



AILG Submission to the Seanad Public Consultation on the Future of Local Democracy

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Introduction

The Association of Irish Local Government (AILG) is the primary national body representing the 949 democratically elected local authority members across Ireland and our 31 local authority member councils. As a representative body, we provide a networking, policy development and training and education resource for the Elected Members of local authorities. Our goal is to represent the collective interests of the Elected Members of the Local Authorities, which constitute its membership. AILG's statutory remit includes:

- Carrying out activities necessary to represent the interests of our members and our member local authorities.
- Policy research, development and advocacy.
- Delivery of education and training.
- Assessment of public policy as regards any matter relating to local government.
- The provision of advice and the making of submissions to the Minister, department(s) or other state agencies on areas of local government or other public policy areas as appropriate.

AILG welcomes the setting up of the Seanad Consultation Committee on the Future of Local Democracy. As the representative voice of local government in Ireland, AILG aims to protect and support democratic local government and promote democratic leadership of our Elected Councillors and our Elected Councils. A strong democratic local government system is vital to promote the welfare and good government of the people of Ireland.

It is AILG have commenced a campaign to seek an urgent, deep dive review of our local government system. We have termed this campaign "The future of Local Government in Ireland – Time for an Honest Conversation". We are hopeful that the outcome of this committee will assist us in achieving this fundamental review of our local government system.

Characteristics of the Irish Local Government System

The local government system in Ireland has experienced significant reform in recent years. While that reform has impacted the structure, functions, resources and organisation of the local government system, the basic purpose of local government has not changed. The key purpose of local government is to promote the well-being and quality of life of citizens and communities, through effective, accountable representation, and efficient performance of functions and delivery of services.

Outside of the Oireachtas (Irish National Parliament), local authorities are the only bodies whose members are elected by direct vote of the electorate. They are also the only form of government in which everyone can participate irrespective of citizenship – everyone whose name is on the register of electors and who is qualified to vote can exercise their democratic rights at local elections. Councillors are elected by local people to make local decisions, articulate local views, and identify and meet local requirements. They adopt policies that reflect the needs and legitimate expectations of the people who elect them. A key element of local government is that elected members and staff act in the interests of the people being served, seeking to meet their needs and give them the best possible quality of life.

In Ireland, each local authority is divided into local electoral areas within which members of local authorities are elected. Local electoral areas, including the number of members to be elected in each, are specified by national law for each local authority area. There are 949 Local Authority Elected Members and the breakdown between local authorities at county, city and city and county is as follows:

- 26 No. County Councils, of which three are in Dublin (Fingal, Dún Laoghaire-Rathdown and South Dublin)
- 3 No. City Councils: Cork, Dublin and Galway
- 2 No. City and County councils: Limerick and Waterford.

Below Local Authority level, municipal/borough/metropolitan districts form a key tier of local governance at sub-county level. Each county is comprised of a number of municipal districts. Municipal districts are comprised of one or more local electoral areas. Councillors elected to a local electoral area have functions in respect of the specified municipal district. In total, there are 95 Municipal/Municipal Borough Districts. The Municipal District structure is not applicable in 6 no. Local Authorities, namely Cork City, Galway City and the Dublin Local Authorities of Dublin City, Fingal, Dún Laoghaire-Rathdown and South Dublin County Councils. These local authorities have a sub-county/city system of Area Committees with 19 no. area committees in operation in these local authorities. Area committees deal with local issues however; they do not have the statutory or legal structure of municipal districts.

At the 2019 local elections, the national turnout for the elections was 50.2%, with the highest turnout in the rural county of Leitrim at 64.5% compared to 40.5% for Dublin City. 225 female Councillors were elected representing 23.7% of the total number of Councillors. This was an increase from 20.4% in the 2014 elections. In 2019 Dún Laoghaire-Rathdown County Council became the first local authority in the State to have a fifty-fifty split of men and women in its council chamber.

For a full statistical profile of the 2019 Local Elections please see Appendix 1

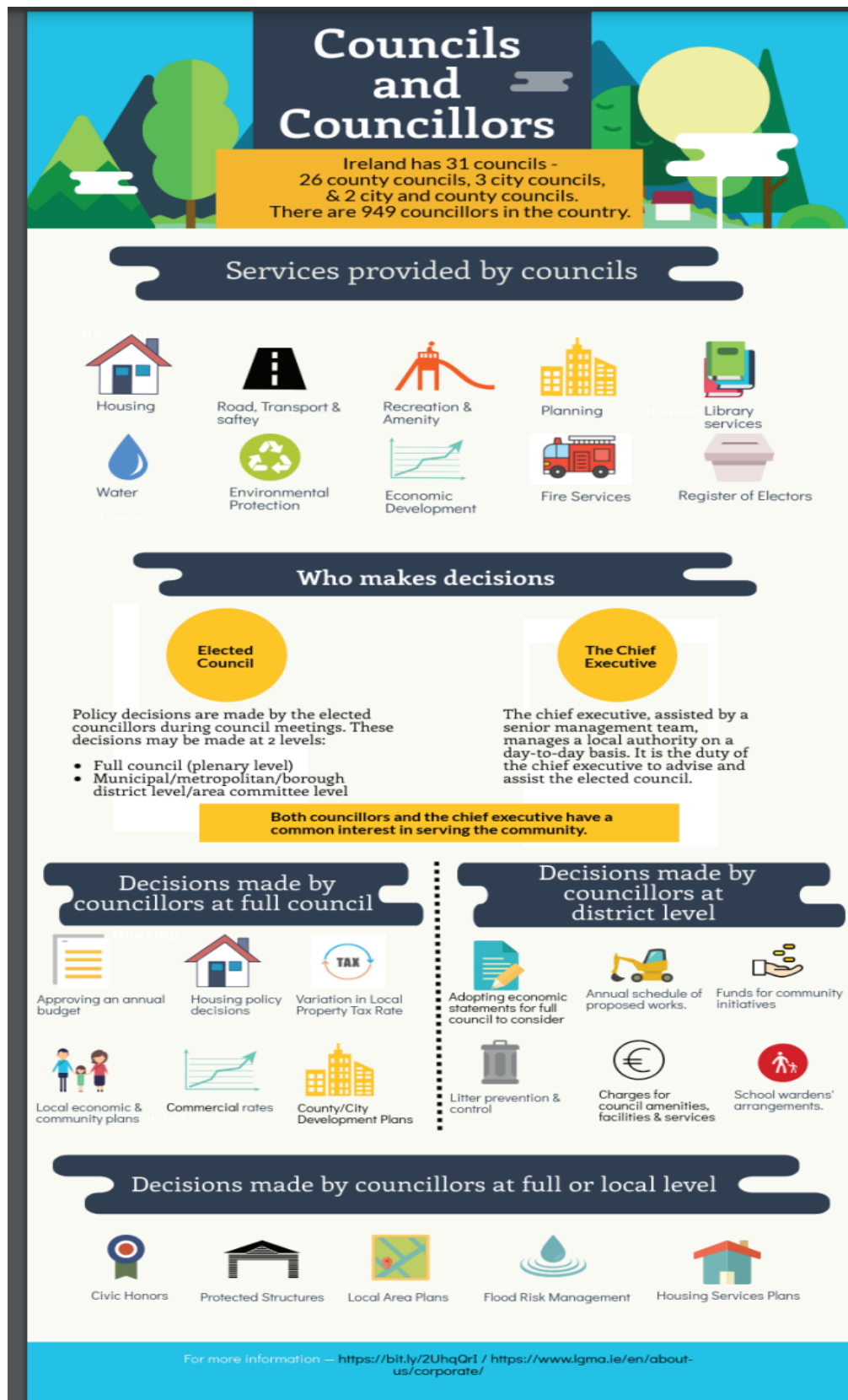
Local Authority Functions/Service Delivery

