

AILG

Association of Irish Local Government

Aontas Rialtas Áitiúil na hÉireann

Councillors and the Local Authority

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The Local Government Framework Legislative context

- **National Government Comprising:**
 - ❖ Constitution (Bunreacht na hÉireann)
 - ❖ Judiciary
 - ❖ The legislature
 - ❖ The Executive
- **Central Government & Local Government:** Department of Housing Planning & Local Government other Departments
- Principle Elements of the Local Government System:
- Elected Council/ Municipal Districts/ Area Committees/ statutory committees/ PPN

Policy Context

- National Context
- Regional Context
- European Context
- Local Context
- Citizen Engagement/Public Participation Network (PPN)
 - Environment Pillar
 - Social Inclusion Pillar
 - Community Pillar

Local Plans and Policies

- **Local Statutory Plans** (County Development Plan/ Corporate Plans/ Local and Economic Community / Annual Service Delivery Plan)
- **Local Plans:** Litter Plan, Arts Plan, Traveller Accommodation Plan, Homeless Action Plan, Water Quality Plan
- **Policies:** Scheme of letting priorities, Anti Social Behaviour
- **Adoption of Bye Laws:** Beach, control of horses, Traffic and Parking

Other Plans and Policies

Development
Plans

Area Plans

Capital
Programme

Revenue
Budgets

Local Economic
and Community
Plans

Traveller
Accommodation
Programme

Housing
Strategy

Regional
Homeless
Strategy

Etc.

5 Year Corporate
Plan

Service Deliver
Plan (Yearly)

Monthly Chief
Executive Report

Role of the Chief Executive

Chief Executive

Directors of Services

Senior Executive Officers/Senior
Engineers/Senior Planners

Administrative Officers/Senior Executive
Engineers/Senior Executive Planners etc.

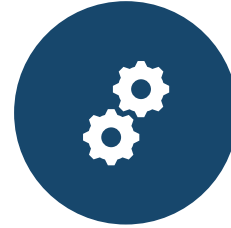
Role of the Chief Executive



DAY TO DAY
MANAGEMENT OF THE
COUNCIL



EMPLOYEE OF THE
COUNCIL



EXECUTIVE FUNCTIONS



DELEGATION OF
EXECUTIVE FUNCTIONS



CARRY INTO EFFECT
ALL LAWFUL DECISIONS
OF THE ELECTED
COUNCIL



IMPLEMENTATION OF
POLICY



ADVISE AND ASSIST THE
ELECTED COUNCIL,
CPG, SPC'S AND LCDC

Chief Executive Monthly Report

Expenditure and Income

Revenue Collection Levels

Overdraft Facility

Emergency Capital Works

LCDC

Local Enterprise Office

Progress on reports/material requested
by Council

Revenue Collection Levels

Chief Executive Quarterly Report

Development Plan	Local Area Plans	Housing Assistant Payments	Homeless Policy
Local Economic and Community Plan	Traveller Accommodation	Waste Management Plan	Local Enterprise Development Plans
National Disability Strategy	Social Housing Strategy	Library Development Programmes	Capital Programmes

Role of the Elected Member

- Membership of Local Authorities
- Term of Office
- Reserved Functions
- Policy Role of the Elected Member
- The Representational Role of the Elected Member
- The Oversight Role of the Elected Member

Role of Mayor/An Cathaoirleach

- ▶ Title - Resolution of Council
- ▶ Elected in June of each year Yearly at Annual Meeting of Council
- ▶ 1st Citizen of the County
- ▶ Performs a very important Represential Role
- ▶ Chairing of Meeting - Council and CPG (ex officio member of Council committees; protocol, JPC)
- ▶ Effective running of business
- ▶ Can requisition a special meeting of the Council
- ▶ Implementation of Standing Orders
- ▶ Maintains order (interprets standing orders - decision is final)
- ▶ Has a casting vote on all matters with the exception of the Cathaoirleach
- ▶ Deputy Mayor/An Leas Chathaoirleach

Reserved Functions

- ❖ Set out in law
- ❖ Reserved Functions that can be performed at Plenary and Municipal District
- ❖ Local Government, Housing, Planning, Environmental etc. Legislation
- ❖ Schedule 3 of Local Government Reform Act 2014

Council Meetings



Statutory Meetings

- ❖ Annual Meeting
- ❖ Monthly Council Meeting
- ❖ Meeting to consider the Local Property Tax
- ❖ Statutory Budget Meeting
- ❖ Area Committee
- ❖ Municipal Districts
- ❖ Corporate Policy Group
- ❖ Strategic Policy Committees
- ❖ Joint Policing Committee
- ❖ Audit Committee
- ❖ Deputations
- ❖ Representations on Committee/Boards

