

# DÁIL ÉIREANN

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## AN CHOISTE COMHAIRLIÚCHÁN POIBLÍ AN TSEANAID

### SEANAD PUBLIC CONSULTATION COMMITTEE

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*Déardaoin, 16 Samhain 2023*

*Thursday, 16 November 2023*

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Tháinig an Comhchoiste le chéile ag 10.30 a.m.

The Joint Committee met at 10.30 a.m.

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Comhaltaí a bhí i láthair / Members present:

Seanadóirí / Senators	
Frances Black,	
Victor Boyhan,	
Pat Casey,	
Shane Cassells,+	
Lisa Chambers,	
Emer Currie,	
Regina Doherty,	
Vincent P. Martin,	
Mark Wall,	
Fintan Warfield.*	

\* In éagmais / In the absence of Senator Niall Ó Donnghaile.

+ In éagmais le haghaidh cuid den choiste / In the absence for part of the meeting of Senator Pat Casey.

I láthair / In attendance: Senators Niall Blaney, Malcolm Byrne, Gerard P. Craughwell, Ollie Crowe, Mary Fitzpatrick, Eileen Flynn, Eugene Murphy, Pauline O'Reilly, Marie Sherlock and Diarmuid Wilson.

Seanadóir / Senator Mark Daly sa Chathaoir / in the Chair.

## The Future of Local Democracy: Discussion

**An Cathaoirleach:** I thank everybody for attending this morning for our first public consultation on the future of local democracy. Last July, we looked for submissions from the general public, organisations and current and former members of local authorities to get their ideas and thoughts, not just on where we are at, but where we want to be into the future.

In terms of ranking and where we are as a democracy, the Global Democracy Index ranks us eighth in the world, which is something we should be greatly proud of. The United Nations Human Development Index marks us as a country that is eighth in the world in terms of health, education and income. The Transparency International Corruption Perceptions Index says that we are one of the least corrupt countries in the world, and it ranks us tenth. These are all things that we should keep in mind when discussing the problems and concerns we all have in regard to local democracy. We are concerned about the fact it is harder to get people to remain as public representatives. In the run-up to the local elections next June in the Republic, we are concerned about the issue of getting people to run for local democracy. Our concern into the future is that if we are struggling now to get people to run for local elections, then who will be running for the general election and who will be members of the Cabinet in the next ten or 20 years and into the future?

The year 1898 was the first time the local authorities were established. There had been different formats to run administrative areas until then, both elected and non-elected, and 125 years on, a review by the Seanad would be helpful. We are really only 100 years on from most people having the vote, with women having been given the vote in the 1918 election. From then on, changes have occurred, some good, some bad. What we will be doing in Seanad Éireann as part of this first public consultation is looking at the changes that have happened, in particular over the last 30 years, and learning from our colleagues in other jurisdictions, who are having similar challenges in Northern Ireland and across the world.

We are very mindful of the report by the Council of Europe which said that Ireland had some of the least democratic local government administrative policies and procedures, and this is a concern it has highlighted before. We are taking its concerns on board, looking at those changes and putting forward recommendations from the all-party committee. We hope the parties will take this on board as part of their manifestoes for the next general election. We need to make sure that what we are talking about here, and the recommendations and legislation that will be drafted by our drafting office, are agreed by all the members in order to make the changes that need to be made. We need to ensure we retain the talent that we have and attract new talent into local democracy, not just in an elected sense but also an administrative sense.

Until the reform of local government in 2014, we had 1,627 locally elected members. We are now down to 949, so we have lost 678 people who were locally elected and who represented the public. One of the comments I heard at the Association of Irish Local Government, AILG, conference earlier this year was that we need to decide whether we are in administrative areas or local democracies. The view of many is that in the Republic we are in administrative areas and that the voices of the people who are elected are not being heard and, therefore, the citizens are not being heard. That is one of the key points that we need to make.

I will invite everybody to make their submissions shortly. First, I welcome the Leader of Seanad Éireann, Senator Lisa Chambers, who will make some opening remarks, Senator Shane Cassells, who is the rapporteur, and the members of the committee, including Senators Regina

Doherty, Victor Boyhan, Frances Black, Mark Wall, Emer Currie and Pat Casey. Senators Marie Sherlock and Malcolm Byrne are also present. I also welcome, from the National Association of Councillors in Northern Ireland: Councillor Terry Andrews, immediate past chairperson; and Councillor Derek Hussey, executive committee member; from the Northern Ireland Local Government Association: Councillor Dermot Nicholl, president alternate; Councillor Alison Bennington, vice president, who will give us some of her wisdom; and Ms Alison Allen, chief executive officer; from the Local Authority Members Association: Councillor John Sheahan, general secretary; Councillor Brian Lawlor, public relations officer; Councillor Paul Taylor, public relations officer; and Councillor Sean McGowan, treasurer; and from the Association of Irish Local Government: Councillor Gail Dunne, president; Mr. Tommy Moylan, director; Councillor Jason Murphy, vice president; Councillor Pat Fitzpatrick, immediate past president; Councillor Carmel Kelly, executive member; and Councillor Paraic Brady, executive member. I thank them all for being here and for being part of this discussion.

Before we begin, I must read the following statement. I remind witnesses of the long-standing parliamentary practice that they should not criticise or make charges against any person or entity by name or in such a way as to make him, her or it identifiable or otherwise engage in speech that might be regarded as damaging to the good name of the person or that entity. Therefore, if their statements are potentially defamatory in relation to an identifiable person or entity, they will be directed to discontinue their remarks. It is imperative that they comply with any such direction.

Members are reminded of the long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside of the Houses or an official either by name or in such a way as to make him or her identifiable.

As we have the Leader of Seanad Éireann here today, I will call Senator Chambers before I call the rapporteur.

**Senator Lisa Chambers:** I thank the Cathaoirleach. Members are very welcome here today. It is an honour and privilege, as the Leader of Seanad Éireann, to welcome members of our local authorities from across the region and colleagues from Seanad Éireann to the House. It is rare that the Seanad suspends its proceedings to facilitate a committee meeting but that is the level of importance we are attaching to today's work. It is testament to the support for local authorities in this House that there are representatives from across the parties, Government, Opposition and Independent, here to listen to the thoughts, views and expressed wishes of councillors through today's proceedings, beginning with our first session with representative bodies, North and South, which will be followed later by a session with individual councillors who have made personal submissions to the public consultations committee.

There is an acceptance that we are all united in our goal not only to protect local democracy and the roles of our local elected members, but to enhance that role and to give a greater role to local councillors and more reserve functions, moving away from the centralised form of local government we currently have and have been practising for quite some time.

I had the pleasure of attending the AILG autumn seminar in Sligo recently. I and my colleague, Senator Sherlock, had an opportunity at a panel debate to listen to the diverse views of councillors from across the country. There was a clear message coming from the floor that day, which was that councillors were not happy with the levels of reserve functions they have and the undermining of the role of the local councillor at a local level. There is an acceptance on our part that there are challenges but they can be met and addressed. That is the work of this

committee today.

I commend and thank the Cathaoirleach for his work in bringing about this initiative. To my knowledge, this is the first time the Seanad has conducted proceedings of this nature whereby we have invited councillors from across the country to talk specifically about local government and the kind of local government structure we want for the future. We are clear that we want changes but it must be meaningful change. I note from the submissions received that while there has been considerable change in local government in respect of structures and resources, and the loss of town councils, the role and remit of local government, and what it is tasked with doing, has not changed.

As a collective, our Seanad and local authority members need to decide what type of local government we want so we can set about achieving those changes. Having a collective voice and a consensus, if we can achieve it, will make it far easier for us, as Senators, to bring a message forward to Ministers to achieve the changes we want.

I look forward to today's proceedings. It is an honour and privilege to be a part of this engagement and to be here as Leader of Seanad Éireann. I look forward to having exchanges with councillors and representative bodies throughout the day. I hope we will have a report and some tangible actions we can take to show progress and achieve something as a result of today's proceedings. The crucial element will be what changes we can bring about. I thank our guests and my colleagues for being here today.

**An Cathaoirleach:** Before I on the president of the Association of Irish Local Government, Councillor Gail Dunne, I will ask the rapporteur for the committee to make a few opening comments.

**Senator Shane Cassells:** I thank the Cathaoirleach. I am going to be the rapporteur for all of these hearings. I thank the Cathaoirleach and members of the committee for the honour in appointing me rapporteur for these exchanges. It is a great honour for me to welcome our guests and the representative bodies of councillors, North and South, to reflect the work their members do. For my own part, I was a councillor for 17 years. In the time since I was first elected in 1999, I have seen the scope of how councils do their work change massively. In many ways, that has been change for the better. I have seen advancements since the time I was first elected. Twenty-four years ago, councillors primarily dealt with bread-and-butter issues of roads and housing. I now see the work of councils advancing into the areas of the arts, sport and the environment. There is a lot to be proud of in our local authorities across our island. There are, equally, challenges to be faced in the construct of our local authorities. This morning is important. I know from attending conferences over many years that seminars are used to drive policy in housing, the environment and planning. We hear at those forums the voices of our local authority members. We need to harden that and these exchanges are an opportunity to do that in a meaningful way and to bring those views to Government. I look forward to working on this report and to dealing with each of our guests in the weeks ahead.