Local authorities are multi-purpose bodies responsible for delivering a broad range of important local services. They are also the main vehicle of governance and public service at local level, leading economic, social and community development, delivering efficient and good value services, and representing citizens and local communities effectively and accountably. Local Government is also a key delivery agency for much of government policy at local level. Local authority services are delivered through eight programme groups as follows;

1. Housing and Building Management
2. Road Transportation and Safety
3. Water Services - Please Note that this major function of local authorities is to be transferred in its entirety to Uisce Éireann in 2023.
4. Development Incentives and Controls
5. Environmental Protection

6. Recreation and Amenity Agriculture, Education, Health and Welfare
7. Miscellaneous Services

Local authorities currently deliver 1,105 services to citizens at a local level on behalf of over 30 government departments and public agencies.



Role of the Elected Member

Our local government system in Ireland is the most accessible form of democratically elected government in the country. The public face of our Local Authorities are the democratically elected Councillors. The elected council is in law the policy-making arm of the local authority with Councillors having the role of creating the overall policy framework which dictates the overall direction and functioning of the local authority that the council's executive and staff work within. Aligned with that, a significant role of Councillors is to represent the views of their communities. They identify and track local problems and issues and bring this knowledge back into the council chamber to ensure better outcomes for the well-being and quality of life of the people and communities that they represent. The Councillor's role and responsibilities include; representing the electoral area for which they are elected and the local authority as a whole, decision-making and developing and reviewing council policy, and regulatory, quasi-judicial and statutory duties. They also have a key role in community leadership and engagement.

The performance of local authority functions is shared between the Elected Councillors and the Chief Executive, with the Councillors carrying out Reserved Functions and the Chief Executive carrying out Executive Functions. The powers of local authority members derive primarily from their reserved functions, which are performed at both Council and Municipal District level. Reserved functions primarily relate to issues of policy. Examples of principal reserved functions include:

- Adoption of the Corporate Plan at the start of the term of the new council – the Corporate Plan sets the overall strategic direction of the council, its high-level objectives and goals.
- Disposal of land.
- Making a development plan under the Planning Acts and any variations to it.
- Adopting the annual budget, variations in the annual rate of valuation and variations in the level of Local Property Tax.
- Adopting a scheme of letting priorities for Council housing.
- Making, amending or revoking bye-laws (e.g. parking, casual trading, etc.).
- Nominating persons to act on committees or other public bodies.
- Approving the Annual Financial Statement and any areas of over-expenditure.
- Adopting the annual Schedule of Municipal District Works

Most of the major decisions of the Local Authority are reserved for the exclusive prerogative of the Councillors including oversight of the financial affairs of the Authority. In addition to the reserved functions, Councillors have a role in overseeing and directing the activities of the local authority in general. The 2014 Reform Act introduced a structured reporting relationship between the Chief Executive and the Councillors.

It is implicit in their elected status that Councillors have the function of representing the people of their area. Councillors are directly elected by the people and therefore have a mandate from the people concerning the communities they represent. They can initiate action to promote the community interest and are ideally placed to provide civic leadership.

Role of the Executive/Chief Executive

The role of the Chief Executive is to ensure that resources in terms of personnel, finance, technology and information generally are deployed to implement government and council policies.

The Executive Functions are carried out by the Chief Executive and/or by delegation order, the Director of Services/Heads of Function. Executive decisions relate to the day-to-day running of the local authority including staffing matters and the discharge of executive functions within the policy parameters as determined by the Councillors. Every function of a local authority, which is not a reserved function, is an executive function of the local authority. The Chief Executive ensures that the policy issues adopted by the Councillors are implemented. An important role of the Chief Executive is to advise the Councillors in the determination of policy in accordance with agreed national policy.

The Chief Executive may delegate the carrying out of specific functions to Directors of Service and other officers. The officer to whom the function is delegated is responsible to the Chief Executive for ensuring that the function is carried out effectively while the Chief Executive has the ultimate responsibility to the Elected Council. While there is a clear distinction in legislation in relation to reserved and executive functions in reality the system operates on the basis of a 'partnership' approach between the elected representatives, the Chief Executive and the staff. Ultimately, that partnership also includes the citizens being served. In most instances, the Chief Executive will consult with the Councillors before carrying into effect important executive functions or particular works, while the members in turn receive the Chief Executive's advice and assistance concerning the exercise of their reserved functions.

Local Authority Funding/Finance & Expenditure

Operations and activities of local authorities are divided into two primary accounts, the revenue account and the capital account. Local authorities' revenue account covers the day-to-day activities of the Council i.e. the provision of local services, while their capital account covers the provision of infrastructure (assets). The funding streams for revenue income for local authorities come from a variety of sources, including central government, Local Government Fund, local charges for goods and services, commercial rates and Local Property Tax (LPT).

At national level, the total adopted local authority budgeted revenue income for 2022 is €6.119 billion which is a 5.57% increase on 2021, made up as follows;

<u>2022 Combined Adopted Local Authority Budgeted Income</u>	<u>€'m</u>	<u>% of Overall Income</u>
Government grants and subsidies	2,454	40%
Commercial Rates	1,713	28%
Income from Local Goods/Services	1,535	25%
LPT	415	7%

For 2022, the highest percentage of revenue income for local authorities came from central government funding at 40%, with income from commercial rates at 28%. Income from local goods and services will amount to 25%, with LPT accounting for 7% of current income for local authorities. Therefore, approximately 60% of all local authority income is generated at a local level from commercial rates, income from goods and services and the LPT. This has helped to fulfil the vision set out in '*Putting People First*' for local government to be the primary means of public service at local level and has restored a degree of fiscal autonomy to Elected Members and local councils. This also reflects the constitutional and independent nature of our local government system.

