gap between voters and elected officials, effecting improvements in democracy and accountability, administrative and bureaucratic efficiency and public service responsiveness. In Ireland, such a political dynamic is largely absent, due in large part to local authorities and councillors having few responsibilities. In recent years, for example, citizens have criticised local authorities for bad planning in relation to education, waste-water treatment and other public services, but with no local power or resources to deliver such services, issues must often reach crisis point before central government or national-level agencies react. Publicly-delivered services are central to maximising the wellbeing of all citizens and promoting prosperity. By ensuring a highly educated, skilled and healthy workforce and good infrastructure, the state can play a central role in promoting equality and social stability and in mitigating against vulnerability to the global system. The complexity of modern states necessitates a shift in administration, decision-making and service delivery to lower levels of government.⁹ In line with the principle of subsidiarity set out in the European Charter of Local Self-Government and in common with best practice in Europe, the most effective way to ensure that public services have the capacity to respond to the changing requirements of citizens is to devolve them to local level.

(3) Ensure adequacy of funding and greater autonomy of funding decisions

Under the European Charter of Local Self-Government, the Government has, in principle, committed to ensuring that local authorities have adequate financial resources, with greater freedom to prioritise spending and capacities to raise their own finances through local taxation or charges. However, successive governments have presided over a system marked by centralised funding and financial crisis. The 2006 Indecon report pointed to a €450 million to €1.5 billion shortfall in funding by 2010 for day-to-day services delivered by local authorities.

2.2 Comments on the Green Paper

TASC welcomes the Government Green Paper on local government reform, *Stronger Local Democracy*. We note its restatement of government commitment to the

European Charter of Local Self-Government¹⁰. It outlines the central characteristics that should guide local government reform. They include:

- An appreciation of the importance of local democratic institutions and their roles in representing communities, delivering services, regulating for the common good and developing the physical, economic and social environment of the local community;
- A commitment to subsidiarity, i.e. decision making to be handled at the 'lowest' appropriate level;
- Providing for the local democratic leaders to have appropriate responsibility and accountability for their decisions;
- Ensuring that there is a proper balance between the range and functions of local structures and for the need for coherence, value for money and efficient delivery of public services; and
- A continued focus on Quality Customer Service¹¹.

However, we find the Green Paper disappointing in two key respects: firstly, the actual translation of these principles into concrete policy options for radical reform are largely absent, as are real proposals for the reform of local government funding; secondly, much of the discussion of the issues gives contradictory and therefore, confusing messages.

Absence of radical reform

TASC notes that the development of this Green Paper on Local Government has its genesis in the *Programme for Government 2007-2012*, agreed by the parties of government in the wake of the 2007 general election. We also note that the Programme for Government does not set an objective for wholesale local government reform. This narrow agenda was reflected in the terms of reference inviting submissions to assist in the preparation of the Green Paper.

The Programme for Government states it “*will introduce a directly elected Mayor for Dublin with executive powers by 2011*” and “*examine*” the following areas:

- Ensuring a proper balance of power at local levels between the manager and the elected representatives;
- Directly electing mayors/chairs;
- Establishing town councils in those towns that have shown significant population growth in recent years (including the upgrading of the former town commission towns, where appropriate, to full town councils);
- Providing quality customer service to the public; and
- Establishing expenditure limits at local elections¹².

However, the process of developing the Green Paper, which went through a consultation period and was eventually published in April 2008, itself created expectations of significant reform. Expectations were further raised by the Minister's announcement that the process would “*lead towards one of the largest reforms ever to occur in how local government works in Ireland.*”¹³ Unfortunately, our analysis of the Green Paper makes it clear that radical reform is not in fact intended.

There *is* a clear intention to elect a mayor for Dublin in 2011, one which seems to favour a regional electoral area, and we believe that this proposal provides an opportunity in the context of the forthcoming White Paper to include a wider suite of initiatives which would be more in-keeping with the spirit of radical reform.

The context of our analysis and proposals

The introduction of a directly-elected mayor for the ‘Dublin region’ by 2011 is the single- concrete reform proposed in the Green Paper. We take this as the starting point for our analysis.

It is appropriate for a Green Paper to set out a range of concrete options for public consideration and debate. It should do so within the context of the reform of the broad public administration of the State. However, both options and clear propositions for the role of local government are lacking in the Green Paper. Overall, the Green Paper lacks vision; it does not describe what local government should look like in ten, twenty years’ time. Without a shared goal in mind, it will be difficult to guide a sustained reform process, risking yet further, piecemeal reforms.

This said, TASC does see the proposal to establish a directly-elected mayor for the Dublin region as a possible vehicle by which a wider set of reforms could be introduced and piloted in one region.

Our analysis centres on two broad measures to:

- Reconfigure the structures and functions of national governance; and
- Build trust between local authorities and central government, and local authorities and citizens.

2.3 Reconfiguring local government structures and functions

2.3.1 Background

Ireland’s system of governance remains highly disaggregated: central government dominates; local authorities have limited functions; regional bodies cannot implement regional plans; and many major national public agencies (the IDA, HSE, etc.) have a national rather than regional or local focus. With such limited scope for action and funding, local authorities manage as best they can.

County/city councils, for example, have a function in land-use planning but little or no corresponding function or funding to deliver on key requirements necessary to accompany the subsequent physical developments. Dependence on central government to respond in a timely way to local requirements, such as funding for roads, water, waste-water and schools is increasingly contributing to a pattern best described as ‘crisis management’.

Across the country, people’s life patterns are becoming more complex. A parent living in Ratoath may work in Dublin’s city centre, drop their child in a crèche in

Dublin's suburbs and visit their family in Kildare at weekends. People's lives are no longer confined to the towns and counties in which they live. This, in turn has implications for public services, such as waste management and water supply, which increasingly require cross-boundary responses. Such increasing integration of towns and counties into larger 'functional areas' is hampered by the absence of a tier of democratically-accountable regional government to manage these increasingly complex circumstances which are at once regional and local.

As far back as 1971 prior to EEC membership, an Institute of Public Administration working party made a case for the creation of a regional tier around Dublin. It argued that Dublin county and the surrounding counties had "already begun to form part of [a] metropolitan catchment area"¹⁴. The report proposed that "certain functions which require a wider base than the borough or county council should be assigned to a statutory regional body and dealt with by specialist staff with regional terms of reference. These functions include strategic or major planning; water resources management and water supply for the region".