**An Cathaoirleach:** For the benefit of members, a video of this session will be available. They may wish to take off their lanyards because we know who they are. They were only necessary to let them through security. I thank Senator Cassells for his opening remarks. I call the president of the Association of Irish Local Government, Councillor Gail Dunne.

**Mr. Gail Dunne:** I wish good morning to the Cathaoirleach and Members of Seanad Éireann. I am a member of Wicklow County Council and current president of the AILG. I am

joined this morning by Councillor Jason Murphy, AILG vice-president; Councillor Pat Fitzpatrick, AILG past president; and AILG executive members, Councillors Carmel Kelly and Paraic Brady. We are also joined by AILG director, Mr. Tommy Moylan.

As AILG president, I thank the Cathaoirleach and the committee for affording us the opportunity to be with them this morning and to contribute to their work on this important topic. We submitted a detailed and substantial submission on the future of local democracy and our local government system. Our submission covered all the areas listed in the committee's terms of reference as it undertakes its important work.

AILG welcomes the establishment 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 for our elected councillors. A strong democratic local government system is vital to promote the welfare of good government and the people of Ireland. As the committee is aware, AILG has commenced a campaign to seek an urgent deep-dive review of our democratic local government system. We have termed this campaign, "Ready for local government reform", #ReadyForReform. We hope that the outcome of this committee will assist us in achieving an urgent review of our local government system and our local democracy.

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

Outside Dáil Éireann, local authorities are the only bodies whose members are elected by direct vote by the electorate. They are the only form of government in which everyone can participate irrespective of citizenship. Councillors are elected by local people to make local decisions, articulate local views and identify and meet local requirements. Our democratic local government system in Ireland is the most successful form of democratic and local government in the country. The public faces of the local authorities are the elected councillors.

The recent Council of Europe report on the application of the European Charter of Local Self-Government in Ireland has confirmed that Ireland is a solid democracy. We are constitutionally bound to have local elections every five years, with turnout rates between 50% and 60% in the past 20 years. However, turnout rates have seen a steady decline in recent elections, from just under 60% in 2004 to 50.2% in the 2019 local elections. In 2019, the highest turnout was in the rural county of Leitrim, with 64.5% compared with 40.5% in Dublin city, and 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 became the first local authority to have a 50:50 split of men and women in the council chamber.

However, although the Council of Europe has confirmed we have a solid democracy, the 2014 reforms resulted in a reduction of local authorities from 114 to 31 and a reduction in the number of councillors throughout the State from 1,627 to 949. The reduction represents a 42% decrease in overall councillor numbers, with a 33% reduction in real terms due to some elected members previously holding down both town and county seats. Ireland, therefore, now has fewer councillors *per capita* than any other European country. I repeat that Ireland has fewer councillors *per capita* than any other European country. That is a very important statement.

There are 949 elected councillors in Ireland with a population of 5.3 million. To compare this with slightly larger European countries, Denmark has a population of 5.9 million and 2,432 councillors, while Finland with a population of 5.6 million has 8,859 councillors. The difference is obvious.

One of the aims of the 2014 reforms was to reaffirm the primacy of elected members in the local government system and to examine the default provision, which grants the Executive powers 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 his or her functions, in the same way as the chief executive of a company responds to a board of directors. However, the reality since the reform is the position and power of the chief executive has increased significantly resulting in a growing imbalance between the executive powers of the chief executive and the reserved powers of elected councillors. This leads to a fundamental question about our current system of democratic local government in Ireland. Is our local government system a true, democratically accountable local government system or just a system of administration of local services? It is the opinion of the AILG that it is the latter, resulting in a democratic deficit in local decision-making. Despite repeated calls for devolution of decision-making to local government, and a wider range of functions to increase financial autonomy, there has been limited appetite for such reforms at central government level. If anything, the range of functions and financial autonomy have been continually whittled away. This has the result of Ireland being an outlier compared with our European counterparts, with the Council of Europe report confirming, “there is still a lot to be done before local self-government in Ireland is on par with other European [norms].”

Today, our local democracy and elected councillors face many challenges. The role of the councillor has evolved into a full-time role. While many sitting councillors have made the decision to commit to the role on a full-time basis, others have decided not to, or they have been unable to do so for a multitude of reasons, ranging from family to career goals to remuneration. As the workload of the councillor expands to include local responses to global issues, such as climate change, biodiversity loss, energy security, changing demographics and overall quality of life and well-being, there is a growing recognition that the role is more demanding than ever before and that there are growing challenges and needs around capacity, skills and remuneration. Councillors, across all jurisdictions, report challenges in respect of meeting the competing demands on their time and dealing with citizens’ expectations. Life in the public domain can be gruelling and demanding, and politicians find it difficult to switch off in their private lives. Being a councillor is rewarding but the role is demanding, and councillors are continuously striving to attain a decent work-life balance. They work long, unsociable hours and while their remuneration has improved in recent years, it is relatively low.

Female councillors face a greater challenge than their male colleagues in attaining a work-life balance and they are more likely to be subject to prejudices that can impact on their work. While the gender balance in council chambers has improved, female representation lags behind other EU member states and there are particular challenges recruiting and retaining female candidates. Policy issues and abuse from the public, especially on social media, can pose particular challenges. As the national representative body for councillors throughout the country, the 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. In addition, councillors have to contend with a continuous erosion of powers, with powers being curtailed by central government or being devolved to the chief

executive. With councillors' powers being continually eroded, our members are questioning whether they can have a significant say in the improvement of the communities they represent. Poor remuneration, significant workloads, limited power and frustrations with the operations of the local government system are contributing to councillors exiting the role or retiring early. These factors are barriers to councillor recruitment.

Unsurprisingly, therefore, with the erosion of powers, the representational role of the councillor has become increasingly significant, as highlighted by Sara Moorhead in her 2018 report on the role of councillors. Importantly though, councillors, in their public sector delivery roles, continue to play an important role in enacting legislation, ensuring the application of national party objectives and overseeing the corporate governance of the local authorities to which they are elected. The challenge now for elected members is that they establish a balance between their statutory and representational roles. While councillors believe there are synergies between these two roles, this is a scenario not without its challenges. One cannot lose sight of the fact that the capacity to deliver on their statutory role will determine any future devolution of powers from the centre, while it is their commitment to their representative role that will determine future election results. However, most councillors contend that the representative roles we perform enable us to better execute the statutory functions in our council chambers that lead to better decision-making and outcomes for the public.

It is important to say that councils continue to be important vehicles for the delivery of public services and the disbursement of resources. In addition to these functions, they have consistently had a role in enabling local democracy and assembling civic actors at the local level. Local councillors also play an important representational role as they represent the needs of the electorate. As democratically elected and accountable bodies, they have the authority to legitimately speak and act on behalf of their communities. The elected council thus acts as a democratic forum for the representation of local needs and can provide civic leadership. However, in assessing the future of local democracy, a question needs to be addressed that the AILG believes goes to the heart of the work of this committee. As the Council of Europe has stated, we have a solid local democracy coupled with a local government system delivering over 1,100 services at local level. These two aspects of our democratic local government system should go hand in hand, with one being unable to function without the other. However, the AILG would like the committee to consider if this is in fact the case. If the answer is "No", then the AILG fears that the future of local government is bleak and it copper-fastens our call for a fundamental review, not only of our local democracy, but also of our entire local government system in order to bring it closer to European norms and truly encompass the principle of subsidiarity. When the Council of Europe's monitoring delegation visited the Custom House in Dublin where the Department of Housing, Local Government and Heritage resided, the Department was informed that local government had been "administrated and supported from this house for 200 years". This was a telling way of expressing how central government viewed local government – something that is administrated and not primarily regarded as self-governing units. The AILG wishes to call on this committee to support our campaign for a fundamental review of our democratic local government system, including the recommendations contained in our detailed submission.

I thank the committee for the opportunity to address it. We would be delighted to answer questions from members.

**An Cathaoirleach:** I call the general secretary of the Local Authority Members' Association, Councillor John Sheahan.

**Mr. John Sheahan:** The Local Authority Members' Association is delighted to have been

asked to participate in this consultation and to submit our views on the future of local democracy. I will tell the committee something about us for those members who might not know. LAMA is an apolitical representative body set up to represent councillors elected to local government. LAMA has in excess of 800 members. Each of the 31 local authorities nominates one elected member from its council to sit on LAMA's executive committee. From this executive committee, the members select an officer board consisting of a chairperson, a vice-chair, a general secretary, an assistant secretary, two treasurers, two public relations officers and an Oireachtas liaison officer. I am joined by Councillor Paul Taylor, my assistant secretary, and Councillor Seán McGowan, one of our treasurers. LAMA represents councillors, predominantly on pay and conditions, councillors' welfare and workplace balance.

The following are LAMA's views, on behalf of its members, on the issues outlined by the committee in its invitation. There are challenges to attracting candidates to enter local democracy. The remuneration package for councillors needs to be enhanced further to reflect what is now a full-time position. This would include full-time pay and, similar to Oireachtas Members, full pension benefits. Retention of councillors should also come into the reckoning, with an exit survey of those who are leaving local government. Some of these are not leaving after a long time, but after just one term or even during a first term. One local authority of 40 councillors has seen 20 co-options since 2019. There is something wrong in this, so we need to examine the issue.