The remaining 40% of all budgeted local authority income for 2022 was received from central government including numerous government departments where services directly under their remit, will be delivered at local level via local authorities. Government grants and subsidies can be divided into two categories including general grants and specific grants.

General grants are grants given to local authorities without a requirement as to how they are to be spent, i.e. they constitute a general subvention which may be spent at the discretion of the local authority and should finance local policy decisions. Specific grants are grants for a specific service or capital nature to finance national policy objectives. These grants are usually subject to specific criteria including that they must be used for a specific purpose, may be subject to matching local funding, must be drawn down within certain timelines and works must be completed within a specified timeline.

Overview of 2014 Local Government Reforms & Structures

In October 2012, then Minister for the Environment, Community and Local Government, Phil Hogan T.D., launched a comprehensive Action Programme for Effective Local Government - "*Putting People First*" (PPF). This action plan has brought about fundamental changes to the local government system in Ireland, covering four main areas including Structures, Funding and Accountability & Governance, Economic Development (including Job Creation) and Delivering Services Efficiently.

Structural changes provided for in the Action Plan and subsequently legislated for in the Local Government Reform Act 2014, provided for the merger of some county/city authorities into one Local Authority (North & South Tipperary, Limerick City/County & Waterford City/County). This, along with the abolition of the 80 Town/Borough Councils, has resulted in a reduction in the number of local authorities from 114 to 31 and within those 31 local authorities the establishment 95 Municipal Districts/Borough Districts/Metropolitan Districts, representing 166 Local Electoral Areas. These changes led to a reduction in the number of Councillors throughout the State from 1,627 to 949. This reduction represents a 42% decrease in overall numbers (over 33% reduction in real terms due to some elected members holding both town and county seats). **Therefore, Ireland now has fewer Councillors per capita than any other EU country and other democracies examined¹.** There are 949 elected Councillors in Ireland for a population of 5.1 million. Compared to similar if slightly larger European

¹ [Senator Malcolm Byrne "Undervalued and Underrepresented: Local Government in Ireland Compared with Other Democracies"](https://7358484.fs1.hubspotusercontent-na1.net/hubfs/7358484/GetFileAttachment.pdf) <https://7358484.fs1.hubspotusercontent-na1.net/hubfs/7358484/GetFileAttachment.pdf>

countries. Denmark, with a population of 5.9m has 2,432 while Finland, with a population of 5.6m has 8,859 councillors.

Country	MUNICIPALITIES	Local COUNCILLORS	Population	People per COUNCILLOR
Ireland	31	949	5,123,536	5,399
Portugal	308	2,064	10,136,251	4,911
Scotland	32	1,227	5,463,300	4,453
Northern Ireland	11	462	1,903,100	4,119
Greece	332	2,988	10,319,535	3,454
Switzerland	2,172	2,548	8,783,205	3,447
United Kingdom	398	22,943	67,326,569	2,934
England	333	20,000	56,489,800	2,824
Latvia	43	664	1,843,756	2,777
WALES	22	1,254	3,267,501	2,606
Denmark	98	2,432	5,833,692	2,399
Belgium	581	5,370	11,692,086	2,177
Bulgaria	265	3,160	6,841,966	2,165
Netherlands	344	8,600	17,717,600	2,060
Lithuania	60	1,502	2,645,100	1,761
Malta	68	464	525,285	1,132
Poland	2,478	39,549	37,762,312	955
Germany	2,627	91,945	84,328,144	917
Iceland	64	416	366,425	881
Norway	428	6,420	5,507,594	858
Estonia	79	1,717	1,328,352	774
Spain	8,112	66,000	46,791,659	709
Finland	310	8,859	5,558,227	627
Hungary	3,155	16,787	9,610,402	573
Sweden	290	19,140	10,416,585	544

Italy	8,000	120,000	60,280,780	502
Romania	2,861	40,067	18,976,782	474
Luxembourg	106	1,484	632,275	426
Slovenia	212	5,512	2,079,520	377
Cyprus	355	3,550	1,225,215	345
Croatia	555	14,430	4,053,795	281
Slovakia	2,927	20,646	5,465,021	265
France	36,500	255,500	65,567,292	257
Czechia	6,377	63,770	10,749,390	169
Austria	2,098	60,741	9,111,075	150

However, the 2014 reforms did devolve new powers and responsibilities to local authorities under local economic development, local community development, governance and accountability. This included a new dedicated Strategic Policy Committee for Economic Development in each local authority supported by a dedicated Director of Services for Economic and Community Development. The reforms also provided for the establishment of one-stop shops for business support through new Local Enterprise Offices (LEOs) and a closer alignment of local and community development with the local government system. Services administered by local authorities under the reforms are now increasingly funded through the new local property tax, a move designed to strengthen local responsibility for decision-making by the local authorities and their Councillors.

The reforms also provided for a new independent National Oversight and Audit Commission (N.O.A.C) to scrutinise local government performance and efficiency. In addition, local authority audit committees were put on a full regulatory footing and the committee's review of Audit Reports is now reported to the council in all authorities.

One of the fundamental aims of the reform programme was to reaffirm the primacy of the elected members in the local government system and to examine the default provision which grants the executive power to act unless powers are specifically assigned to Councillors. This, coupled with the position of the local authority manager being replaced by a Chief Executive post was to reinforce the principle that the Chief Executive of a council should be accountable to the Councillors in the discharge of all of his/her functions, in the same way as a Chief Executive of a company reports to a board of directors.

However, in reality since these reforms, the position and power of the Chief Executive has increased resulting in a growing imbalance between the executive powers of the Chief Executive and the reserved powers of the elected Councillors.

This leads to a fundamental question about our current system of local government in Ireland – Is our Irish local government system and true democratically accountable local government system or just a system of administration of local services?

Comparisons with Other European Local Government Systems

The experience of local government systems in other countries in recent years and their comparison to our local government system is a very interesting and important topic. In Western Europe, in particular, the end of the 1970s heralded a period in which a major decentralisation of power took place - with the particular exception of Ireland. This was followed by the empowerment of democratic regional governments in some of the larger countries in Europe such as Spain, and later on, in Britain.

How Ireland compares internationally can be evaluated under several headings as follows;

Representation: As stated above, the decision to abolish town councils in 2014 following the local Government Act 2014 reduced Irish local authorities from 114 to 31 compared to 600 when elections were first held in 1899. As a result, we now have one representative per 5,399 citizens, the highest among our European counterparts.