Layered on this already creaking system, new bodies including county/city development boards (CDBs) and strategic policy committees (SPCs) were established in order that a wider range of stakeholders could be involved in local decision making and service delivery. Similar to existing local structures and unlike their counterparts in England, France and Scandinavian countries, these bodies have no power to implement decisions, nor have they delivered on one of their primary goals, i.e., enabling greater levels of citizen participation. Furthermore, national agencies with representation on these bodies have limited scope and aptitude to tailor the policies of their organisations to particular, and increasingly diverse local needs.

It is vital that the Government takes action on improving the delivery of services across wider geographical areas and seriously examines the case for a regional tier of government. At the same time, reforming the county and sub-county tiers of local government to better facilitate real local decision-making and democratic accountability at the local level must be put on the table. It is to these issues that this section now turns.

2.3.2 Regional tier and directly-elected mayors

Regional Tier

In Ireland, regional authorities were originally created to carry out two functions: to draw down, disburse and monitor EU Structural Funds and to co-ordinate the implementation of public service provision on a regional basis. However, the actual capacity of regional authorities to carry out their responsibilities is very limited. For example, they are required to produce regional planning guidelines, based on national guidelines set by the Department of the Environment, Heritage and Local Government (DEHLG) (e.g. the National Spatial Strategy). Individual local authorities must "have regard to" these guidelines when developing their own physical plans for the provision of infrastructure and public services, but the limited powers assigned to regional authorities means that they have, in most cases, no power to implement their policies and so must rely on the good will of the local authorities to deliver.¹⁵

Directly-elected mayor

In seeking a solution to such deficiencies in Irish governance, the Green Paper proposes to pilot the introduction of a directly-elected mayor in the Dublin region (with the expectation that this or similar reforms will be extended nationwide). The geographical area within which the proposed mayor would function is considered in detail in the Green Paper.

The options for the mayor's geographical remit presented in the Green Paper are:

- **Option 1:** The traditional county, encompassing the City Council and 3 County Council areas of Fingal, South Dublin and Dún Laoghaire Rathdown. This area also coincides with the Dublin Regional Authority.
- **Option 2:** The Greater Dublin area (as defined in Census 2006). This would exclude the rural area of County Dublin but include all the built up areas contiguous to the city not extending into surrounding counties.
- **Option 3:** The Dublin Metropolitan Area. This would include the built up area of Dublin extending into surrounding counties of Meath, Kildare and Wicklow but possibly omitting rural areas of Fingal.
- **Option 4:** The Greater Dublin Region variously defined up to and including the full counties of Kildare, Wicklow and Meath.¹⁶

Although the existing Dublin regional authority boundaries seem to be favoured (i.e. Option 1) this is not made explicit in the Green Paper. Confusingly, it also states “*it is the wider ... region which requires strategic political leadership*”,¹⁷ giving support to the argument for a Dublin region beyond the county borders.

TASC believes that the Greater Dublin Region, as defined in Option 4, offers the best opportunity to provide integrated regional governance and service delivery across urban, sub-urban and rural areas that form Dublin city and its natural hinterland. Responsibility for regional transportation planning has already been transferred to the newly-established Dublin Transportation Authority (DTA) which is underpinned by the Dublin Transportation Authority Act 2008. The geographical region of the DTA is coterminous with the Greater Dublin Region (Option 4), and since the directly-elected Mayor is expected to chair this authority, it stands to reason that the boundary of his/her remit should be identical

A further argument in favour of Option 4 is the fact that the Dublin and Mid-East Regional Authorities have been working together on a number of issues of joint concern. For example, the Regional Planning Guidelines 2004-2010 resulted from their combined efforts – in other words, spatial planning in this geographical area is already taking place on the basis of Option 4 boundaries.

The Greater Dublin Region – a move toward an Ireland of city-regions

The increasing economic importance of the city region as opposed to the nation-state requires careful consideration.

The Green Paper, under the heading of supporting Dynamic Regions states, “*The issue of regional development should not be seen in terms of Dublin versus the rest of*

the country, but in terms of the necessity for the country as a whole to have successful dynamic regions – including Dublin.”¹⁸

The Green Paper recognises a growing literature suggesting that in knowledge-intensive, services-oriented national economies, the move towards ‘city-regions’ is becoming increasingly likely, and necessary. Referring to an OECD analysis, the Green Paper notes that the “new political economy for territories” involves promoting prosperity by developing intangible assets such as linkages between universities, research communities and the private sector, strengthening social capital and environmental assets.¹⁹

The processes of globalisation seem to be moving towards the emergence of integrated regions focused around metropolitan hubs. Indeed this emerging reality forms the basis of the National Spatial Strategy and should inform the local government reform process.

Implications for a regional tier of government

The proposal for a directly-elected mayor is a welcome one. It has the potential to alter the political dynamic between central government and local government, and between local government and citizens. While the Green Paper stops short of actually defining the appropriate functions and powers of that office, it does say that the mayor’s role will be “*a strategic role in areas such as regional planning, water, waste water, waste management, housing etc.*” But establishing a directly-elected mayor and defining the appropriate functions of that office are the easy parts. The central issue will be the transfer of power from the centre to the regional tier. Connected with this will be the establishment of relationships between central government, the mayor, the new regional tier and existing local authority structures.

But how exactly power will be transferred to a new regional tier is largely ignored in the Green Paper. It states the need to consider powers and governance structures of a new regional authority, but it does not discuss the merits or demerits of various regional or municipal authority structures nor does it present options on powers and governance arrangements as they could be applied in Ireland.

In addition to the issue of choosing the most appropriate geographical boundary, the Green Paper should have proposed solutions to the following issues:

- How will the regional tier be governed? Should the current system be maintained, or should we consider direct election to a regional assembly, and if so, should there be a supporting executive?
- What powers should be devolved to this tier? Should these powers be purely strategic, or should there be scope for transferring some operational functions to them as reforms of other government tiers progress?

The Green Paper does suggest a tightly-defined role for the mayor:

... the mayor should be given specific powers in relation to those areas which require, and are subject to, cross-boundary co-operation. These include powers in relation to strategic land-use planning, waste management, water services and housing[.]²⁰

However, the consequences of establishing a tightly-defined set of functions for the mayor versus a more flexible, less defined role are not teased out in the Green Paper. As for wider governance arrangements at regional level, the Green Paper does mention, in passing, the weakness of the London Assembly, a directly-elected chamber overseeing the London mayor's activities²¹, but it does not proceed to present options drawn from other internationally-recognised governance models such as Barcelona, which has a directly-elected mayor and an executive drawn from a pool of directly-elected councillors.