The representation of women and minority groupings has improved slightly, but more has to be done to enhance workplace conditions, for example, childcare facilities within local authorities for parents, flexibility on work-life balance and more security and support for councillors who are targeted by harassment, whether physically, mentally or digitally. This last issue has been addressed recently, but more improvement is needed.

The powers of local authority members have diminished annually, creating a situation where Ireland has one of the most centralised local governments in Europe. Councillors have to shoulder some of the blame for this when hiding behind the executive for the making of unpopular decisions, but the bulk of the blame rests with national legislators, who are happy with this centralised form. Oireachtas Members feel that they have to do the councillor's job as well to get elected. The familiarity the public have with their Oireachtas Members is unique. The attempt to delineate the roles through the removal of the dual mandate has failed and has only served to further alienate local authorities from holding Oireachtas Members to account. Consequently, the principle of subsidiarity has been eroded over the past two decades. LAMA believes a full reform of the number of national politicians in the Houses of the Oireachtas is required, with a more serious consideration of devolved regional government running in tandem with local government. The reluctance to devolve proper and meaningful power has been shown in the recent legislation on directly elected mayors. This speaks volumes about the willingness of the Dáil, Seanad and Civil Service to maintain the *status quo* of centralised government. All the directly elected mayor will really have under the proposals is a budget, which is welcome, and a written instrument to hold director generals to account. Outside of that, the mayor would have no real power, which is disappointing to see.

On the introduction of overarching national policy and how it affects local government, a key issue is the lack of consultation, with legislation being enacted immediately without a "by your leave" as to how local authorities can cope or adjust to same. For example, consider the kneejerk reactionary policies around housing. There have been several policy attempts on this matter, including strategic housing developments, SHDs. All of these are coming down on top



of local authorities without the authorities having the proper resources or time to put them in place. Local Government in Ireland needs to move more to the European model of three-tier government, with better local and regional government that has more responsibility in education, healthcare and policing, leaving the national legislators to do what it says on the tin, that is, to legislate.

Flexibility and an innate respect among employers for councillors in carrying out their civic duty would go a long way in enticing more diverse participation in local government. There was a time when, if a councillor was in someone's employ, the employer held the councillor in high regard. Now, an employee who is a councillor is actually a bit of a bother. A councillor getting time off to do X, Y and Z does not happen anymore. There was a time when, in State and semi-State bodies in particular, councillors would get time off to attend meetings and so forth.

Housing, balanced regional development, climate action and all other issues of the present and future could be enhanced in local government by financially block aiding the delivery of projects. This could be done by putting responsibility for delivering on the local authority and cutting out the overcomplicated ticktacking between Departments and local authorities. Now, you nearly have to get clearance to find out what colour you can paint the front door of the social hall. What is happening is ridiculous. We have 31 chief executives, yet the delivery of housing seems to be centralised. This cannot and should not continue.

LAMA is in constant contact with its sister representative body in Northern Ireland, the National Association of Councillors Northern Ireland Region, NAC-NI. I welcome my good friends, Mr. Terry Andrews and Mr. Derek Hussey. It is good to see cross-Border co-operation and views. The relationship and engagement between both bodies has grown, leading to an enhanced insight into how local government works on the entire island of Ireland. The issues are similar while the method of delivery differs somewhat. LAMA would like to see more enhanced engagement with local authorities in the UK and Europe as a whole. We had that previously, but it seems to have been whittled back a good bit.

Devolution of more powers in the areas of health, education and policing would enhance local government. We see the move towards national utilities. The power of representation by local councillors who, by the way, are the first port of call by the citizen to national utilities, has to be embedded in their ethos. Since Irish Water was renamed Uisce Éireann recently, it has set up a good communications department. There is a big move by it to engage with councillors in regard to communications. We welcome that.

Councillors' training is paramount for the continuous professional development of elected members. There are now myriad plans, policies and reports that require in-depth study so that a councillor can do his or her job effectively. We would like to acknowledge our sister authority, the AILG, which looks after most of the training. Training is vital and should be targeted to aid councillors in the round when doing the work. It should also be specifically targeted to those who opt to sit in on the likes of audit, finance and planning committees.

A bugbear for a lot of councillors around the country is the lack of independent advice, whether that is legal, planning or otherwise. We cannot get it and the only recourse we have is to ask our chief executive to get it. We all know that whoever pays the piper gets the answer.

The relationship between the executive and members has to be clearly defined and more power for councillors to call the executive to account will have to define the future of what we

want as local elected government. The Chair asked whether we want local elected or administrative government. That is key to all of this.

While this consultation is very welcome, the Members of Seanad Éireann, some of whom rely on councillors to elect them, need to put the mirror to their face and ask what they have done or brought to the table to enhance local government and the role of the local elected member. I remind Senators that as late as last year the Seanad voted to allow a Minister to remove the obligation from governing bodies of third level institutions to nominate a local elected member to its board. That created an awful lot of angst among our members. I know how it happened, but it should not have happened.

In conclusion, the question our members are asking is why the consultation is happening towards the end of a term. Realistically, not much will be achieved between now and the first week of June 2024 when the local elections will happen. There will be a natural 33% turnover of councillors in the next local elections. Looking at the exodus of one-term councillors and retirees with long service, this percentage could be higher in 2024. We need to come back here after June or July next year and hold this meeting again to find out what the views of the new term of councillors will be.

The other question our members ask is whether this process is window-dressing by the current Seanad to show cause to councillors or does it have more in-depth meaning. Will there be a recommendation?

There has been muted mention that a citizens' assembly should be set up to discuss the future of local government. We in LAMA will contend that a holistic review is needed. When the Seanad tells us how it could reform the Oireachtas, perhaps then we could examine the concerns of local government in Ireland. LAMA would like to see the reform of the Seanad that was promised after the people's rejection of its abolition and reform of the Dáil to delineate between the delivery of national vision, policy and legislation versus delivery of local services at local level.

As I said, while the abolition of the dual mandate was supposed to deliver this, all it did was remove the Oireachtas Member from being accountable to councillors at plenary meetings while Oireachtas Members still pour hours into doing councillors' work, including individual representations. We welcome any discussion on this and will take any questions. We wish the committee well in its deliberations and look forward to its final proposals.

**An Cathaoirleach:** Thank you. You have raised a lot of challenging questions for the members of this committee.

**Mr. Dermot Nicholl:** I thank Senators and colleagues for the opportunity to engage today on the future of local government in Ireland. The invitation is particularly welcome given the significant developments from cross-Border work between councils as well as NILGA and our sister association, the AILG. I am a Sinn Féin counsellor, representing the NILGA president Matt Barrett who was unfortunately unable to attend. I am joined by Councillor Alison Bennington and our chief executive Alison Allen.

NILGA is a politically led representative body for councils in the North, supported by all political parties, to promote and support the development of local government. It operates on the same political power-sharing principles as the Assembly and local councils, with the five main political parties in the North sharing responsibility across the organisation on the basis of

political strength using the D'Hondt system of proportional political representation.

A recent strategic review of the NILGA identified this ability to work across all parties to build consensus on key issues affecting the local government sector as a key strength of our organisation. As we will discuss in our evidence, councils in the North operate on the same inclusive power-sharing basis and it is local democracy that provides consistent leadership and services to citizens in the North day in, day out. The committee's remit of an examination of the future of local democracy is very relevant to our discussion in the North and wider discussions taking place across these islands regarding the benefits and challenges of centralised public services.

It will come as no surprise to the committee that NILGA and its member councils believe passionately that the position of councillors and local government officers at the heart of communities places local democracy in an almost unique position in public service terms. This is because that closeness delivers an intimate understanding of what individuals, families, communities and businesses need to thrive in a way that centralised public services will find more difficult to fully understand. I look forward to our discussion today and hope we can add value to the committee's discussions by sharing our experience of how local government in the North operates. My colleagues here with me today are keen to learn from the committee.

Councils are stand alone legal entities in the North, with their powers and governance set out in the framework provided by the Local Government Act Reform 2014. Responsibilities of councils in the North include waste, leisure, arts and culture, street cleaning, cemeteries, local economic and tourism development and public conveniences and a range of regulatory functions such as planning, licensing, building control, off-street car parking and environmental health. In addition to the transfer of some responsibilities from central to local government, that is, planning, off-street car parking, local economic development, the Local Government Reform Act conferred two additional powers on councillors, community planning and the power of general competence.

The power of general competence is the power to do anything that individuals generally may do for the benefit of their citizens or areas. However, this power needs to be considered in the context of the legal responsibilities of other public services and financial pressures on councils. This Act provided some choice for councils in how they operate their executive arrangements, that is, a cabinet or committee style executive. In 2015, all councils in the North decided, following the reform of local government, to operate on a committee style basis. The department for communities, which is the executive department with policy responsibility for local government, has some oversight with regard to those on the council failing or not complying with their legal responsibilities. However, the department is not classed as a parent department and the circumstances in which it may direct or intervene in councils are limited.