Resources: 8% of overall Irish public expenditure is at local authority level, compared to 23% across 23 comparable EU member states. Ireland is the most centralised state in terms of government expenditure in another authoritative list of 39 European states, trailing after Moldova, Malta, Cyprus and Greece.

Responsibility: Most other European countries have a greater range of responsibilities compared to Ireland and deliver a multitude of additional services in health, housing, education, and childcare services. This has become even more evident at a time when community security and well-being loom so large post the recent public health emergency. Other European countries handle many of these services at a local level where they can be effectively delivered with more political accountability.

Ireland's outlier status in these and other areas reveals much about our condition that is not addressed adequately in public debate about potential reforms and political direction. Although this state is one of the richest in the world and classified among its most developed societies, current popular aspirations for better public and social services may contradict existing methods of governing and taxation to provide them.

A good comparison example would be the Danish local government system as Denmark has a similar population to Ireland at 5.6m people. Denmark had a relatively centralised system of local government until they commenced a reform programme in 1970, with a strong push for decentralization. A subsequent second wave of reforms took place in 2007. Denmark now has a three-tier system of government, typical of most countries:

- Central Government (Ministries)
- Regional Authorities – 5 Regions – directly elected
- Local Authorities - 98 Municipalities – 2,520 directly elected Councillors

The Danish basic unit of local government is the Municipality – main town and its hinterland, with local councils having between 9 and 31 Councillors. All local authorities will have a finance committee and other committees, responsible for specific areas (e.g. social welfare). Committees are directly

responsible for preparing and implementing Council decisions. The Mayor is elected by the Council for the full term and is the full-time Chief Executive of the local authority administration.

At local government level, local authorities have direct responsibility for;

- Primary and secondary schools (aged 7-16)
- Childcare
- Care of the elderly (domestic care, visiting nurses, daycare centres, meals-on-wheels)
- Non-hospital healthcare (preventative treatment, health promotion, alcohol and drug abuse, dental care)
- Most Social Welfare Benefits (financed/ reimbursed by the state, administered by municipalities)
- Business support services and local employment and job centres
- Social Housing
- Waste Management
- Water Supply and Treatment
- Planning and Development & Urban Renewal
- Fire Service and Civil Defence
- Public Libraries, Leisure Facilities
- Maintenance of Local Roads

In terms of finance and funding, the Danish local authorities derive their income from a number of sources including;

- Local Income Tax (usually around 20% of income – through levying taxes, the local authority decides on the level of service)
- Local Property Tax
- The proportion of Corporation Tax collected in the local area
- General Purpose Grants from Central Government
- Local Charges & Local Service Charges

As evidenced from this comparison, Denmark truly encompasses the “Subsidiarity” principle, compared to Ireland, under the European Charter of Local Self-Government in terms of reforms and allocation of responsibilities, where services should be provided as close to the citizen as possible.

Representation of Women, Minorities, and New Irish Groups

Citizen participation takes place at many levels, both formal and informal, with Irish local government. Our local government system is a prime example of democracy. Outside of the Oireachtas, local authorities are the only bodies whose members are elected by direct vote of the electorate. They are also the only form of government in which everyone can participate irrespective of citizenship – everyone whose name is on the register of electors and who is qualified to vote can exercise their democratic rights at local elections.

As stated above, at the 2019 local elections 1.73 million people, representing 50% of the electoral register, cast their votes. The turnout was at its lowest in the Dublin city inner wards with the South East Inner city recording just 31%. Each of the 949 seats was contested with an average ratio of two candidates per seat across the country. 225 female Councillors were elected representing 23.7% of the total number of Councillors. This was an increase from 20.4% in the 2014 elections. While the gender balance in council chambers has improved, female representation lags behind that in other EU member states, and there are particular challenges recruiting female candidates and retaining female councillors.

Organisations such as “Women for Election” and See Her Elected (SHE) have been working in the area of promoting women’s interest in local government and to encourage more women to stand for election to public office.

In mid-2021, SHE and the AILG came together to initiate the formation of a WoMeN’s Regional Caucus, which brings together female councillors from thirteen local authorities in three regions, namely the West (Galway City, Galway County, Mayo and Sligo), Midlands (Laois, Longford, Offaly, Roscommon and Westmeath) and North (Cavan, Donegal, Leitrim and Monaghan). The vision of the WoMeN’s Regional Caucus is an Ireland in which there is equal representation of women and men on city and county councils and in the Oireachtas. In addition to the regional caucus, as of April 2023, there are ten women’s caucuses in other local authority areas. The caucuses’ work has been enabled and supported by AILG and by funding from the Department of Housing, Local Government and Heritage.

Challenges of Getting Candidates for Local Elections

AILG have no remit in relation to election candidates. However, AILG are aware that the selection and nomination process for candidates for the 2024 local elections is currently underway with individuals and political parties and at this stage it is premature to speculate as to the difficulty or not that political parties or individuals may experience in relation to recruitment of candidates. However, AILG are aware of challenges that our existing Councillors are experiencing which may have an impact on whether they again contest next year’s local elections. These include;

- With Councillors powers been continually eroded, Councillors are questioning whether they can have a significant say in the improvement of the communities that they represent.
- Demands of the role and striving to attain a decent work-life balance. This is particularly relevant for younger Councillors and candidates who have job, mortgage and younger family commitments
- Workload – Councillors work long and unsociable hours, and while their remuneration has improved in recent years, it remains relatively low.
- Female councillors face greater challenges than their male colleagues in terms of attaining a work-life balance, and they are more likely to be subject to prejudices that can impact affect their work.
- Threats, Harassment and Abuse – Threats and abuse from the public, especially on social media pose particular challenges for Councillors and Candidates.

Powers of Local Authority Members

The range of functions carried out by local authorities in Ireland is quite limited – in many other EU countries, local authorities are responsible for functions such as health, social welfare, tourism, policing, transport, education and even electricity. This in itself limits the scope and importance of local authorities in Ireland. All of the functions carried out by Irish local authorities (housing, roads, etc.) in the eight programme groups account for only between 11% - 15% of a typical Danish local authority's expenditure. An important outcome of this is the limited perceived relevance of the local government system by citizens in general, even though everyone benefits, to a greater or lesser extent, from the services provided.

It is often said that the introduction of the management system in Irish local government was a move towards efficiency made at the expense of democracy. If the Councillors, acting collectively, are not the true policy decision-makers, then what results is local administration rather than local government, because the will of the people may not be properly reflected in local activities/policy outcomes. This is the reality in our current local government system. Since the 2014 reforms, the position and power of the Chief Executive has increased resulting in a growing imbalance between the executive powers of the Chief Executive and the reserved powers of the elected Councillors. Accordingly, this leads to a democratic deficit where decisions can be made without direct democratic accountability.