Standing Orders

- ❖ Adopted by Council (provisions around the number to adopt or amend)
- ❖ Quorum - Quarter + 1
- ❖ Place/time of meetings/ issuing of agendas
- ❖ Items to be included on the agenda
- ❖ Requisitioning of a special meeting
- ❖ Voting
- ❖ Schedule of meetings
- ❖ Questions
- ❖ Motions
- ❖ Amendment to Motions
- ❖ Procedure for dealing with Urgent Business
- ❖ Suspension of Standing Orders
- ❖ Motions from the Floor
- ❖ Interpretation of Standing Orders

Corporate Policy Group

- ❖ Cathaoirleach and Chairs of Strategic Policy Committee
- ❖ A key role in preparation of the Budget.
- ❖ Co-ordinates the works of the SPC and monitor their work programmes
- ❖ Policy documents must first go the CPG then Council for adoption.
- ❖ Provides advice and assistance to the full Council
- ❖ Overall issues - Service Delivery Plans, customer service, etc.
- ❖ Consultation - Corporate Plan, appointments to Audit Committee and the LCDC, SPC plan

Supplementary Standing Orders to Regulate Remote Meetings

- Ministerial order has been signed to give effect to the holding of Council meetings online
- It is a matter for the Elected Members to decide if and when meetings are to take place remotely
- Can take place, either remotely, hybrid or in various locations in the County Buildings

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Strategic Policy Committees

- ▶ Each Local Authority must appoint a specific number
- ▶ Draft Scheme
- ▶ Guidelines for the Establishment of Strategic Policy Committees
- ▶ Economic and Enterprise SPC
- ▶ Policy focused committee linked to the Council Corporate Plan and Local Economic and Community Plan
- ▶ Elected Members and Sectoral Representation
- ▶ Adoption of Scheme

SPC Configuration

- ▶ Elected Members
- ▶ Sectoral Representation - minimum of 6, and where appropriate 7 sectors should be represented on each SPC
 - Agriculture/Farming (Rural Authorities)
 - Environmental/Conservation
 - Development/Construction
 - Business/Commercial
 - Trade Union
 - Community/Voluntary
 - Social Inclusion

Local Community and Development Committee

- ▶ A Committee of the local authority
- ▶ Independent of local authority in performance of duties
- ▶ Developing, co-ordination and implementing a coherent approach to local community development
- ▶ Engagement with the local community
- ▶ Prepares and implements the community element of the LECP
- ▶ Monitors and Reviews the plan once every 3 years
- ▶ Prepares annual report for submission to the Council
- ▶ Co-ordinate, Governance, planning and oversight of all publicly funded local and community development.
- ▶ Adopts a statement for the local authority in respect of the economic elements of the authorities draft plan

Municipal Districts

- ▶ All Elected Members from the Municipal Districts are members and perform a range of Reserved functions at Municipal District level
- ▶ Local Government Reform Act 2014 (Schedule 3 Part 2)
- ▶ The Local Authority may by Resolution delegate functions of the Authority to be performed by the Municipal District
- ▶ Each MD elects its Chairperson/Mayor
- ▶ Municipal District Budget / discretionary fund

Area Committee

- ▶ Section 50 Local Government Act 2001
- ▶ Decision on the specified area of each Committee is made by resolution of the Council
- ▶ Local Electoral Area Boundaries - LEA area or of 2 or more adjoining LEA's
- ▶ Area specific functions.

Council Directorates



Local Government Functions

- ▶ Housing
- ▶ Transportation
- ▶ Planning & Development
- ▶ Economic Development
- ▶ Finance
- ▶ Operational/Municipal Services
- ▶ Community
- ▶ Arts
- ▶ Heritage
- ▶ Corporate
- ▶ Libraries
- ▶ Local Enterprise Office
- ▶ Tourism



Corporate Services

- ▶ All Council Meetings and statutory, provide support to elected members
- ▶ Payment of representational payment, expenses
- ▶ Communications/ Press releases/ Dealing with media queries
- ▶ Customer Services
- ▶ Corporate Plan /Annual Services Delivery Plan/ Annual Report
- ▶ Chief Executive's Monthly Report
- ▶ Monthly and Quarterly Management Report
- ▶ Governance - Audit, Procurement, Freedom of Information, Ethics Officer, Lobbying etc.
- ▶ Register of Electors