A local government auditor is also named in the audit office, which is the independent public body responsible for the audit of public services. The local government auditor is required to audit council accounts annually and provide assurances regarding these accounts. The local government auditor has a number of separate powers to examine the business of council if they believe it is necessary. The Local Government Reform Act was supported by a range of regulations, but some remain outstanding, such as the review of standing order regulations. Councils are entirely politically led organisations, with a chief executive and officers to support and advise councillors. That is important because we, rather than officers, are elected as members to do that and that is the way it should be.

A formal scheme of delegation is agreed by council on what functions of the council can be exercised by the chief executive and designated chief officers of the council and the extent of this delegation. The council corporate, comprised of its councillors, is a legal decision-making body, and the scheme of delegation is intended to aid and integrate management of councils, allowing councillors to focus on strategic matters, with officers exercising operational functions on their behalf. Just because the scheme of delegation empowers chief executives and chief officers with ability to take operational decisions, those officers may refer any delegate matter to the relevant committee, particularly if it is politically contentious, sensitive, significant or otherwise in the public interest to do so. I will hand over to my colleague Ms Bennington.

**Ms Alison Bennington:** I am councillor from the Democratic Unionist Party and vice president of NILGA. I am also a poacher turned gamekeeper. I worked in local government for 38 years and came back as a councillor in 2019. I know what it is all about. You are talking about not being able to attract members. One way to get them is through local government.

I will go through from five areas: consideration of the time involved in the role of councillors, how local government can play a greater role and have a positive on challenges we face, cross-Border co-operation at local government level, examining devolving more powers to local authorities through the legislative process, and examining training provided to elected members to discharge their duties. Other political parties report difficulties in being able to attract and retain councillors from across society given the demands of the role versus other demands in people's lives. I know what it is like. I am a 24-7 councillor. I am never at home. I get shouted at. I get it from the other side. Not only do I take abuse at home, there are also councillors who take abuse from members of the public. You get it on social media across the board. This definitely needs to be looked at. Recent research into the abuse and harassment of elected representatives, not just councillors, suggested that women and ethnic minority communities were particularly affected, so this needs to be taken into consideration when the committee is preparing its paper.

There are councillors in the North who work five days per week. They have full-time jobs and families. They might give the same commitment I give because I am retired, but it tells when elections come around and they get voted back in again. If you put in the work, you will get results. There are different demands on different peoples' lives, and this needs to be taken into consideration regarding how we treat councillors. Can we give them a full-time role? Can we pay them for a full-time role? We are looking at this in the North as well in order that we can address those issues. People need to pay the rent or the mortgage, so they need a full-time job to do that.

Regarding how local government can play a greater role and have a positive impact when it comes to the challenges we face such as climate action, housing, infrastructure, regional development and community planning, power conferred to councils under the Local Government Act (Northern Ireland) 2014 recognises the role of councils as a place-based leader and convenor. Community planning, in summary, is the council's statutory agencies and community and voluntary sectors working together to identify local community needs and then designing and providing integrated services to improve people's lives. I have been out talking to those people and I know what their needs are. They are telling me so we feed that back into that process.

Local development planning was conferred on councils to develop the spatial plans for the future of their council areas and their own district electoral areas, DEAs, deciding the type and scale of development and where buildings should be allowed while protecting important landscape and environmental functions. However, eight years later, only a few councils have

had their plans approved with the councils reporting high levels of bureaucracy required by the Department for Infrastructure. It is a disaster because we are trying to do things and it is taking the hierarchy longer to approve our plans. It is a book that thick. By the time they get through each one of the 11 councils and compare like with like when it comes to what each council is putting forward, it is a bureaucratic process I would not want to sit in on. Somebody is making decisions in the Department for Infrastructure and examining those plans but it is frustrating to us as councils that we cannot implement those plans. We are writing and rewriting them and going back and forward, which frustrates councillors at local level.

On some regional and economic partnerships, three city-brokered deals are now in place in the North, with the Belfast region city deal being the first to be signed in December 2021. These deals represent a new way of working between central government and strategic local government clusters and regional partners and secure bespoke packages of investment from government and partners to deliver a shared vision. There is also the mid south west growth deal involving Armagh City, Banbridge and Craigavon Borough Council, Fermanagh and Omagh District Council and Mid Ulster District Council and the Derry-Londonderry and Strabane city deal. The only council I did not mention there was my own council of Antrim and Newtownabbey Borough Council. Those deals are great because there is investment coming in and everybody is working together, creating a shared community facility.

On cross-Border co-operation at local government level, in recent years, the extent of cross-Border co-operation between councils in the North and the Republic of Ireland has grown between individual organisations but also on a subregional basis, for example, the East Border Region, the Irish Central Border Area Network and the North West Strategic Growth Partnership. Recently we all met up in Londonderry with the groups here and discussed various issues on both sides of the Border. We need to do more of this. It is very interesting to hear what councils are doing down South but they need to listen to what we are doing up North and see how we can work together with regard to those issues. Joint work between the AILG and NILGA has strengthened in recent years with engagements to share knowledge, promote best practice and better understand the challenges and opportunities within local democracy on this island.

Moving on to examine devolving more powers to local authorities through the legislative process to strengthen and enhance local democracy, as part of local government reform in 2015, the power of regeneration was due to transfer to councils. However, a decision was taken that this would not progress. Councils in the North were very disappointed by this decision as this power was the key third element of place making responsibilities alongside the power of community planning and local development planning. NILGA and all 11 councils in the North have been lobbying for the transfer of this power for a number of years, with the business case well established and secured. The Minister for the Department for Communities agreed to reopen discussions about this but our experience of powers transferred in 2015, which were supposed to come with a financial package, resulting in no additional cost potential, has been that the cost of transferring powers potential has been significant. They asked us to do things but they do not give us the money to do them and they sit with the budget somewhere else while we try to resolve all the problems at local level. Therefore, NILGA will be examining the new burdens doctrine in England, which since 2010 has ensured all burdens on local authorities must be properly assessed and freely funded by the relevant departments.

Regarding training provided to elected members in order for them to discharge their duties, I am a well-trained and fully qualified council officer and councillor. I could probably tell people how to do things standing on my head but I do not. There are councillors who do not go

to training, although training is provided to allow them as lead councillors to learn how to be a councillor, manage the council chamber, what to say, what not to say, the code of conduct, etc. The rules and regulations are all there and training is provided by NILGA and other council departments to help councillors go along that road. A lot of councillors do not take people up on those training activities but they should and these activities should be mandatory. Again, this goes back to the time involvement of those councillors who have to hold down full-time jobs. They cannot go to everything. Like our colleagues in the AILG, NILGA provides a range of accredited and non-accredited learning and development opportunities to all councillors. Examples include leadership, planning, auditing risk, civil contingencies, economic development and mental health and well-being. We take this into consideration because it is a very stressful job at times. NILGA also operates the charter for councillor development in the North, which is recognised kite-marked designed to help councils enhance and embed councillor development in their councils.

That is all I have to say. I hope members got enough out of that and I wish them well in their report.

**Mr. Terry Andrews:** Before I begin, I noticed this morning that several school classes were in the Public Gallery to watch the proceedings of this committee. It is very heartening to see young people coming in. Maybe some day we could have a future councillor or TD as a result of their interest in being here. It is good to see familiar faces on the panel and to meet new members for the first time. I represent Rowallane electoral area, which is located in Newry Mourne and Down District Council. It would be the most northerly part of the council, not far from Belfast. Until recently I was chairperson of the NAC Northern Ireland region and, along with my good friend Alderman Derek Hussey, we are delighted to be here. Our contributions will touch on aspects of what we do.

Local government knows no boundaries. It is the first point of call for so many residents to talk to their councillors for them to deal with them and act on their behalf. With so many challenges daily, without hesitation, councillors and their local authorities step up to the plate and get on with the work that needs to be done. That was quite evident across the board during the Covid pandemic, when local authorities and their elected members and officers rolled up their sleeves and got on with the necessary work to deliver services and much-needed help. This was clearly evident in the recent spate of adverse flooding and storms in Newry, Downpatrick, Portadown and elsewhere. These examples show clearly what can be achieved. No questions are asked; they simply get on with the job.

As we give an insight into the workings of the National Association of Councillors, we would like to emphasise relationships. Here in this Chamber in Leinster House are our sister organisations, NILGA, LAMA and the AILG. Over many years, we have worked with and supported each other in local government and making our voices heard where it matters. For quite a period, on and off, we have had no functional assembly and Executive in Northern Ireland. Our NAC executive has held a series of meetings with departmental officials on improving councillors' terms and conditions, which have not been reviewed since 2012. The role has changed considerably and that should be recognised. It should be brought into line with other jurisdictions but the work is still ongoing. One issue is our officers who would be able to work and service meetings during the day. Councillors in Northern Ireland have full-time jobs to augment what we get paid, which is called an allowance. Also, in the long term there is succession planning to attract new members and to get people to take on the role of councillor. This has been touched on already. Part of this is the relationships and friendships that have

been made and strengthened over many years and for years to come. As a member of the NAC Northern Ireland region, we are proud to be part of the local government family and extremely grateful for the help and support shown to us by the likes of NILGA, the NAC in Great Britain, LAMA and the AILG on our journey together to do what we can for those whom the NAC represents. We operate on a shoestring but we do the best on what we have.