Turning to the issue of human resources allocated to the office of a regional mayor, the Green Paper itself identifies the need for “*detailed consideration [of] the administrative and institutional supports necessary for the proper functioning of the mayoral office*”²². It makes clear that Government does not intend to “*establish new operational institutions to execute decisions of a strategic nature.... Implementation should generally rely on existing institutional arrangements.*” TASC acknowledges that it is not, in the context of the current proposals, appropriate to place new operational roles at the regional level – regional bodies and the office of regional mayor should primarily be strategic in function, though transferring operational roles to regional authorities is something which should be revisited in the context of reforms to the county and sub-county tiers.

The Green Paper also does not address the funding of the office of a directly-elected Mayor but does indicate that issues to do with “*spending and taxation for such an office*”²³ will not involve the creation of a large mayoral administration. However, an appropriately-sized administration is necessary if the introduction of a directly-elected mayor is to have the desired positive impact.

Overall, the scale of the change will require a coherent plan for the phased introduction of regional bodies and offices in a way that brings Ireland in line with the European Charter of Local Self-Government.

In sum, the Green Paper fails to provide us with a clear set of viable options, leaving people with little real substance with which to engage in real public debate on the issues.

2.3.3 The county tier

The Green Paper has failed to set out clear options for the reform of the county tier. TASC believes that this is the right time to consider going beyond the traditional county system and to consider a different structure for local government that meets our present and future needs.²⁴

The Green Paper recognises that “*The structure of local government in Ireland ... still resembles that introduced by the Local Government (Ireland) Act 1898*”²⁵ and states that “*The county basis of local government in Ireland remains sacrosanct.*”²⁶

But countries such as Denmark and Spain have successfully broken with the ‘county’ tradition to a significant degree in their devolution reforms since the 1970s. The Green Paper acknowledges that the two-tier structure was “*swept away in Britain and*

Northern Ireland in the 1970s with the abolition of historic counties”²⁷ suggesting it is politically possible. In Ireland, the break-up of former Dublin County Council into three separate local authorities demonstrates that there is in fact nothing ‘sacrosanct’ about the idea of the county as the most appropriate structure for local government.

The New Urban Living project²⁸ studied the emerging social fabrics of four new suburbs and satellite towns in the greater Dublin region, Lucan, Leixlip, Mullingar and Ratoath, which were considered to be representative of development patterns occurring throughout much of Ireland’s cities and towns. The study found that the ‘attachment to place’ of local residents was influenced by four main factors: the built and natural environment, the cultural character and life of the area; the quality of informal associational life and ‘elective belonging’ – reasons why people had chosen to live in their place of residence. The study found evidence of strong attachment of residents to their town and locality even though they may have moved there from outside the county. Coupled with CSO figures showing that in 2006 around 40% of people living in Meath, Kildare and Wicklow were born in-county (a decrease from 60-70% in 1996), a more dynamic picture of identity formation below county level is emerging.²⁹

Despite positive evidence of a healthy social fabric in Ireland’s new communities, the New Urban Living study did warn, however, that

*While there are many ties that bind in suburbia, those ties are in danger of being eroded by the intensification of development and its attendant problems on one hand, and the absence of locally embedded institutional structures for responding to community needs on the other.*³⁰

All this points to the need for a reassessment of the county tier in the context of local government reform. We take this issue up in more detail below.

2.3.4 Town councils/area committees

Despite the above evidence, the Green Paper signals a reluctance to seriously engage in reforming the sub-county tier of local government – particularly town councils. The Green Paper notes that

*For reasons of local and political resistance, there has been little appetite to dissolve the smaller councils. At the same time, for reasons of efficient local service delivery and possible cost implications, there has been reluctance in Government to establish new town councils.*³¹

The Green Paper acknowledges that county and city area committees are working well where they have been established. It notes that they

*have grown in importance in recent years as a method of localised decision making while leaving more important policy issues to the full council. Area committees can often cover a more coherent geographical functional area [and] provide an opportunity for local authorities to address the distinct needs of rural districts.*³²

However, the Green Paper remains ambiguous about whether area committees (or similar bodies) will gain greater status within local government structures and what might be their relationship to town councils.

The rationale behind strengthening area committees is that they are better placed to provide sub-county decision making across urban and rural areas in a way that accounts for the increasingly complex daily lives of citizens. In other cases, larger towns comprise a sufficiently large area to justify the creation of a town council. In this latter scenario, a complementary relationship must be found between the roles and functions of area committees and town councils so that they can work in co-operation, not competition, in the context of a reformed structure for local government. The Green Paper's context of reform is the acknowledgement of "*continuous change*",³³ yet it suggests very little by way of process in terms of how to resolve these issues. Funding is also a problem: debates with regard to the extension of town councils frequently focus on the gains and losses of revenue that such decisions often entail (see below for further discussion on funding). Town councils must also undergo reform, if they are to be retained. It is worth noting that persistent calls for the establishment of new town councils are coming from Celbridge, Carrigaline, Maynooth, Laytown-Bettystown-Mornington, Ashbourne, Rush, Kildare – all large, and growing, suburban or dormitory towns. At the same time, there is a reluctance to abolish small town councils such as Ballybay whose quota at the last local elections was just 44.

TASC believes a constructive approach would be the establishment of a commission to make recommendations on the reform of the sub-county tier. Chairing this commission could be one of the first tasks of the directly-elected mayor for the Greater Dublin Region, where such reform could be piloted.

2.3.5 Outsourcing government

A range of new structures was put in place at the local level under the Local Government Act of 2001 with the stated purpose of restoring real decision making to local authorities and their local residents.

It is TASC's view that centralised structures and decision making that affect many important local services, such as enterprise, health and education, severely limit the potential for real involvement of local representatives, local associations and local communities.

At the same time, the last 20 years have seen an emphasis at local level on the development of partnerships among the public, private and voluntary sectors which mirror the social partnership model at national level. While these structures allow for more diverse composition, many of the individuals, groups and agencies represented are not at all accountable to local communities.