Meetings Administrators

Legislative Background - Local Government
Act 2001 - 2014
Section 46

“The manager shall from time to time as may be necessary assign the duties of meetings administration to an employee (referred to in this Act as a ‘meetings administrator’ of a local authority)”

Schedule 10(9) Local Government Act 2001

“ The meetings administrator shall, where practicable, advise the Cathaoirleach as regards the business of a meeting”

Responsibilities

Meetings

Agenda

Minutes

CPG

Audit

Municipal/Area

Nominations

Casual Vacancies

Cathaoirleach

Corporate Events

Standing Orders

New Council's

Service Delivery Plan

Management Reports

SPC's

Corporate Plan

Annual Reports

Correspondence



Local Authority Finance



Revenue

Expenditure

- ▶ Salaries and Wages
- ▶ Minor Contracts
- ▶ Service Agreements - ESB, Telecom etc
- ▶ Local Elections
- ▶ Support Services - I.T, Human Resources, Corporate Services
- ▶ Council Fleet
- ▶ Marketing and Communications
- ▶ Tourism & Events
- ▶ Local Enterprise Office etc.

Income

- ▶ Local Property Tax
- ▶ Commercial Rates
- ▶ Housing Rents
- ▶ Planning Fees
- ▶ Parking Fines
- ▶ Leasing of properties
- ▶ Road Opening Licences
- ▶ Grants and Subsidies - DHPLG etc.