The Senators are probably wondering what the NAC is all about. I will not give them a sermon. We are an organisation that represents elected members in all types of local authorities and of all types of political persuasions. The association is not only run for elected members but is also run by them. It is split in four regions: England, Wales, Scotland and Northern Ireland. The membership in Northern Ireland is available to councillors on a corporate basis. Our objectives and aims are to represent and further the interests of local authorities and to provide a forum for our elected members to discuss items of common interest and to exchange information on ideas; to initiate consideration of matters of interest to elected members and to disseminate information to elected members; and, similar to NILGA, to provide for the training and education of elected members. Workshops are held in England, Scotland and Wales, which we attend. It is also to consult central government and devolved centres of power under enhancement of the status of elected members. Each region appoints its own officers and organises its own activities within the national guidelines.

Our region of the NAC was set up in 1993. We aim to assist our members by providing information and advice that will help them with working with their communities and carrying out the role they may hold within their councils. We lobby local authorities, Ministers and Government Departments and other relevant bodies that will listen to us on issues that are of concern to councillors. We have made major gains in councillors' allowances and conditions as a result of councillors acting collectively in their common interest. All 11 councils in Northern Ireland subscribe to corporate membership, so all 462 councillors from across Northern Ireland are members of the NAC. Membership subscriptions are renewed annually to run from April to the end of March. Each council in Northern Ireland nominates eight councillors as member delegates to represent their councillors at the NAC bimonthly. Some councillors have a collection of hats at home so some of us are members of NILGA and other organisations and it all builds up enhanced relationships and experiences. We encourage our members to come along to our meetings, although only the council delegates can vote. Our executive meets monthly. It consists of a chair, vice chair, senior and junior secretary and treasurer and a ladies' representative and other members who are selected from across the various political parties, including an independent representative. Members can also be co-opted onto the committee subject to approval.

The NAC is the only organisation whose agenda is to represent councillors. It is the only all-party voice for elected members, which makes it unique in the political world. We provide advice and signposting to councillors with individual problems relating to ethics, elections, role responsibilities, remuneration and tax expenses, welfare benefits, etc. We work to resolve problems that councillors experience within their role by bringing the details to the attention of the relevant bodies while ensuring confidentiality. We offer a forum for councillors to voice their opinions and concerns and exchange information and experience through our bimonthly members' meetings.

Our aims and objectives are councillor equity; making representations on behalf of our members with the aim of achieving equality for all councillors across the Northern Ireland region; councillor well-being, which we think is very important; addressing matters that affect

councillors' well-being; and provide appropriate information and advice accordingly. On councillor training, we strive for adequate and appropriate training to be available for councillors that will assist them with carrying out their role.

For several years we have worked to address the problems and concerns raised by NAC members on the involvement of the council role and additional responsibilities that councillors across the Northern Ireland region have been experiencing. In December 2021, the then Department for Communities Minister, Deirdre Hargey, decided it was time for an independent-led review of the councillor role. That was a positive step forward, but when the assembly collapsed in February 2022, there followed a period of uncertainty as to whether a review could be progressed. We will continue to make representations. There was an advertisement recently for a chairperson for the councillor remuneration body, so we can see that step being taken. We will continue our role of making representation on behalf of our members and working towards getting a long-awaited review of the councillor role. In February 2023, we met with the officials and discussed elements of the review. We are committed to giving our members updates about this in due course. I touched on well-being and training and I do hope this resumé will give an insight into what we do in Northern Ireland at the National Association of Councillors level. I thank everyone for giving us the opportunity to be here and to talk.

**An Cathaoirleach:** I now call Mr. Hussey from the executive committee of the National Association of Councillors Northern Ireland region.

**Mr. Derek Hussey:** It has all been said - that is the great beauty of coming towards the end - but there are a couple of issues. One is central government *vis-à-vis* local government. In 1998, I was elected to the Northern Ireland Assembly and I served for nine years. I was a councillor for 34 years. One of the issues I have found between local and central governments has been that central government sometimes forgets its title. It is a legislative assembly. The work is then done by the folk on the ground who know what is going on at the coalface, namely, local councillors. I found most of what I was doing in the assembly, because there was a dual mandate at the time, was council stuff. Why was I doing that at the level of a legislative assembly rather than letting the people on the ground do the job and giving them the powers and resources to get on with it?

In 2015-2016, we had the advent of the so-called "super councils". Our councils in Northern Ireland are responsible for about 6% of the public expenditure. Councils in England are responsible for 23%. I sometimes wonder about what is super about our councillors. If we are going to be so-called super-councils, then let us have the powers to do the job that we want to do and the job that those who put us into those positions of responsibility want us to do.

Turning to my next point, I am a previous chair of the North West Regional Development Group. I think the cross-Border work that does go on is sometimes underrated. I know, and trust that some members of the committee will realise, that within the north west we work on a regional basis. It is a region of the island, and I say this as a unionist. We work for our mutual benefit. We respect the jurisdictional issues that exist, but that does not prevent us from being able to work together. Sometimes, there is a large degree of frustration with the recognition that, again, comes from some central government for that work that goes on.

On our own council, we recently had representatives from Invest NI with us. When they were using their figures for job promotion, etc., they forgot about the resource existing on the other side of the Border in Donegal. Yet we are a region. Those things must be recognised and I hope they will be in future. I am looking forward to the questions-and-answers session; I



prefer the head-butting rather than giving a speech or whatever. I thank the committee for the opportunity and look forward to what is coming next.

**An Cathaoirleach:** I thank Mr. Hussey. We will now move on to the head-butting, or the questions-and-answers session. I do not think there will be too much in the way of tough questions, but the members who have served in local authorities, in different ways, and who have great insight into it, will be teasing out the issues Mr. Hussey raised. I thank him for bringing them forward, as well as the tough questions that have been asked. We will take the questions in batches of three, based on the running order. I will let the rapporteur come in last. The suggested time for contributions is about three minutes. As the members and witnesses will be aware, this is approximately three minutes, and the questions can be directed in any way the contributor likes. They can be directed to an organisation, to one of the speakers or to one of the other members here as witnesses as well. I call the Deputy Leader, Senator Doherty, who was formerly a councillor.

**Senator Regina Doherty:** I was previously a councillor. I wish everyone a good morning. I do not have any questions. Very valuable information has been given to us in the submissions. This also happens in the regular meetings we have with our Irish organisations. It might be worthwhile for us to set up regular meetings with the representative bodies from Northern Ireland because we can certainly learn from each other. I think most of us here are former councillors. We know the value to be found in the work our guests do. This is not something I am saying in public that I did not say at the meeting of my parliamentary party meeting last night and in private to my own representatives. There has been a diminution of the role of local government and our local authorities, probably for somewhere around the last ten-plus years. It has not been by any one particular party; it is just unfortunate that my party has been part of three governments with other parties that have stood over the diminution of the role of local government.

The point I made to my party leader last night was that if we in national politics, and, indeed, our Ministers, do not respect and value the work of our local authorities and councillors, then it will be very difficult for us to expect normal people in our towns and villages to behave in a manner we would like them to. I am very conscious of what Councillor Bennington said about the abuse. She is right. It is far more prevalent when the people involved are women and minorities. This is not to say that our menfolk do not also get a level of abuse that is equally unacceptable. We have heard what was said loud and clear.

I will continue to fight for a reversal of the diminution of the role of local authorities. A powerful way for us to make that statement lies in the powers that Councillor Sheahan spoke about that we are going to impose and offer to our first directly-elected mayor. I think we should see amendments to the Bill. Some of my colleagues have put forward suggestions for amendments to the legislation to really empower the office of mayor and show we do value local decision-making because it is based on local advice and not just on national groupthink.

I thank all the witnesses for coming here today. Councillors Sheahan and Dunne asked whether our completed report will just be another report or if will it have clout. The responsibility of every one of us on this committee, though, and of all our colleagues, led by our Leader, Senator Chambers, is to ensure that our report will have clout. I hope there will be interactions between us before we come to the final recommendations of the report, and I also hope they will be something that will lift all our boats, ensure that the local representatives see the value in us and also ensure it is recognised that we really see the value in everything they do as well.

**An Cathaoirleach:** I will go on the speaking order for the Order of Business. I call Senator Casey.

**Senator Pat Casey:** I welcome everybody here this morning, especially my colleague, Councillor Gail Dunne, who slid into my former seat in 2016. I hope he has no aspirations of sliding into the one up here.

This morning has been very interesting. It is also very interesting to get a comprehensive understanding of the concerns being the same in the North and the South. If we could categorise them into three areas, one would be the diminution of powers in relation to local authorities. I served on a local authority for 12 years, and there is no doubt about it being the heartbeat of society. Local representatives are front-facing. They are the first people who interact on issues with people on the ground, yet they are also the people with the least backup and support behind them.