The Green Paper recognises that centralisation has "*encouraged Government to bypass local authorities in favour of separate local development bodies*".³⁴ This situation has also been recognised in the recent OECD Public Management Review of Ireland which criticised the Government's handling of the 'agencification' of the Irish public service. It concluded that agencification has "decreased the overall

accountability of the public service, while increasing fragmentation and complexity”³⁵. This unsustainable pattern of establishing ‘local development bodies’, or quangos, when a new service is needed at local level does not sit with the Green Paper’s stated principle of strengthening local democratic institutions.

TASC recognises that in many cases, establishing arms’ length agencies can have positive outcomes for a variety of reasons, including a need for independence, access to specialist expertise and efficiency in service delivery. However, delivering these outcomes in a transparent and accountable fashion is less easy in practice. TASC has called for a planned strategic approach to the establishment of agencies and allocation of functions to them, based on a set of clear criteria. More recently, the OECD report has recommended that government employ a ‘whole-of-public service’ approach in reforming public service delivery. It encourages government to decide “what functions in principle should remain in central departments, what functions should be devolved to local authorities, and what functions should be carried out at arm’s length from the Civil Service”³⁶. The Report also recommends that more public services should be devolved to local government; where local agencies are retained or established, they must be accountable to local government.

2.3.6 Towards a re-imagined local government system

TASC fully recognises that reforming the local government system is a huge task, especially delivering change in a whole-of-government context. But all we have seen in Ireland so far is piecemeal reform which has led to a more complicated, less democratic local government system. This legacy is reflected in the Green Paper, which TASC believes has failed to live up to the promise of providing for the most radical reform of local government since the foundation of the state.

To address these deficiencies and to drive reform forward, the White Paper must, firstly, articulate a clear vision of what local government in Ireland should look like. Without this, the process of reform, will likely be derailed.

But we do not have to wait for some much-needed reform. The White Paper must also:

- Provide clarity on the functions and powers of Dublin’s directly-elected mayor and set out detailed proposals for the governance of the Greater Dublin Region in a manner which gives real teeth to this tier and also lends itself to replication across the country;
- Open up national debate on the county tier of local government in the context of whole-of-government reform vis-à-vis strengthening democracy and improving service delivery;
- Establish a process for the reform of the sub-county tier of local government in the Greater Dublin Region, paying particular attention to the current work of area committees ; and
- Link the reform of public agencies and local bodies in the context of devolving public services to local government and consolidating its role in leading local development.

TASC advocates the devolution of all public services to the lowest appropriate level but recognises that, as the Government seeks to do so on a gradual basis, a one-size-

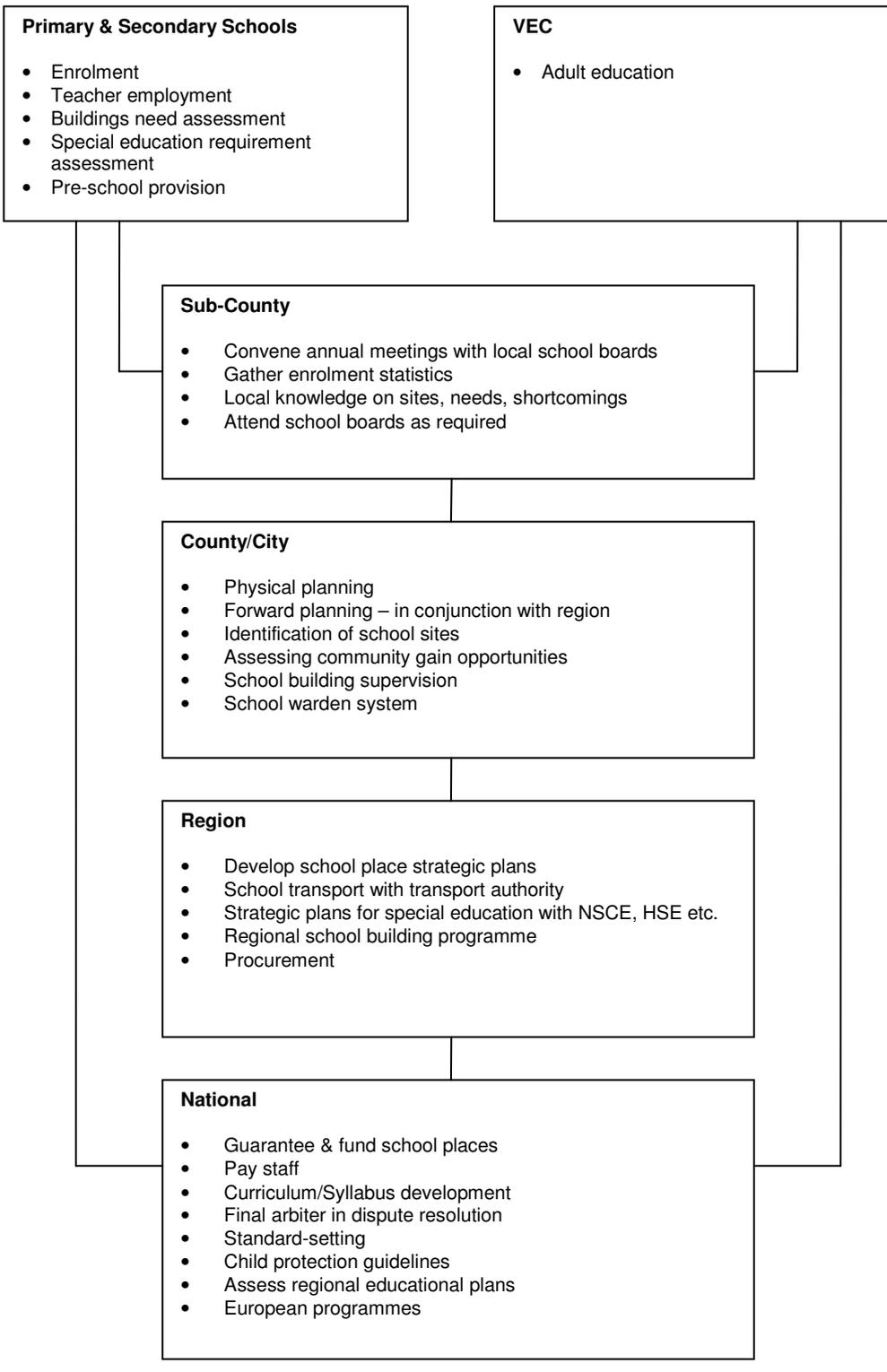
fits-all approach cannot be adopted. A plan for the phased devolution of public services must be presented having careful regard for how devolution would be best implemented from a citizen's point of view.