Aligned with this imbalance, over the last 10 years, local authorities have seen a number of functions, which were the responsibility of local authorities, transferred to other centralised bodies. Those functions include the following;

- Higher Education Grants Scheme, which was administered by local authorities, was replaced by the new Student Grant Scheme, administered by Student Universal Support Ireland (SUSI).
- The Road Safety Authority has responsibility for driver licensing since 2013 and has established a National Driver Licence Service (NDLS).
- Irish Water (Uisce Éireann) has been established to bring the water and wastewater services of the 31 local authorities together under one national service provider. In 2023 local authorities will no longer have direct responsibility in the provision of water and waste-water service. This represents the biggest divergence of a major local government function since health was transferred from local government in the 1970's and the abolition of the Regional Health Boards in 1998.
- Responsibility for the maintenance and operation of the motorway and dual carriageway system is transferring to Transport Infrastructure Ireland.
- Seats occupied by Councillors on the boards of third level university institutions are being lost in October 2023 as part of wider university governance reforms – seats that Councillors have held since at least 1920.

- Proposals for Joint Policing Committees being replaced by Community Safety Partnerships with fewer Councillor representation and provision for an independent chair rather than an Elected Member.

The loss of these functions is in direct contradiction with European norms of de-centralising the provision of services at local level.

Impact of Overarching Legislation and National Policy Documents on the Functioning of Local Authorities and the Role Elected Members and Executive

Ireland has one of the most centralised systems of local government compared to our European counterparts in terms of powers, functions, service delivery and funding. While legal and constitutional provision has been afforded to local government under article 28A of our constitution, this provision identifies local government as being subject to law. Therefore, the national parliament and the government of the day in effect have full control over our local government system and can rearrange its structures and functions, as they see fit. This was evidenced, in the 2014 reforms with the abolition of 80 local authorities and the significant reduction in the number of Councillors by 40%. In recent times this has also been evidenced by the direct attack on Councillors' reserved powers and functions where the reserved function of Councillors approving local authority own housing developments was suspended overnight by a government amendment to the Planning and Foreshore Development Act 2022. While this is a temporary suspension until December 2024, it was done without any prior notice or consultation with the Councillors or their representative body.

A further example of the centralised nature of our local government system can be seen with the increasing power of the Minister through various Ministerial Guidelines now becoming mandatory, especially in relation to local authority policy areas. For example, the new draft Planning and Development Bill 2023, provides for strengthened legal status of Ministerial guidelines. Under this bill Ministerial guidelines and policy directives will be upgraded to 'National Planning Policy Statements' and 'National Planning Policy Guidance' which will be mandatory. While it is recognised that local authorities must work within an overall national framework, Councillors have always been responsible in taking account of national policy when formulating local policy and this type of direct interference eliminates the ability for local decision-making.

Lack of recognition of the role of the Councillor by outside Government Departments and Public Agencies

As previously stated local authorities deliver over 1,100 local services on behalf of over 30 government departments and state agencies. However, outside of the Department of Housing, Local Government and Heritage most other government departments and agencies fail to recognise the important role of the Councillor within our local government system. In most cases, these outside government departments and agencies set the criteria for the delivery of their service by the local authority and fail to give Councillors any input into their delivery. As detailed above this has been evidenced recently in the removal of Councillors from boards of third-level educational institutes by the Department of Education and Skills, where the relevant local authority would have a nominee(s) on the board. There is

also a current proposal by the Department of Justice to replace existing local Joint Policing Committees, which are chaired by local Councillors, with Community Policing Forums with an independent chair. In the recently published “*Town Centre First*” policy initiative, driven by the Department of Rural and Community Development and concerning the regeneration of our rural towns and villages, there is not one mention of the word “Councillor” throughout the whole policy paper. This is a further example of the lack of recognition of the important role of the local Councillor and a further dilution of our Member’s powers.

ALLG would call on a recommendation that all government departments and public agencies recognise the important role and contribution of our Councillors.

Examine devolving more powers to the Local Authorities through the legislative process to strengthen and enhance local democracy

The 2014 reforms did devolve new powers and responsibilities to local authorities under local economic development, local community development, governance and accountability. This included a new dedicated Strategic Policy Committee for Economic Development in each local authority supported by a dedicated Director of Services for Economic and Community Development. The reforms also provided for the establishment of one-stop shops for business support through new Local Enterprise Offices (LEOs) and a closer alignment of local and community development with the local government system. As a result, local authorities played a significant role in the economic recovery at local level following the 2008 financial and banking crisis. Aligned with this local authorities played a crucial role in leading the local response to the recent pandemic crisis with the establishment of the community response forums.

The role of the Community Response Forum is to provide a coordination point for the community and voluntary response in their area and enabled all those involved to work together under the stewardship of the local authority. The Community Response Forums were highly effective during the pandemic crisis and more recently have led the local authority and community supports to the Ukrainian refugee crisis. The forums are an example of how adaptable our local authorities are and how they could play a leading role in social care-type service delivery.

Therefore based on this evidence there is a strong argument for government to examine devolving more powers to the local authorities through the legislative process to strengthen and enhance local democracy and the delivery of additional local services.

Local Government playing a greater role in areas of climate action, housing, infrastructure, regional development, etc;

As part of the National Climate Action Plan, local authorities will have direct responsibility for leading the local response to climate action. Climate Action Regional Offices (CAROs) have been established and are seen as a very significant action by the local authority sector to assist in its response to the

climate challenge. Local authorities are also beginning to adopt their local Climate Action Plans where Councillors will have an integral role as these will be statutory plans. Climate Action is a new and emerging area of responsibility for local authorities.

Supports available to Councillors

One of the most important and recent improvements in our local government system has been the significant improvement in Councillors' remuneration and supports. Following the independent Moorhead Review of the Role and Remuneration of Local Authority Elected Members, recognition was given that "People who put themselves forward to run for public office do so knowing that serving as a local authority elected member involves a significant commitment of time and effort. It is recognised that this commitment grew significantly as a consequence of the 2014 local government reforms." In 2021 major changes were made to Councillor's remuneration and allowances as follows;

- ☐ 40% increase in Councillors' salary and linked to the local authority pay scale. The current salary is €28,145 (gross) per annum as of 1st March 2023.
- ☐ Non-Taxable Travel & Subsistence Allowance
- ☐ Vouched Local Representation Allowance of €5,160 maximum per annum

The above is in addition to various Mayor/Cathaoirleach and committee chair allowances payable.

