

Joint Committee on Housing, Planning and Local Government

Local Government (Establishment of Town Councils Commission) Bill 2017 [PMB] 13 Dec. 2017

We are grateful to the Chair and members of the Committee for the opportunity to discuss issues relating to the Local Government (Establishment of Town Councils Commission) Bill and obtain the Committee's important input to development of policy in this area.

Policy implications of the bill arise particularly in the context of the PPG, which requires a report to Government and the Oireachtas on potential measures to boost local government leadership and accountability, and to ensure that local government structures and responsibilities strengthen local democracy. The PPG indicates specific issues to be considered including the possibility of establishing town and borough councils and reducing the size of electoral areas.

A report has been submitted to Government which will be made available to the Committee as soon as Government approval to do so is received. Meanwhile our comments are necessarily restricted. However, it may help the Committee's scrutiny of the Bill to outline some of the main issues which emerged in the course of the extensive research and consultations that were carried out in compiling the report.

Clearly the bill is designed with the best interests of urban centres in mind. However, the proposals raise a number of policy and practical implications which need to be addressed.

An important question in relation to the Bill is the implications of the proposed Town Councils Commission for other measures that need to be taken in the short term.

In particular, the Programme for a Partnership Government (PPG) requires that reduction in the size of local electoral areas be considered. The AILG, representing councillors, have welcomed possible reduction in the size of very large local electoral areas. However, the process proposed in the bill, including further legislation which would be needed to establish town councils, would almost certainly make it impossible to complete a review of local electoral areas sufficiently in advance of the mid-2019 local elections.

The terms of reference for the committees to review local electoral areas have been agreed, and the committees are about to commence their work. The uncertainty associated with possible introduction of town councils and impact of such introduction on the composition of the associated municipal districts would render the work of the committees impossible.

Another fundamental issue is the position of local authority members on the question of reverting to town councils. In the consultations undertaken, the AILG have made clear that they are not calling for establishment of town councils but, instead, favour strengthening the powers of municipal district members. AILG have also emphasised that any structural review would be premature until the new structures introduced in 2014 have been allowed a full 5-year council term to bed down.

Another key question is what problems or issues could town councils resolve that cannot be addressed at least as effectively through the current integrated system of local government? The research and consultations which have been carried out indicated that there is scope to implement a number of improvements within the current system, notably by measures to:

- achieve greater “town focus” in local government arrangements, especially with regard to larger urban centres;
- strengthen the decision-making role and capacity of the elected members at district level, particularly in the budgetary and local development areas, and their capacity to promote economic and social development of towns;
- address excessive size of a number of local electoral areas and ensure that all areas are as coherent and reflective of local identity as possible, including designation of distinct town-based areas for larger urban centres;
- correct any possible flaws in the way the current arrangements are being operated.

It is worthwhile examining the achievements of the municipal district system and the questions re-introduction of town councils might raise including:

- Would restoration of town councils justify the loss of benefits of the current integrated system as reported in surveys and consultation with local authority members and executives? These include improvement in terms of operational efficiency, representational effectiveness, improved governance, more devolved decision-making, and organisational and customer service improvements and innovations.
- Has adequate account been taken of the extent of projects and investment for regeneration and development of towns by many county councils since the 2014 reorganisation?

It is also important to reflect on the shortcomings of the previous town council system and to consider whether those shortcomings would be addressed through reintroduction of town councils, including:

- How could the problems which led to dissolution of town councils be avoided, for example, fragmentation, weakness, duplication, anomalies, inconsistency, and cost, some of which would be increased due to the need to define wider town boundaries and include towns which did not previously have councils?
- Has sufficient account been taken of the limitations of the former town councils which represented only 14% of the population and accounted for only 7% of local government activity much of which was carried out on their behalf by the county councils;
- How to address the negative impact on the county councils some of which would be reduced to largely rural authorities with much diminished resources?
- How to avoid negative impact on rural areas which have benefited from having municipal district status since 2014, for the first time since 1925?
- Would the additional cost involved represent the best use of resources? Establishment of a new system of town councils would have significant ongoing cost implications, possibly in the region of €30m per annum.
- Are the significant demands and disruption of undoing the recent reforms justifiable; for example, reversing organisational changes, unwinding rates harmonisation in mid-stream, and finding additional resources?

- Is there sufficient specific rationale or substantive evidence for reverting to a town council arrangement?

It will be useful to consider these questions and other relevant issues at the Committee meeting.