Sketching a devolved public service

To promote wider discussion and debate about a strengthened role for regional and local government in the delivery of services, *Figure 1* below presents a sketch for the devolution of primary and secondary education to local government. It identifies one way in which central, regional and local government could work together in an integrated way to ensure that, while national standards are ensured, schools and colleges are made more responsive to local citizens' needs

Figure 1: A locally delivered national primary & secondary education system

This diagram illustrates one possible way to devolve primary and secondary education to local government. Emphasising the need for reform to focus on the citizen's needs, it presents a revised education system from the bottom-up. Each layer of government is given a complementary role, knitted into a single, functioning system.



2.4 Rebuilding trust in local government

A difficult challenge for local government reform is addressing the political and cultural problem of the general lack of trust in local government among citizens, councillors, managers and central government departments. This section examines some key areas where this breakdown occurs and suggests how this serious impediment to reform may be tackled.

2.4.1 The problem of trusting local government

The attitude of citizens towards local government is influenced by their interactions with its administration; the quality of its services and decisions made in relation to, for example, planning and housing; and the behaviours of locally-elected representatives. The decline in trust by citizens in local authorities is related at least in part to mistrust in the capacity or willingness of local authorities to respond adequately to their needs, accompanied by a growing incapacity of elected representatives to effect any change or influence.

A related problem is the mistrust that many local representatives have of local authority administrations as they struggle with the system to achieve results for local citizens. This mistrust of local administration by local representatives is also mirrored by a mistrust of local government by the centre. The Green Paper says:

For local government to prosper it is essential that there is a spirit of trust and partnership between local and central government. Local government has the potential to free up central government to perform tasks of strategic and national importance if it could trust local government to take on more responsibility. Better connectivity may help to build this trust provided that local government can demonstrate that it can responsibly deliver new services.³⁷

A highly complex issue requiring far-reaching reform, but the sole remedy offered in the Green Paper is a directly-elected mayor for Dublin with the expectation that this pilot will be repeated in other parts of the country.

The Green Paper also notes the jaundiced view central government has of local authorities:

The weak nature of local political democracy and poor articulation of the values of localism means that there can be a lack of understanding at central government level of differences in service delivery or prioritisation at local level. This view applies at both political and administrative levels of central government. This view from the centre has also affected belief in the ability of local authorities to deliver new services.³⁸

Describing this situation first-hand, Dublin City Manager, Mr. John Tierney relayed his experiences of co-operating with central government in relation to school provision.

“Recently, local authorities had been criticised, in an education context for bad planning in relation to school provision. The fact is that local government was given no direct responsibility for school provision. We were charged with ensuring sufficient lands were zoned, to enable a housing supply and the scope for ancillary facilities to meet the incredible demand in the Irish market.

When, for example, we did the County Development Plan in Fingal three years ago, we found it incredibly difficult to get government as an entity to understand the problems we were having in relation to the provision of basic facilities such as schools (in tandem with housing).

If we hadn't gone ahead and put our own innovative proposal to the Department of Education and Science, the progress on school provision in Fingal would be much slower than it is.”³⁹

This lack of trust appears to be taken as given in the Green Paper and has, more generally, undermined the political will needed for whole-of-government reform as the necessary corrective action. There is a continuing unwillingness at the political level to cede responsibilities from the centre to the local and the school provision example above is testimony to that.

There is no doubt that confidence must be built at several levels. Fundamentally, this must occur between the citizen and the councillor. Citizens continue to believe that ‘local government’ is just that, but it comes as a surprise to them when schools are not automatically provided in conjunction with large-scale housing developments or that localities remain devoid of leisure facilities until a cluster of residents form to address basic needs. Solving these and similar issues requires the transfer of functions and power to local government in key areas of responsibility. Confidence can only be built when the citizen can see clear lines of responsibility that are coherent and capable of meeting their needs. While new checks and balances will be required to ensure that local government meets its responsibilities as devolution evolves, decentralisation of decision-making must become an accepted part of central government policy. TASC has already welcomed the introduction of a directly-elected mayor at the regional level and has argued that it must be accompanied by a regional tier, but this measure alone cannot be seen as a substitute for a sustained programme of wider decentralisation to local level.

2.4.2 The citizen-local authority disconnect

The issue of trust is also a function of the citizen’s sense of disconnection from local government. ‘Democratic distance’, as measured by the high ratio of citizens to each councillor, is one factor contributing to this disconnect. The continued centralisation and fragmentation of public services, which denies local citizens a voice in how services in their areas are delivered, is a further driver of this problem.

As the report of the Democracy Commission notes, “Ireland’s high number of constituents per council can impact negatively on experiences of local democracy to the extent that it makes local government remote from the people and is among the factors reducing the likelihood of participation”⁴⁰. Moreover, the relationship between citizen and councillor remains highly unbalanced in many cases; for example, the

ratio of citizens to councillors in Leitrim is one councillor per 1,316 citizens while in Fingal County Council it is one councillor per 10,000 citizens⁴¹ (see Table 1 below for comparative figures). This issue cannot be solved in isolation. Reducing this gap between citizens and councillors will involve a reconfiguration of local government tiers.

Table 1: Comparing democratic distance in Europe

Country	Units of Administration	Average Councillor/ Elector Ratio
France	36,880	116
Ireland	34	3,585
Italy	8,215	397
Spain	8,149	597
United Kingdom	472	2,605

Source: Jenkins, S., Big Bang Localism: A Rescue Plan for British Democracy, Localis Policy Exchange Ltd. London 2004 and others.

However, solving the issue of democratic distance will not address the second cause of the citizen-local authority disconnect: the types of functions currently delivered by local authorities. In keeping with the objective of expanding local government’s ‘place-shaping’ role, increasing the complement of local government functions and the delivery of ‘person-centred’ services in particular (discussed in more detail below) is also required to bridge the gap between citizens and their local government.