The Moorhead report also identified several important non-pay supports that should be progressed in consultation with key stakeholders. A number of working groups have been established by the Department of Housing, Local Government and Heritage, with representation by Councillors representative bodies including AILG to progress these non-pay supports in the areas of;

- 1) Defining the role of the Councillor
- 2) The running of Council meetings
- 3) Training and support requirements for elected representatives
- 4) Administration support requirements
- 5) Technological solutions
- 6) Future Councillors/gender and diversity balance

In 2022, for the first time an entitlement of maternity leave has been afforded to Local Authority Elected Councillors equivalent to the current entitlement for employees in general society. This provision has also provided for the innovative proposal of the appointment by co-option of an individual as a temporary substitute for a Councillor that takes maternity leave or is absent due to illness or in good faith for another reason. In parallel, as part of a wider package of maternity-related supports for Councillors, an allowance for secretarial/administrative support has been introduced for Councillors who are availing of maternity leave. The absence of formal maternity leave and equally importantly maternity supports to complement such leave were a major barrier to the participation of women in local government. This Act addresses these obstacles, in an inclusive and supportive manner. It is envisaged that this will help to ensure that current and future Councillors will be more fully

representative of the constituents they serve, but also that the role of the Councillor is accessible, sustainable and ensures that Councillors are more fully representative of the constituents they serve.

Examine Training Provided to Elected Members of Local Authorities in order to discharge their duties

Since 2014, AILG have been given an education and training remit from the Department of Housing, Local Government and Heritage to provide and ensure that our Local Authority Elected Members receive appropriate and relevant training and development as they govern Irish local authorities currently and into the future. Our AILG Elected Member Learning and Training Development Programme has grown from strength to strength over the last seven years in providing tailored training and education programmes to our 949 Elected Members

In late 2021, AILG collaborated with UCC in developing their Level 7 Certificate in Continuing Education Professional Development in Climate Crisis and Local Government. This year, AILG has renewed its partnership with UCC in supporting the Climate Learning Program, which is the only university bearing credit CPD programme of its kind in Ireland offering a recognised qualification in this sector. This is a major milestone and exciting new development, which will help AILG to move towards our goal of developing an accredited Continuous Professional Development (CPD) internal training programme for our Elected Members. To date 45 Councillors have completed and received their Level 7 Certificate.

The development of the AILG Local Authority Elected Members Training Programme would not have been possible without the work, involvement and support from key partners and contributors across all government departments and state agencies. Since 2014, we have delivered 1000's of hours of training to our members in areas of planning, housing, community development, finance and budgeting, roads and transportation, climate action and environment. We have collaborated with state bodies such as the Office of the Planning Regulator, Irish Water, EPA, Regional Assemblies, the Housing Agency along with numerous government departments to provide detailed training modules to our members. Together, our collective contributions encourage further engagement, enhance knowledge and strengthen the influence of local authority Elected Members in making a difference at local and community levels.

Our training programme is delivered by a blended hybrid approach of both in-person and online learning. It is imperative that our Elected Members have the necessary knowledge, education and leadership expertise to help them to meet their their legislated responsibilities and to continue to strengthen and improve our local government system.

In addition to our training programme, in early 2021 AILG entered into a strategic partnership, with Maynooth University (MU), primarily focusing on policy development and awareness, professional education and capacity building. As part of this strategic partnership, it was agreed that a research study should be undertaken to consider how the role of the elected official was changing. Furthermore, it was envisaged that the research would identify councillors' needs, from which a programme of supports would be developed. This research project titled "The 21st Century Councillor in Irish Local Government" is nearing completion and will be published in Q4 2023. Once this research project is published, it will also assist the work of the Seanad Committee on the future of local government in Ireland.

Addressing the issue of abuse, threats and harassment in local government, and the importance of civility in public life.

As the national representative body for councillors across the country, AILG has been to the fore in highlighting the increased level of threats, harassment and abuse of Councillors and the increasingly hostile environment that our Members now work in while carrying out their duties. Since 2020 the Association has been involved in a number of proactive initiatives to support councillors in ensuring their security and safety.

In 2021, AILG collaborated with a company called Crime Management Group (CMG) to survey our members as to the exact level of abuse, threats and harassment experienced by our members. The survey findings were of extreme concern to AILG with results as follows;

- Almost 72% of councillors who responded had been a victim of threats, harassments or intimidation during the past three years
- Over 48% had considered leaving their role because of threats and harassment.
- 60% of respondents experienced threats via social media, while 33% experienced threats in a face-to-face setting
- Almost 62% of respondents were extremely worried about the impact of threats, harassment and intimidation on their family

A follow up survey was undertaken this summer with a follow-up research report currently being prepared. Some preliminary findings from the updated survey are unfortunately showing us that the situation has not improved in the past 2 years with;

- The new survey indicating that over 49% of respondents have considered, or are currently considering leaving their role because of threats and harassment.
- Over 25% of respondents have said that experiencing abuse, harassment and intimidation has influenced their decision to stand for election in 2024.
- Over 96% of the respondents to our new survey have availed of the free counselling service setup by AILG in their local authority as a direct result of receiving a threat or being subject to harassment since April 2021.
- The number of respondents who have changed their routine has also doubled from 10% to now 20%

In terms of how we address these issues we must first identify the drivers of such intimidation. There are two dynamics which stand out in many of the situations reported by our members:

- The extent to which online negativity provokes aggression towards democracy in general and towards elected members in particular.

- From our 2023 survey, 57 percent of threatening incidents came through online communication with our female members in particular reporting harassment through electronic channels.

The hostile behaviour that has been introduced to the public square by the often intimidatory anti-refugee protests of the past twelve months. Again our 2023 survey tells us that the most prevalent reason for threatening contact was where councillors were perceived “as supporting refugees”. We cannot allow racism and misogyny take over public dialogue.

Since 2020 AILG has delivered a number of initiatives to assist Councillors with the increasing issue of abuse and harassment. These have included:

- Training sessions from a senior Garda Crime Prevention specialist with practical advice on how to secure person and premises;
- Working with Crime Management Group, a security consultancy, in facilitating two nationwide surveys – one in 2021, and the second concluding this month, facilitating members to report their concerns regarding their personal safety.
- The delivery of a number of tailored in-person and online training modules for our members on positive personal security practices including how to identify and counter-act threats both on-line and in-person and ensuring a safe environment at home, at clinics, and at public meetings.
- AILG have put in place a counselling and welfare service for Elected Members in partnership with the County & City Management Association (CCMA) which councillors can access free of charge via their local authority.
- The Association established the country’s first Regional Women’s Caucus in partnership with See Her Elected to help retain our female membership. The initiative aims to provide a structural support network to women councillors in counties, which have some of the lowest number of female elected representatives across the State.