I had some aspirations in 2014, or was it 2013, when Putting People First was launched, that it might have been a game-changer in relation to local democracy. In fact, however, I think it has served the reverse role, in reducing the powers of councillors. At that time as well, it eliminated town councils. I think that was a backward step in respect of trying to get people engaged in politics and encouraging them to aspire to engage in the political process. The town councils were probably an easier pathway into politics, and that breeding ground is now gone. Gail and I are struggling in our local area to get representatives to run for politics, and it is not just a problem in our area. Gail knows that in the Bray area, we are also struggling. It is the case everywhere we go, and this is across every sector, regardless of what party someone might be in. There are reasons for this. Social media have a critical role to play in this regard in the context it is doing to individuals.

Turning to the aspect of the powers of local authorities, I encountered the same issues when I was a councillor. We did not have the powers then either. How do we restore the powers to local democracy and what are the key powers we need to restore to local democracy? Our budget process is a bit of a joke, to call a spade a spade. The councils have control over probably less than 1% of the budget at the end of the day. It is all then spent when it is presented to the local representatives. Our county development plans now are being governed from the top down in respect of the national planning framework document and regional plans. The local representatives are left with a document they can do little or nothing with.

I also have some concerns about a move towards a ten-year cycle. To think that people would have served on a local authority for six years and have had no say in the county development plan is an issue. Is the Cathaoirleach rattling the bell already?

**An Cathaoirleach:** That is an indication of the time. Each slot is in or around three minutes.

**Senator Pat Casey:** I would like to hear an indication of what powers the local representatives think need to be restored to local democracy. Do these relate to finance, for example? Councillor Sheahan mentioned housing. We need local authorities to deliver housing. We need to move away from approved housing bodies and back to local authorities. Another aspect concerns what we can do to get people more engaged in local politics. I will leave it at that for the moment.

**An Cathaoirleach:** I thank Senator Casey. Anois, I call Senator Boyhan.

**Senator Victor Boyhan:** I welcome all our guests from the representative bodies and councils today. Their contributions have been diverse, but central themes have been echoed in all of them. We have 949 councillors in the Republic of Ireland, and we have been informed this morning that there are 462 in Northern Ireland. That tells us something about councillor numbers, as referred to by Councillor Sheahan. The witnesses have done a really good job in articulating councillors' views and concerns.

I must make it clear that while this is a committee, it is a subcommittee of Seanad Éireann and therefore not all Senators are here. Members of the subcommittee are committed not just to producing a report because we need to go further than that. I am saying this to the Chair and all members. We want a report but also a series of actions that are tracked and worked through with the witnesses. I will make a commitment to the witnesses in this regard, and I know every other member is happy to do so also.

There are three key messages in the themes that have arisen today: empower our elected local representatives; support our local representatives; and value and respect our local representatives. The latter is key. I agree with these three takeaway messages and I am committed to supporting them. I know members of the committee and Members of the Seanad will support them also.

I am conscious that the majority of Senators are elected by local representatives. Long may that continue because it results in a very strong relationship between local government and the Oireachtas, the Parliament that makes legislation. That is an important connection that needs to be strongly defended and retained.

Let me refer to one of the points I will take away from this discussion. In all the submissions that have been made to us, which we all have had an opportunity to read, the need for independent legal advice, independent planning advice and independent financial advice has been raised. These feed into the issue of empowerment because, without independent advice, separate from the executives of councils, representatives are not empowered fully in respect of all the facts and information and the ramifications of many decisions they have to make. Decision-making is their function. We want to shift the whole arrangement from local administration to local government. My takeaway is that independent legal advice and independent planning advice are required. Councils are not planners, accountants or financiers and they are certainly not senior counsel or legal people; however, they have critical issues concerning planning, accounts and finance to address in their deliberations.

I wish the witnesses well. They have given us a lot to think about and take away. I hope we will continue to engage with them. Well done to them for presenting very strongly the key messages from their city and county councillors.

**An Cathaoirleach:** I will bring in Senators Wall and Black in this round. I will bring Senator Currie in with the rapporteur and the Leader. We will have two rounds of questions, depending on how much time we have.

**Senator Mark Wall:** I welcome all our guests, particularly my fellow Kildareperson, Councillor Carmel Kelly. We soldiered together in Kildare County Council for a long period. It is great to see her here this morning.

Let me start with the contributions. One of my main questions, on what is to happen the report, has been asked by the two previous speakers. As Senator Boyhan said, the report must

make a difference and must not stay on a shelf. That is what this committee is all about and what the Cathaoirleach wants.

Questions were asked about the timing. The time is now; we are doing this now. It may be late in the term of the Seanad but we are doing it now. Councillor Sheahan asked a pertinent question in this regard but I can guarantee him that we have to work through this and ensure the report makes a difference.

I spent 11 years in Kildare County Council and know exactly what a councillor does day in, day out. I am aware the work is 24-7. That is what all councillors are doing. Whether they are full-time or part-time does not make a difference because they are in demand. Social media, which I will talk about later, has made such a difference in that regard.

Let me go through a few points. I acknowledge Councillor Fitzpatrick as past president. He mentioned Dún Laoghaire-Rathdown and the 50:50 ratio of females to males. That is the way it has got to be in every local authority. It has started in Dún Laoghaire-Rathdown and it is what we should be aiming for. The childcare challenge that so many female councillors face and that has been mentioned by so many needs to be addressed in the report. This is very important.

Our number of councillors *per capita*, being the lowest in the EU, was mentioned. This is a major issue. All parties must reconsider our having got rid of town councils, in which my party played a part, unfortunately. I mentioned yesterday some discussions on their being Bills to bring them back. I believe we need to go back to town and borough councils. Breeding grounds were mentioned but the council was more than a breeding ground for me. Those involved were on the ground and knew exactly what was happening in their towns, and that points to where we need to go. We need to ensure the towns are representative.

Councillor Sheahan made an important point about exit surveys. These are important to obtain the views of all the councillors who are no longer in office or who are about to leave. An exit survey would be very pertinent to the work of this committee and also the work of Councillor Sheahan because we want to know the reasons people are leaving. We may say they are doing so because of social media but this may not be the reason. It is very important to clarify this.

Senator Boyhan mentioned legal advice. The issue of independent legal advice is one I came across time and again.

Councillors Nicholl and Bennington mentioned cross-Border co-operation. It is essential and we have seen it today. It will be an important focal point in the report.

Councillors Andrews and Hussey made points on the issue of central government versus local government and the wellbeing of councillors. Wellbeing is a major issue. In the exit report, we should focus on it. On the reference to central government by comparison with local government, we are all chasing votes. Councillor Hussey mentioned legislation. That is what we should be about in this House; however, at the end of the day, and let us be realistic about it, it is about the next election when you come to this House. That is the way it is for so many people at this level.

This committee has a lot of work to do on determining the work of our national Parliament by comparison with that of local government. We have had a very important discussion this morning and I look forward to working closely with everybody again.

**An Cathaoirleach:** Before I bring in Senator Black, I welcome to the Gallery Ms Anna

Hagan Morgan, who is on transition-year work experience from Mount Temple Comprehensive School on Dublin's north side, where U2 was formed. I am not sure whether Anna is going to form a band or not. She is most welcome to Seanad Éireann today and I thank her for coming here. I hope she will be running for local authority membership very soon.

**Senator Frances Black:** I commend the Cathaoirleach and Senator Cassells. This is such a brilliant way for us to understand the reality of being a councillor today and the issues arising. I welcome all the witnesses and thank them for all the amazing work they are doing on the ground and for sharing their expertise and experience. I hope the report will be a really good one and that it will be implemented. That is key. I am very aware of the work councillors do around the country. It is more of a vocation than anything else. I have seen the amount of work councillors do. While it is 24-7, you would nearly say it is even more than that.

The submission rightly points out that legislation that recently passed through this House, supported by the Government, took yet more influence from councillors. That is very worrying. As we do the programme of work to generate ideas on how to improve and empower local democracy, we must reflect on the role the Oireachtas has played in getting us into this situation. It is brilliant to see witnesses from representative bodies from the North. I constantly speak in the Chamber and elsewhere about the necessity for more North–South dialogue and co-operation. We have so much to learn from one another, and the perspectives of the representatives today are so valuable.

I have a few questions. Whoever wants to answer them may do so. In the submissions we received, the level of abuse and harassment of councillors came up a lot. I want to highlight this today because I am so aware of the amazing work councillors all do. That they have to deal with harassment is so unfair. Cases of councillors' homes being surrounded and attacked during anti-refugee protests have been reported in the media. Action needs to be taken to secure the safety of councillors and support their wellbeing and mental health, which are key in all this. Will the witnesses say a little about what possible steps they would like to see taken in this area?

I want to ask about maternity leave for councillors because the witnesses all talked about bringing in more women. That would be a welcome development. Several people have mentioned this already but we now need to build on the momentum. What other measures can be taken to improve the participation of young people, women, ethnic minorities and other under-represented groups in councils?

Will the delegates elaborate on the extensive powers of chief executives? We need to refer to this in the report. What are the relations like between elected officials and appointed officials in the councils?

Our northern friends said a little about the cross-Border work being done between councils. Will the witnesses say a little more about this? How can we do much more in this regard? Will they give us a few examples?

**An Cathaoirleach:** I call Senator Currie, a member of the committee. Witnesses may indicate if they wish to respond to the questions raised. When they respond, I will then bring in the Leader and rapporteur, after which we can have another round of questions on the issues raised.