The Green Paper does not, however, propose to devolve a greater number of such services to local authorities; instead it proposes a set of new democratic procedures intended to strengthen the connection between citizens, their councillors and local authorities. The Green Paper suggests the introduction of:

- Petition rights whereby local communities could formally raise issues at local authority level;
- Participatory budgeting which could enable local communities to decide spending priorities;
- Regular town meetings at which communities could discuss local government matters; and
- Plebiscites which would enable formal local votes on specific local authority proposals.⁴²

If introduced, these democratic innovations could contribute to increased participation, but it is a truism to say that democratic innovations can only work when there is something to be democratic about – such procedures must be attached to decision-making institutions with real powers. Without real transfer of functions and powers to local government then such innovations are merely hollow gestures.

2.4.3 The councillor-manager relationship

Unlike the more democratic local government systems elsewhere in Europe, Ireland has a managerial system whereby every county/city council has an appointed

county/city manager who is granted executive functions. However, the powers of the manager in Ireland are far wider than those in other European countries. County/city managers exercise executive functions, with councillors executing only those 'reserved' functions assigned to them by central government.

The balance of power between the manager and councillors is weighted in favour of the former and this has had a largely negative impact on the ability of local citizens, through their elected councillors, to drive a particular policy agenda. The extent of managerial powers undermines the legitimate representative and scrutiny role of elected councillors and the role of citizens in holding councillors to account.

The manager is appointed on a full-time basis and holds privileged access to resources and information; with few independent channels at his/her disposal, councillors depend on managers for these resources. The role of the manager is a centralising one; interaction takes place at administrative level between the manager and government departments, with information channelled back to the council by the manager.⁴³ This bestows the manager with a considerable amount of influence.

Furthermore, councillors by definition do not comprise a homogenous group. Political differences often give rise to flashpoints in the chamber over issues such as 'bin charges' or 'waste management'. Political party affiliation influences political dynamics at local level; local councillors are connected to their political parties in ways that influence their respective decisions and constrain their actions, albeit some more than others. Among some councillors there is a culture of avoiding difficult decisions: there are many examples of councillors deferring politically contentious decisions, such as traveller accommodation, to the manager thus avoiding any local backlash.

For all these reasons, if council chambers are to be a true reflection of local democracy, this process of decision making and the culture of avoidance of responsibility it facilitates must change.

TASC also recognises that county/city managers and councillors share the same disadvantage of inadequate functions and resources at local government level vis-à-vis central government. As discussed earlier, if there is to be reform of the local government system, the balance of power between the centre and local and the functions assigned to each, are clearly key issues to be addressed. Both the issues of balance of power between the manager and councillor on the one hand and the relationship between central government and local government are inextricably linked

The Green Paper acknowledges this, noting that the

management system as operated in Ireland has contributed to a weaker local political system. Managers do not have the mandate to represent the local community while local politicians do not have the responsibilities or structures to optimise strong local leadership. This local democratic weakness in turn reinforces the tendency for local communities and politicians ... to turn to central government to deal with issues that should be dealt with locally.⁴⁴

It further recognises that

*There is a gap between the objective of the Minister for Environment to support strong democratic and responsible local government and the reality of local dependency on the centre.*⁴⁵

However, it proceeds to highlight, and even commend, what it describes as the well-formed relationships between local government administrations and their parent ministry, the DEHLG. It describes these relationships as both structured and unstructured: the DEHLG and the City & County Managers Association (CCMA), for example, are exploring further initiatives to strengthen cooperation. Contact on a daily basis is also occurring between local government management and an expanding range of government departments. However, the Green Paper makes virtually no reference to the need for a national-level body representing councillors at the national tier of government. This is where we see the real gap between the Irish and Scandinavian systems; in these latter systems, locally-elected representatives have a collective voice at national level and have a role in substantive decision making and policy development in relation to the local government system.

These evolving relationships in Ireland at ‘official’ or management levels contribute to the political imbalance between the manager and councillors – it suggests the continuing perception of local government as an agency of the DEHLG. The capacity to control information by the manager is frequently cited by councillors as a key issue. But rather than addressing this issue (described above), the Green Paper, implicitly endorses the strengthening of the local-to-central administrative relationship at the expense of the local representative one. The Green Paper therefore suggests that the centralising role currently played by the manager will remain largely intact.

We note that in the Programme for Government, the Government has committed to “review the operation of local government legislation to ensure that the decision-making processes in local authorities are rebalanced in favour of the democratically elected representatives of the people.”⁴⁶ TASC believes that power must be incrementally transferred to councillors in order to create a coherent system of accountability to the citizen. The aim of such reform must be to change the culture of decision making at national and local levels. This change requires an evolutionary process rather than a single raft of reforms, but TASC believes proposals to establish a directly-elected mayor for the Greater Dublin Region is an important opportunity to pilot wider initiatives towards this aim.

2.4.4 Devolution of public services

It is at the local level that the connection between local democratic accountability and public services is most strongly made. In an empowered, accessible, accountable and simplified local government system, citizens can more easily make that meaningful link between participation and service delivery. The greater control people and communities have over their lives, the greater the sense of social and economic well being they enjoy⁴⁷. This has been found to be the case in Nordic countries whose measures of ‘subjective well-being’ are higher than Ireland’s despite similar levels of economic development.⁴⁸

However, the Green Paper does not propose to devolve more public services to local authorities. While acknowledging the disconnect between the citizen and local authority, the Green Paper does not appear to understand that ‘hard’ services (traditionally delivered through the local authority system; includes waste water, public housing construction, road design and maintenance) are more likely to be taken for granted by the public, whereas ‘person-centred’ services (e.g. crèche facilities, schools, recreation) are more likely to impact on the everyday lives of people through shaping the ‘place’ in which people live. It is these latter services which are largely absent at local authority level in Ireland but are critical for creating local government’s ‘place-shaping’ role.

The quality of locally-delivered public services

An argument often made against greater devolution to local authorities is that they have been poor at delivering public services. Unfortunately, we do not have robust evidence to give us clear evidence on this point.