AILG has also welcomed the new security allowance announced by Minister O’ Donnell earlier this month for Councillors’ home security which is similar to that granted in April for Oireachtas members. This will help for members and their families who are experiencing threats & intimidation to feel safer in their own homes. However, further initiatives that could assist in dealing with the issue of abuse, threats and harassment of Councillors include;

- Having the postal addresses of councillors removed from local authority websites I feel would further safeguard Elected Members. This has already been carried out by some local authorities which is welcomed by AILG.
- Candidates for election should be afforded the choice regarding whether to have a postal address included on the ballot paper or not in light of safety and privacy concerns. As it stands, all election candidates have their home or office address included on election ballot papers. In

Northern Ireland such a choice has been present for a number of electoral cycles and has been very successful.

Cross border cooperation at local government level across the island of Ireland

From an All-Island perspective, we have had ongoing engagement with our sister association in Northern Ireland, the Northern Ireland Local Government Association (NILGA). We have built a strong working relationship with our counterparts in NILGA to strengthen our relations at local government level and to advance some cross border collaborations between both bodies. These include promoting the importance of leadership at local level and the promotion of the role and importance of local government.

We are currently in discussions on a collaborative proposal for a cross border “Councillors/Councils Make it Happen” promotional campaign. We are in the process of making an application to the Shared Island Unit in the Department of Foreign Affairs for this initiative.

We have also collaborated with NILGA on the area of abuse of Councillors and the need for civility in public life. NILGA have published their own survey results on the issue of abuse of their members and they presented their survey findings at our AILG annual conference earlier this year, which worryingly was quite similar to our own research findings.

Both AILG and NILGA have emphasised our ongoing commitment to work together to address this critical issue. Following a joint meeting between AILG & NILGA in early September in Derry, to share experiences of the abuse and intimidation suffered by councillors in carrying out their duties, both organisations issued a joint statement on the safety concerns of elected members in all parts of Ireland.

Recommendations

AILG propose the following recommendations to be included in the Seanad Consultation Committee's report;

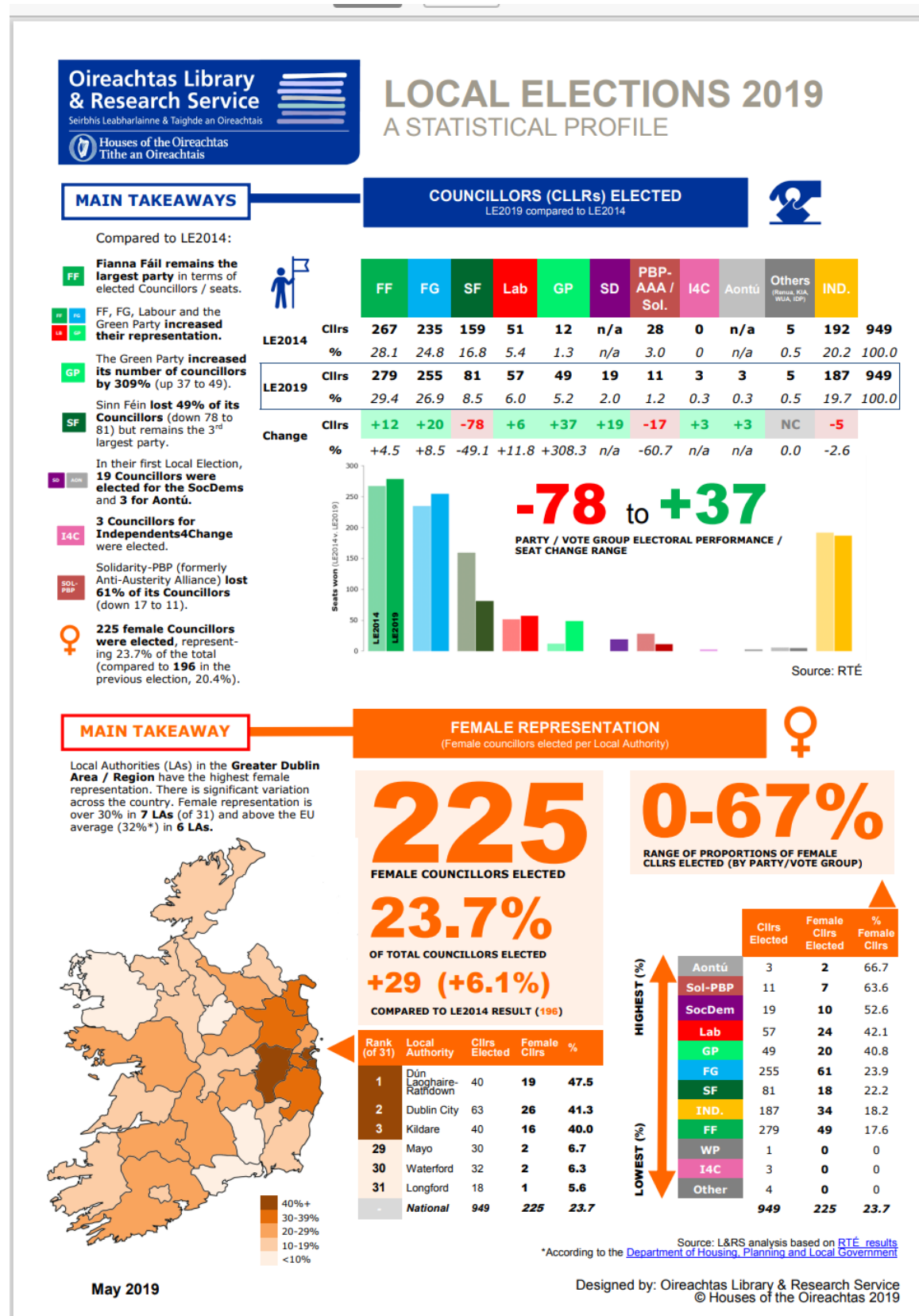
1. Area Committees in the local authorities of Cork City, Galway City and the 4 no. Dublin Local Authorities of Dublin City, Fingal, Dún Laoghaire-Rathdown and South Dublin be put on the same statutory footing as Municipal Districts.
2. The Minister and Department immediately reverse the reserved functions/powers recently taken away from the elected council including the Section 183 function for disposal of council-owned land to the Land Development Agency for housing developments, the Part 8 reserved function for local authority own housing developments. We would also recommend that the Minister and Department immediately confer the reserved function concerning the Local Authority Rents Differential Scheme to the elected council as provided for under the 2014 Act.
3. Address the imbalance in powers and function between the executive and the elected council.