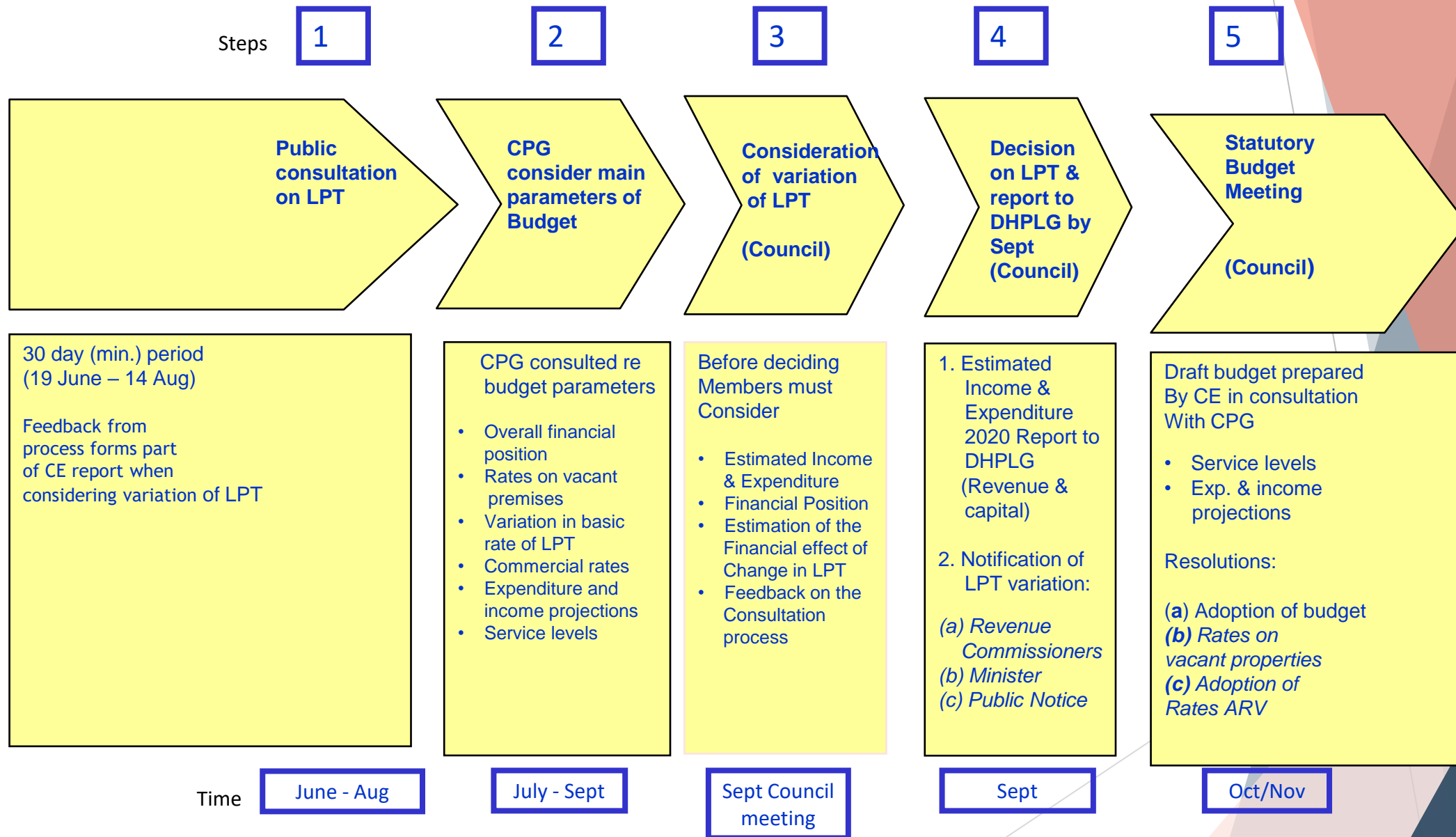
Financial - Reserved Functions

- ▶ Adoption of Revenue Budget
- ▶ Decision to vary the Local Property Tax
- ▶ Adoption of the Commercial Rate
- ▶ Borrowings
- ▶ Additional Expenditure

Local Property Tax

- ▶ Decision to vary (+/-)the Local Property Tax
- Reserved Function.
- ▶ September Council Meetings
- ▶ Must have regard to the following:-
 - ▶ Estimated income and expenditure
 - ▶ Financial position of the Council
 - ▶ Estimation of the financial effect in a change to the LPT (+/-)
 - ▶ Feedback from the public consultation.

Key Budget milestones



Statutory Budget meeting

- ▶ Prescribed dates for budget meeting during November.
 - ▶ Can be adjourned for up to 14 days.
- ▶ CE's draft budget is considered at budget meeting by the members who
 - ▶ May by resolution amend the draft budget but must indicate how any amendment will be funded
 - ▶ Shall by resolution adopt the draft budget with or without amendment
 - ▶ Shall by resolution adopt the Annual Rate on Valuation (ARV) to be levied
 - ▶ Shall by resolution adopt the vacancy refund rate

Capital

- ▶ 3 Year Capital Programme
- ▶ Section 135 Local Government Act 2001
- ▶ Progress Report of Capital Projects for the following 3 years
- ▶ Projects - Roads, Community, Recreational etc.
- ▶ Income - Development Levies, Departmental Grants, Sale of Properties, Borrowings.

Planning & Economic Development

Functions

- ▶ Forward Planning
- ▶ Development Management
- ▶ Planning Enforcement
- ▶ Strategic Housing Developments
- ▶ Economic Plan
- ▶ Local Enterprise Offices

Reserved Functions

- ▶ Development Plan
- ▶ Local Area Plans
- ▶ Development Contribution Schemes
- ▶ Local Economic and Community Plan

Housing

Functions

- ▶ Maintenance
- ▶ Assessments, Allocations and Transfers
- ▶ Estate Management
- ▶ Homeless Services
- ▶ RAS and Leasing
- ▶ HAP
- ▶ Disabled Grants
- ▶ Rent Collection

Reserved Functions

- ▶ Allocation Scheme
- ▶ Traveller Accommodation Policy
- ▶ Part VIII's - New Developments
- ▶ Anti Social Behaviour Policy

Operational Services



Libraries



Parks



Roads
Maintenance



Public
Lighting



Street
Cleaning



Harbours



Arts



Heritage &
Conservation

Environmental

Landfills

Recycling
Services

Litter
Management

Environmental
Awareness

Cleansing

Waste
Regulations,
Monitoring and
Enforcement

Cemeteries

Dangerous
Buildings

Fire Service

Economic & Community

Economic
Development

Local Enterprise
Office

Tourism

Arts

Rural
Development

Libraries

Sports and
Leisure

Local
Community
Development
Committee

Public
Participation
Network

Social Inclusion

Local Enterprise Office

- ▶ Shared Level Agreement between local authorities and Enterprise Ireland
- ▶ One stop shop for local start-ups
- ▶ Established micro-enterprises
- ▶ Preparation of clients for Brexit
- ▶ Advice, Training, Mentoring and Networking Opportunities
- ▶ Financial Supports - Feasibility Grants, Business Priming Grants, Business Expansion Grants, Trading On-line Voucher
- ▶ Training and Development - Start your own Business courses, One to One Mentoring.

Councillors Representations



General Data Protection Regulation (GDPR)

- ▶ Personal Data
- ▶ Special Category Personal Data
- ▶ Data Subject
- ▶ Data Controller
- ▶ Elected Members of a Local Authority