The Local Government Services Management Board (LGMSB) compiles regular ‘Service Indicators in Local Government’ which collate and compare 42 largely quantitative, performance indicators. These, however, do not provide a comprehensive picture which would allow us to form a judgement on the overall quality of public service delivery by local authorities. Their 2006 report acknowledges this, stating that the performance indicators “do not capture the full picture and indeed it is difficult to measure the role that local authorities play, for instance, in leading development locally.”⁴⁹

Local authorities are increasingly making use of customer surveys to identify the preferences and views on services within the local population⁵⁰. Among those interviewed by an independent market research company, around half of those surveyed in Clare, Galway and Meath County Councils were ‘very satisfied’ or ‘fairly satisfied’ with council services, and around 65 per cent felt that local services had improved over the years. This suggests that, while public services are not as badly regarded as often thought, a large minority remain dissatisfied.⁵¹ Anecdotal evidence suggests that while local authorities in general provide some good services, and are improving, many are much in need of improvement. The Office of the Ombudsman continues to receive high numbers of complaints in respect of local authorities. In 2007, the principal areas of complaint were: housing (33 per cent); planning (23 per cent); roads/traffic complaints (13 per cent); and failure to reply to local citizens’ queries (12 per cent).⁵²

Clear, comparative evidence evaluating the performance of local government services must be collected and presented. However, for a variety of reasons, local authorities are not all resourced to the same extent, and any comparisons made must take proper account of these disparities. That said, clear accountability for failures must be present in the local government system. It is in this way that measures for improving the quality of local services and as a consequence the public’s faith in them will be strengthened. TASC’s contention is that the appropriate response to evidence of failure is to improve the quality of locally-delivered services rather than to remove functions from them, as has been the case to date.

The arguments for devolution of a whole series of public services and functions to local level are persuasive. As multi-purpose bodies, local authorities would be better able to respond to citizens' needs and to co-ordinate and deliver public services. With greater scope to raise their own funds, local authorities would have the means to target resources according to specific local needs; thirdly, decentralisation has the capacity, if appropriately organised, to generate greater levels of trust in the system at all levels and strengthen democracy in Ireland as a whole. An aspect of this solution is the strengthening of local government's 'place-shaping' role through the devolution of 'person-centred' services.

Local government for citizens or consumers?

Fundamental to reform is who or what underpins it. Chapter 8 of the Green Paper states that:

The Consultative Committee considered that it was a person's status as citizen rather than customer which underpins the relationship between the individual and local government. [...] Local Government is in a prime position to reach out to new communities and to tackle social exclusion – in a role which goes much further than just providing services.⁵³

While agreeing with the importance of the concept of 'citizen', the chapter goes on to focus predominantly on service delivery to the 'customer', setting out performance targets through, for example, Local Authority Customer Service Charters. Here it is worth noting the Programme for Government which states,

[The Government] will put customer service to the forefront with

- required response times for correspondence;
- customer friendly opening hours;
- telephone responses from real people, not machines;
- customer training programmes;
- a right of appeal or review of local authority decisions for customers as a further step to greater transparency.⁵⁴

Such 'new public management-speak' redefines the citizen as customer, but the relationship between government and citizen, and services and customers are not identical. As suggested by the Consultative Committee, established by the Minister to advise on the preparation of the Green Paper, the service/customer relationship is a depoliticising concept that casts people as a passive consumer of public services; conversely, the government/citizen relationship entitles people to access services and to participate in their evolution by virtue of their membership of a political community.

Clearly, the Government is concerned with efficient and cost effective services – this is a reasonable objective. However, there is no evidence in the Green Paper of any differentiation between customer and citizen which is a key issue when considering the reform of democratic institutions. When this reform process is complete it is worth asking the following questions: will local government be more transparent and more responsive to the citizen? Will the gap between the citizen and local government, identified by the Commission on Active Citizenship and acknowledged in the Green Paper, be bridged?

2.4.5 Local government funding

Any real reform of local government hinges on the burning issue of funding, both decision-making autonomy and funding adequacy. It is a highly contested and politically sensitive issue, but critical to the success of any other reforms undertaken.

The Council of Europe's European Charter for Local Self-Government 1985, which the Government ratified, states that local governments must have adequate financial resources of their own, that they must be able to determine their own taxes, and that central government must not interfere with local government's powers of action⁵⁵.

Local authorities in Ireland currently obtain roughly half of their budgets from central government in the form of direct grants, the remainder of which must be secured through other means. Yet the methods by which local authorities may obtain such additional funds remains extremely limited with little discretion in their use.

The centralised nature of local authority funding is not problematic in itself; many systems of local government financing involve at least some form of central government funding, often for equalisation purposes. What is of concern are the consequences of the rigidity and inflexibility of the finance-raising methods that remain with local authorities.

The motor tax fund is a particular case in point. This fund has been in operation since 1998, and while most of this money can in theory be spent on any programme at the discretion of the local authority, in practice most of the money has to be disbursed on what may be termed "inescapable demands". This leaves little option to local government but to increase service charges or commercial rates, or both. However, central government has capped the upper limits of either of these options. Furthermore, borrowings by local authorities for both capital and current spending, have to be agreed with the Department of the Environment. All of this is in the context of a major funding crisis of local government. The 2005 Indecon Report noted that by 2010 local authorities will face a combined deficit of between €415 million and €1.5 billion for the funding of day-to-day services. These shortfalls are now likely to be even greater given the recent slowdown in the construction sector, resulting in reduced development levies.

According to the Green paper the ideal shape of local government would be "*A system with decreased dependency on the centre. The primary way to achieve this would be to give local authorities greater financial autonomy*"⁵⁶. However, there is little evidence of political will to meet this aspiration. Responsibility for reforming local government financing has been deferred to the Commission on Taxation whose terms of reference are so narrow as to preclude the possibility of achieving this principle and averting a funding crisis. However, the shortfall in the future financing of the system highlighted in the Indecon report means that the issue cannot be deferred indefinitely. The current situation is unsustainable and action will have to be taken.