**Senator Emer Currie:** I apologise as I have lost a contact lens, so if I am winking at anyone-----

**An Cathaoirleach:** Do not take it personally.

**Senator Emer Currie:** -----do not be worried or scared. It happens all the time. This has been a fantastic session already. This is the second time I have been involved in a Seanad public consultation. The first was about perspectives on constitutional change. We got a huge amount out of it and I know we are going to get a lot out of this one too.

When I became a councillor, I was shocked when, as part of my induction, I was shown the list of reserved functions I would have a say in. I agree with what has been said today about the erosion of powers. You do not get into politics to operate in PR. Much of the time, you are left to communicate decisions on which you have very little say. The last thing any of us wants to be involved in is tokenistic politics. It should be about local people being elected on behalf of their community and delivering for their communities. It involves a double-edged sword because the workload is an issue. When you go canvassing, those who open the doors do not differentiate between council responsibilities. They present their problems and leave it to you to sort them out. Councillors do not have access to these Houses day to day and are left in a position in which they cannot solve the people's problems. That has to be addressed.

We have talked about the past. We cannot go back to the past and must look to the future. Reference has been made to health, education and policing. I would like to hear more about these. From listening and having had some exposure to northern politics, I believe the lines demarcating what a councillor does in the North are clearer than in the South. I would like to hear what the representatives think about that. With regard to communication with the public, the public should be assisted in understanding what councillors do for them daily in order that they will know who to go to.

I am also interested in the area of childcare. I have examined models of childcare globally, and one that stands out to me is that of Iceland. In Iceland, there is a public model of childcare. As in its education system, every child has a place in childcare. The system is operated by the councils and is overseen by the city of Reykjavík. We need to change our model of childcare. There is potential to work with the various councillor bodies North and South, because we should remember childcare has been discussed by the shared island unit in the context of determining a model that could work.

We are aware the education system can be very much dominated by patrons. While councillors have positions on boards of management, what are they proposing?

On policing, the comment on the new community safety partnerships is absolutely right.

I work with ICBAN, East Border Region and the North West Strategic Growth Partnership. I would like to see councillors associated with ICBAN and East Border Region given the same level of support as those in the north west. The north west comprises the way to go in Border co-operation.

We talk about how the Good Friday Agreement institutions are not working the way we want them to, but the councillors are always working together and on behalf of the communities and naturally have a cross-Border mentality. I thank the relevant witnesses for the work done on that basis. I thank the witnesses in general for all the hard work they do.

**An Cathaoirleach:** I will now open up the discussion to the delegates. They may indicate if they wish to contribute. A ream of issues were raised, including on social media, the abolition of town councils in the South, 50:50 gender parity, independent legal advice, exit surveys, well-being, control over planning and housing, all the areas in the Republic where power has

been pulled back, and getting more people involved, including women and minority groups.

**Mr. Terry Andrews:** On Senator Black's points on mental health, it is good to see more awareness. People are starting to open up more about it. For many years, the subject was not really talked about. There should be more awareness, and more resources should be made available, with a message to underline you are not on your own as a public representative.

Some of the speakers have touched on what I would class as the democratic deficit. The likes of local authority libraries, education and transportation used to involve councillor representation. It is the same in Northern Ireland. Education authorities used to have councillor input, but over the years the opportunity to have an input has been taken away. This has opened up a democratic deficit. It is very important that councillors on the front line have an input into the delivery of services in these fields.

On cross-Border co-operation, I am the chairperson of East Border Region at the minute. I have been plugging that organisation this morning. It comprises six local authorities, with three in Northern Ireland – Ards and North Down Borough Council, Newry, Mourne and Down District Council, and Armagh City, Banbridge and Craigavon Borough Council – and three in the South, namely, Louth, Monaghan and Meath county councils. It is an excellent example of cross-Border co-operation and it has been in existence since 1976. We are working tirelessly with all the local authorities and agencies, especially on the FASTER programme but also on various other programmes, at which we are at the centre.

With regard to cross-Border co-operation, we can see it this morning in this Chamber in Leinster House between ourselves and the representatives of NILGA, AILG and LAMA. That underscores the common interest we all have in local government, which knows no boundaries. We can learn from one another's experiences.

**Mr. John Sheahan:** We welcome the questions. I do not know whether we can shed light on all of what was said. We were asked how we could increase involvement and about the additional powers councillors should be given. Senator Casey referred to the local budget and our having control over only about 1% of it. We have slightly more than 1%. At the moment we have €249 million in Limerick of a revenue budget. We have looked at our own resources as to how we can raise a level of money that we can ring-fence to do projects and extrapolate other funding with the LPT being one. We were the first council, that I know of, which went for a +10% with the local property tax around 2015. It was not a popular move but we ring-fenced the money and we were able to show the people where that money went. For the last five or six years we are at +15% in the local property tax. This is totally alien to some but the Senators will know what I am talking about. We are above our baseline and it is just one of a few powers that we have. Giving more power to councillors to raise their own resources and have autonomy over where those resources go would be a test for councillors first but certainly it would give people on the outside looking in a reason to think, "Yes, maybe I should join that organisation because it would be worth it for my local community if I was their voice in doing so."

Planning has been mentioned. Again, the new framework has been eroded in one sense but the regional spatial and economic strategy, RSES, documents were introduced to the regional assemblies. That is the first time regional assemblies have ever gotten what I call a statutory document that has an influence on planning. That comes back to my point that we need to move more from the central to the regional and local tiers.

The Office of the Planning Regulator, OPR, was formed. While people define the planning

regulator as one person it is a massive office and that is one thing that is probably not needed. If one looks at any of the county development plans that have been negotiated over the past two or three years since the OPR came into being, it went into the micro details of those plans. The OPR really should only be an oversight body to see if one is doing something completely and absolutely stupid and stop that but the OPR went into micro details for which there was no need. I think that could be pulled back a bit rather than stay where it is at the moment.

Senator Boyhan mentioned independent advice. That is a bugbear for years. We can get independent advice, instruct the chief executive to give us independent advice, and if we do not like that bit of advice we can instruct the chief executive to seek a second opinion but it is the same circus again because it is the chief executive who is getting the advice. If I wanted to buy a pony tomorrow morning then I would look for the type of pony that I want. If I am looking for advice then the chief executive looks for the advice back that he or she wants and that is just nature. We need somebody totally independent on that side of things.

Senator Wall mentioned elections and that I mentioned an exit strategy. I think an exit strategy would be a very good thing to do because it is most likely that we will be to the doors before Senators will be to the doors so they could have an exit strategy done before they finish their term in this Seanad. That would be very useful. The Senator was honest when he said, and we are all honest I suppose, that none of us would be here without votes whether it is the votes of councillors or the electorate.

Some people become Senators because it helps them to get on the road to becoming a TD. It might be time that the day a person declares for the Dáil is the same day one declares for the Seanad.

**Senator s:** Hear, hear.

**Mr. John Sheahan:** It might be an idea that people cannot sit around and wait to see if they were in the losers' camp before going on. That might be a useful step. It would ensure the Member of the Seanad looks at the electorate who elect them. There are 43 Senators who are elected by councillors. They might take a little more care of councillors if that was the case because we have come centre stage to the party.

Senator Black mentioned abuse. It is very hard to know what to do about abuse because there is legislation awaiting enactment. There is plenty of legislation but it needs to be enacted in terms of the powers of the Garda in the case of somebody stepping over the line. Without doubt, everybody should be able to peacefully protest in this country but it is different when somebody calls to the house of a TD, Senator or a councillor. A councillor in Kilkenny was subjected to horrid abuse whereby he was threatened that his house would be burned. The other day I met a councillor who told me that he has spent €8,000 on putting personal security in his home because his family were getting abuse so now people cannot get beyond his gate to knock on the door and abuse his family. The abuse must be stamped out although I am not too sure how that can be done but the Garda might have to be more active.

We have moved on the maternity leave side of things. How do we get young people in? Young people are big into social media, etc. and it is helpful now that we have moved council meetings online to remote meetings. I am 19 years on the council but I imagine that the day Darragh O'Brien signed the legislation that gave us the ability to have remote meetings, which he had to do because of Covid, it must have been a chief executive's charter of dreams. When people are online it is very hard to see the whites of the eyes of the chief executive and see ex-



actly what his or her mannerisms are in reaction to what a councillor is speaking about. Also, the mute button or Wi-Fi can go so anything can happen during a remote meeting.

On the privacy of a remote meeting, there is a Public Gallery here and local authorities have public galleries. Nobody knows who is in the public gallery of a remote meeting and that is extremely worrying at times especially when it comes down to planning decisions on county development plans, etc. Mostly our relationships with chief executives are quite good. There might be one or two that are not but in the main they are quite good. The chief executives have everything in their court. I mean we get the legislation and the grant aid down from Dublin and a very short timescale to get into it and do it; it is more or less up to the chief executive who says, "Do you want to deliver this project or don't you, or do you want to send the money back up to Dublin?" I think we should have more block grant aiding to councillors and put the onus on the council then, for argument's sake, on housing. We have a plethora of approved housing bodies at the moment over which we do not have any great remit. When I joined my council we built council estates and housing but my council has not done that in the past ten or 12 years. If I was made the Minister responsible for local government I would put the emphasis on the chief executive and say: "There you are. That is your plan for the year. We are giving you the money. Let you and your councillors now go away and deliver it and woe betide ye if you do not deliver it." That is how things should be done.