4. Statutory duty to consult councillors representative body before making any changes to reserved functions
5. Ensure that all government departments and public agencies understand and appreciate the important role of the Elected Council, especially when criteria is being set for services that are being devolved to local government.
6. Examine devolving more powers to the local authorities through the legislative process to strengthen and enhance local democracy.
7. Ensure that local authorities are adequately resourced, with devolved revenue-raising powers for the Elected Council. This should also include the provision for local authorities to have full 100% spending control of their Local Property Tax.
8. Ensure full access to local authority management and staff at all times especially in relation to dealing with our Elected Councillor's representative role.
9. Ensure that Councillors receive appropriate training and capacity building to effectively discharge their duties as members of their local authorities. AILG plays a key role in the training and education of Elected Councillors.
10. Implement the non-pay supports recommended as part of the Moorhead report.
11. Implement the decision of the people of Limerick in 2019 and proceed with the necessary legislation to allow the first directly elected mayor in Limerick.
12. Implement the impending recommendations of the Council of Europe/Congress of Local and Regional Authorities Monitoring Report on the application of the European Charter of Local Self Government
13. Request that the Minister and Government commence an immediate and urgent fundamental review of our local government system and engage with AILG and Elected members at local and national level to bring our local government closer to European norms.

Conclusion

AILG would like to thank the Seanad Committee for the opportunity to engage with them on their work. We acknowledge and commit to working with the Committee to enhance our local government system and promote the importance of local democracy. We look forward to continuing to engage with our Government, Ministers and line Department to improve our system of local government for our citizens.

Appendix 1 - Statistical profile of the 2019 local elections²



² https://data.oireachtas.ie/ie/oireachtas/libraryResearch/2019/2019-05-31_l-rs-infographic-local-elections-2019-a-statistical-profile_en.pdf



LOCAL ELECTIONS 2019

A STATISTICAL PROFILE

MAIN TAKEAWAYS

Compared to LE2014:

FF Fianna Fáil remains the largest party in terms of elected Councillors / seats.

FF, FG, Labour and the Green Party increased their representation.

GP The Green Party increased its number of councillors by 309% (up 37 to 49).

SF Sinn Féin lost 49% of its Councillors (down 78 to 81) but remains the 3rd largest party.

SOL-PBP In their first Local Election, 19 Councillors were elected for the SocDems and 3 for Aontú.

I4C 3 Councillors for Independents 4 Change were elected.

SOL-PBP Solidarity-PBP (formerly Anti-Austerity Alliance) lost 61% of its Councillors (down 17 to 11).

♀ 225 female Councillors were elected, representing 23.7% of the total (compared to 196 in the previous election, 20.4%).



LE2014

Cllrs

%

LE2019

Cllrs

%

Change

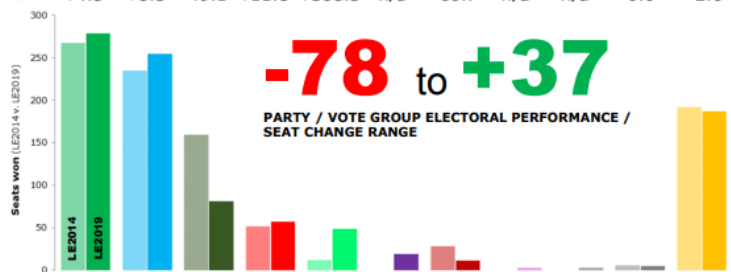
%

COUNCILLORS (CLLRs) ELECTED

LE2019 compared to LE2014



	FF	FG	SF	Lab	GP	SD	PBP-AAA / Sol.	I4C	Aontú	Others (Renua, KJA, WJA, IDP)	IND.
LE2014 Cllrs	267	235	159	51	12	n/a	28	0	n/a	5	192
LE2014 %	28.1	24.8	16.8	5.4	1.3	n/a	3.0	0	n/a	0.5	20.2
LE2019 Cllrs	279	255	81	57	49	19	11	3	3	5	187
LE2019 %	29.4	26.9	8.5	6.0	5.2	2.0	1.2	0.3	0.3	0.5	19.7
Change Cllrs	+12	+20	-78	+6	+37	+19	-17	+3	+3	NC	-5
Change %	+4.5	+8.5	-49.1	+11.8	+308.3	n/a	-60.7	n/a	n/a	0.0	-2.6



Source: RTE

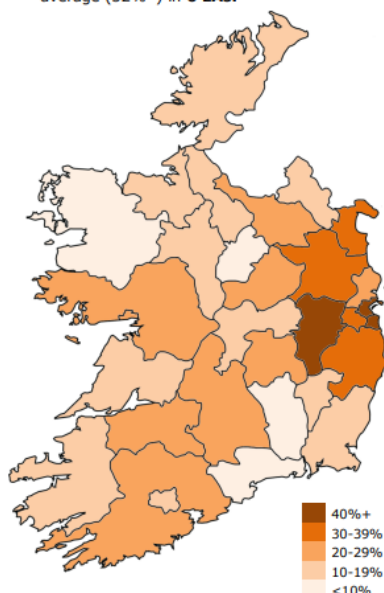
MAIN TAKEAWAY

FEMALE REPRESENTATION

(Female councillors elected per Local Authority)



Local Authorities (LAs) in the **Greater Dublin Area / Region** have the highest female representation. There is significant variation across the country. Female representation is over 30% in **7 LAs** (of 31) and above the EU average (32%*) in **6 LAs**.



May 2019

225

FEMALE COUNCILLORS ELECTED

23.7%

OF TOTAL COUNCILLORS ELECTED

+29 (+6.1%)

COMPARED TO LE2014 RESULT (196)

Rank (of 31)	Local Authority	Cllrs Elected	Female Cllrs	%
1	Dún Laoghaire-Rathdown	40	19	47.5
2	Dublin City	63	26	41.3
3	Kildare	40	16	40.0
29	Mayo	30	2	6.7
30	Waterford	32	2	6.3
31	Longford	18	1	5.6
-	National	949	225	23.7

0-67%

RANGE OF PROPORTIONS OF FEMALE CLLRs ELECTED (BY PARTY/VOTE GROUP)

	Cllrs Elected	Female Cllrs Elected	% Female Cllrs
Aontú	3	2	66.7
Sol-PBP	11	7	63.6
SocDem	19	10	52.6
Lab	57	24	42.1
GP	49	20	40.8
FG	255	61	23.9
SF	81	18	22.2
IND.	187	34	18.2
FF	279	49	17.6
WP	1	0	0
I4C	3	0	0
Other	4	0	0
	949	225	23.7

Source: L&RS analysis based on RTE results
*According to the Department of Housing, Planning and Local Government

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