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- ¹ Clodagh Harris (ed.) (2005), *The Report of the Democracy Commission*, TASC @ New Island: Dublin.
- ² Ian Hughes, Paula Clancy, Clodagh Harris and David Beetham (2007), *Power to the People? Assessing Democracy in Ireland*, TASC @ New Island: Dublin.
- ³ Deiric Ó Broin and Eugene Waters (2007), *Governing Below the Centre: Local Governance in Ireland*, TASC @ New Island: Dublin.
- ⁴ Paula Clancy and Gráinne Murphy (2006), *Outsourcing Government: Public Bodies and Accountability*, TASC @ New Island: Dublin.
- ⁵ Information on the TASC public forum on local government reform available at: <http://www.tascnet.ie/showPage.php?ID=170>.
- ⁶ Michael Lyons (2007), *Place-Shaping: The Lyons Inquiry Into Local Government – Final Report*, p. 3, available at: <http://www.communities.gov.uk/documents/localgovernment/pdf/158064.pdf>.
- ⁷ Desmond Roche (1982), *Local Government in Ireland*, Institute of Public Administration: Dublin, p. 105.
- ⁸ Deiric Ó Broin and Eugene Waters (2007), *Governing Below the Centre*, TASC @ New Island: Dublin.
- ⁹ Bjørnå, Hilde and Jenssen, Synnøve (2006), 'Prefectoral Systems and Central-Local Government Relations in Scandinavia', *Scandinavian Political Studies*, 29 (4), pp. 313.
- ¹⁰ Ireland's compliance with the European Charter of Local Self-Government is summarised in *Power to the People? Assessing Democracy in Ireland*, TASC @ New Island: Dublin, p. 507.
- ¹¹ *Green Paper on Local Government* (2008), p. 17.
- ¹² Programme for Government (2007), p. 86.
<http://www.taoiseach.gov.ie/index.asp?locID=512&docID=3493>
- ¹³ Terms of Reference, www.environ.ie.
- ¹⁴ Desmond Roche (1982), *Local Government in Ireland*, Institute of Public Administration: Dublin, p. 307.
- ¹⁵ In 2008, Minister for the Environment, Mr. John Gormley TD signalled an intention to strengthen legislation with regard to compliance of local authorities to regional planning guidelines. See: <http://www.irishtimes.com/newspaper/ireland/2008/0211/1202509633111.html>.
- ¹⁶ *Green Paper on Local Government* (2008), p. 42.
- ¹⁷ *Green Paper on Local Government* (2008), p. 44.
- ¹⁸ *Green Paper on Local Government* (2008), p. 96.
- ¹⁹ *Green Paper on Local Government* (2008), p. 96.
- ²⁰ *Green Paper on Local Government* (2008), p. 43.
- ²¹ *Green Paper on Local Government* (2008), p. 43-44.
- ²² *Green Paper on Local Government* (2008), p. 7.
- ²³ *Green Paper on Local Government* (2008), p. 41.
- ²⁴ In 1991, the Barrington Report, *Local Government Reorganisation and Reform*, recommended that district committees, based on local authority electoral areas should replace town authorities.
- ²⁵ *Green Paper on Local Government* (2008), p. 27.
- ²⁶ *Green Paper on Local Government* (2008), p. 30.
- ²⁷ *Green Paper on Local Government* (2008), p. 30.
- ²⁸ See Mary P. Corcoran, Jane Gray and Michel Peillon (2007), 'Ties that Bind? The Social Fabric of Daily Life in New Suburbs' in *The Best of Times? The Social Impact of the Celtic Tiger* edited by Tony Fahey et al., Institute of Public Administration: Dublin.
- ²⁹ Central Statistics Office, Census 2006.
- ³⁰ Mary P. Corcoran et al. (2007), 'Ties that Bind? The Social Fabric of Daily Life in New Suburbs' in *The Best of Times? The Social Impact of the Celtic Tiger* edited by Tony Fahey et al., Institute of Public Administration: Dublin, p. 197.
- ³¹ *Green Paper on Local Government* (2008), p. 66.
- ³² *Green Paper on Local Government* (2008), p. 71.
- ³³ *Green Paper on Local Government* (2008), p. 7, 23, 91.
- ³⁴ *Green Paper on Local Government* (2008), p. 32.
- ³⁵ OECD Public Management Review (2008), p. 37.
- ³⁶ OECD Public Management Review (2008), p. 39.
- ³⁷ *Green Paper on Local Government* (2008), p. 24.
- ³⁸ *Green Paper on Local Government* (2008), p. 32.
- ³⁹ Speech given at TASC Public Forum, 14th January 2008, Dublin.

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- ⁴⁰ Ian Hughes *et al.* (2007) *Power to the People? Assessing Democracy in Ireland*, TASC @ New Island: Dublin, p. 512.
- ⁴¹ CSO Census 2006.
- ⁴² *Green Paper on Local Government* (2008), p. 80-83.
- ⁴³ The role of the Manager is set out in the 2001 Local Government Act, Section 132 (Duty of the Manager), 144 (Position of the Manager), and 149 (Definition of Executive Functions).
- ⁴⁴ *Green Paper on Local Government* (2008), p. 31.
- ⁴⁵ *Green Paper on Local Government* (2008), p. 32.
- ⁴⁶ Programme for Government (2007), p. 87.
<http://www.taoiseach.gov.ie/index.asp?locID=512&docID=3493>
- ⁴⁷ Michael Lyons (2007), *Place-Shaping: The Lyons Inquiry Into Local Government – Final Report*, available at: <http://www.communities.gov.uk/documents/localgovernment/pdf/158064.pdf>.
- ⁴⁸ Studies of Ireland's new suburbs have also made reference to this. The *New Urban Living Study* (Corcoran, Peillon & Gray in Tony Fahey (ed.) (2007) expressed concern that the “institutional void” at local level for responding to community needs may undermine the Irish social fabric, particularly among Ireland's new communities. It also found that positive family-friendly environments are important in building a sense of place and community among their residents.
- ⁴⁹ LGMSB (2006), *Services Indicators in Local Authorities*, available at:
<http://www.lgmsb.ie/upload/documents/Service%20Indicators%20in%20Local%20Authorities%202006.pdf>
- ⁵⁰ Mark Callanan (2007), ‘Benchmarking Current Attitudes and Perceptions Towards Public Services’ in *Ireland 2022: Towards One Hundred Years of Self-Government*, Mark Callanan (ed.), IPA: Dublin, pp. 42-65.
- ⁵¹ *Ibid.*, p. 60-61.
- ⁵² Office of the Ombudsman (2007), *Annual Report of the Ombudsman 2007*, available at:
<http://ombudsman.gov.ie/en/Publications/AnnualReports/AnnualReportoftheOmbudsman2007/> .
- ⁵³ *Green Paper on Local Government* (2008), p. 87.
- ⁵⁴ Programme for Government, p. 86, available at:
http://www.taoiseach.gov.ie/attached_files/Pdf%20files/Eng%20Prog%20for%20Gov.pdf.
- ⁵⁵ Ian Hughes *et al.* (2007), *Power to the People: Assessing Democracy in Ireland*, TASC @ New Island, p. 51.
- ⁵⁶ *Green Paper on Local Government* (2008), p. 16.