Senator Currie mentioned health, education and policing. We have discussed this in LAMA quite a lot, for example the likes of primary care health. We have an issue in this country at the moment with GPs who cannot keep practices going because the day of the stand-alone GP is gone, more or less. There are buildings lying idle all over the place. We could provide those healthcare centres. I am talking about the smaller towns and villages. They are in most of the bigger places.

On the future of primary education in terms of the ethos of a diverse population that we have now who want to come to our schools - and all of our primary education is predominantly made up of the Catholic ethos - we need to look at that. Councils could help in that. We could take over some of those schools, perhaps in conjunction with the education and training boards.

Local authorities should also have a lot more to do with community policing. We are the people at community level who know what is happening. That is why we mentioned those three areas.

Senator Currie referred to childcare. This is another bugbear of ours. We have a two-tier system of childcare. You get well paid for the child from a certain age to a certain age. Most providers are glad to provide that part of it, but they do not want children between the ages of zero to three or they do not want if after 3 p.m., when they will not get paid for it. We need to look at childcare in a holistic way.

**Ms Carmel Kelly:** Go raibh maith agat as ucht an chuiridh seo. I thank the committee for inviting us. I am interested, along with my colleagues, to see the outcome of this report. I am an honorary lily-white. I am privileged to have been elected by the people of Naas, County Kildare. All of us started out by being active in our communities. I started out on the residents' association, moving to the local council, the community council and so on. That is where it started for all of us. Then, somebody told us that we were active and getting stuff done and that we should put our names forward. You have to be a particular type of person.

I will address the issue and challenges of getting candidates to run, and then retaining peo-

ple. We all start out as idealists. We got some work done in our local communities. We think and hope we can get more done. I go back to something Senator Cassells said earlier. We are extremely proud of the work we have done. That is why we are so passionate about how local democracy and local government will work going forward. However, we have a huge issue with getting and retaining candidates. That is because we started out locally. We are active. We put our names out there and put our faces on posters. You have to be a particular sort of person. You can call being able to see your face on a poster or to knock on a door and ask somebody to trust that you are going to deliver for them being thick-skinned or whatever. We try to do that and are passionate about doing it, but we have been stymied. Our powers have been diminished, but that is not the only reason we are not getting and retaining candidates.

As it stands, the system is not viable. Senator Wall spoke about more women representatives. We absolutely need more women. I am proud to say that we are at 40% in County Kildare. That is not good enough, however. It is not only female representation. We need better representation from our new residents, our new citizens and new Irish. At the moment, it is not viable for younger people, younger mothers and people with mortgages because the remuneration is not there. Being a councillor in 21st century Ireland is a full-time role. That is it.

Senators spoke about people coming to the door. It is 24-7. It is when you go to the local shop. You are always on. You go to the local restaurant and somebody will say they are awful sorry for interrupting what they know is a personal time and then say “However”. You just have to get used to that. If you cannot, you are on a hiding to nothing. That is why, as our president said, four women have already resigned in County Wicklow having being elected for the first time in 2019. They went in as activists wanting to make a difference, but probably found you cannot have it all or do it all. It is work-life balance and the demands. We will not even talk about social media.

Senator Mark Daly will be aware that I unfortunately put in my submission on a particularly bad day. I was sitting in my car at lunchtime on that Friday, seriously thinking about handing in my resignation and saying I could not do this anymore because I had just been told I was a liar. Between the harassment, being on 24-7 and not being remunerated properly, people cannot do this job. I am privileged that I can do this job full-time. I originally ran for election in 2004. I am now thankful that I did not get elected first time out. I had a small child. I thank the Lord I did not get elected, because I could not have done it. I could not have given it the degree of commitment. I could not have been as passionate about it. I could not have done the work, and I could not have been as active to deliver for my community as I believe I am doing now. It is a full-time role and let nobody kid you otherwise. That is the difficulty, and that is why it is difficult to get people to run. After we get them to run, they tell us after the first term that they are sorry and they cannot do this anymore. Until we change the system, we will have difficulty.

**Mr. Jason Murphy:** I thank the Cathaoirleach and members for having this valuable discussion. I am looking forward to seeing what comes out of the report. At the core of what we are talking about today is a question of trust. I was thinking about that as Senator Casey spoke about the powers councillors have, and have lost through the years. I am brought back to the Local Government Reform Act 2014. the tagline, ironically, was “putting people first.” I think it did anything but put people first. The Chair mentioned how many local public representatives we lost because of that Act. Throughout the State almost 40% of local public representatives were lost. Not only did we lose public representatives, but we have lost some key responsibilities and powers over that ten years. I scribbled down a couple of them as Senator Casey was speaking. Higher education grants were transferred to SUSI. The Road Safety Authority now

has responsibility for driving licences. That had been in the hands of local authorities. Irish Water is of course the latest to go. Responsibility for the maintenance and operations of the motorway network, dual carriageways and national roads is gone. Part 8 reserved functions are now suspended, and I will talk about them a little more. Seats occupied by councillors on third level institutions are gone. My own council had a honorary position where the mayors of Waterford city sat on UCC. That is now gone. Joint policing committees have been eroded with these new community safety partnerships, which are not being chaired by public representatives.

It seems to me that public representatives can be trusted when there is a national emergency. When we have severe weather, local public representatives are first to the plate. A couple of years ago, when faced with the unprecedented pandemic that was Covid-19, they were at the coalface. Again, delivery was by local public representatives. However, when it comes to delivery of local services, we are no longer trusted. Section 183 has been suspended and land disposal has been transferred to the LDA. Of particular interest to me, as somebody brought up in a local authority housing estate, and who lives in a local authority house, is the suspension of Part 8 reserved functions. My colleague, John Sheahan, mentioned approved housing bodies. It is my view that we have too many approved housing bodies. The delivery mechanism for social housing has to be the local authorities. If you are going to leave the local authorities to deliver housing you must have Part 8 reserved functions. It again comes back to a question of trust. If you do not trust councillors to deliver social housing, I have to ask what councillors are trusted to deliver.

When it comes to funding, I think 8% of national government overall expenditure is put aside for local government. When you look at the rest of Europe I think the figure is nearer to 25%. Look across the eight headings of service delivered by local government - planning, housing, community, emergency services like the fire services, and environmental. If you take that and put it into the Danish model, those headings would only take up 8% of what is spent on local government in Denmark. We really have to make up our minds if we are serious about local government. What is happening feeds into what my colleague, Carmel Kelly, said a few minutes ago. A representational role is taking over and is eating into our statutory role. We have two roles. One is as important as the other and they are inextricably linked but if the statutory role keeps being eroded, the representational role collapses because the public expect more from us than we can actually deliver. If the erosion of services and responsibilities for local councillors continues, we will become little more than a replacement for the citizens' advice service. We are in danger of becoming form fillers.

As the Cathaoirleach said, the Council of Europe's CLRAE report stated we had very strong democracy at both local and national level, but it was also damning regarding what happens when those councillors are elected in that strong democracy and what powers they actually have. We score only a little higher than Hungary and Moldova. I am a very proud republican and Irishman. My ambition is to score a little higher than that. The Cathaoirleach referenced the 1898 local government Act. It is ironic to think that an Act delivered by a colonial power, our friends across the water, had more of an element of local democracy in it than what came after that from our own State.

**Mr. Pat Fitzpatrick:** Ba mhaith liom buíochas a ghabháil leis an Cathaoirleach, the Leader, Senator Chambers, the Deputy Leader, Senator Doherty, rapporteur, Senator Cassells, and fellow councillors and Senators. This has been a great initiative by the committee. It is testimony to the interest Senators have in local government that there is such an attendance here, including

the Leader, Deputy Leader and Senators, who are taking so much time out. We are delighted they have done this.

What comes out of this will be so important for us as councillors who will hopefully be re-elected in the next local elections. Building up to that, one of the AILG's initiatives is our commissioning of what we believe will be a very good piece of work from Maynooth University, which will be published and launched in the very near future. It will give Senator Boyhan ammunition to see an in-depth piece of work about the 21st century councillor. Councillors in the 21st century are completely different to what we ever were previously. When I joined Kilkenny County Council in 2004, it was a different place. We are now the one-stop shop. Everything comes to councillors now. They are dealing with health issues, social welfare issues and everything, but the back-ups are not there. That is a real problem for councillors.

Another situation has also developed. We are local government but we deal with all the other Departments. However, all those Departments do not deal with us. They do not contact or even consult with us. That is very important. Before legislation is even drafted or talked about, it is important that the representative bodies, such as AILG and LAMA, have an input. That is critical. It can be seen that as local councillors and a local councillors' representative body, we are working diligently - today is testimony to that - with our Northern counterparts. We will continue to build that working together. It is wonderful to stand in the Chamber, talking as a public representative councillor, with my colleagues from Northern Ireland. It is a very proud moment for an Irishman to stand in the Seanad and see our colleagues join us.

I again thank the Senators for the efforts they are making. It should be remembered, however, that putting the councillor first is all about giving him the tools to do the job. That is the very important thing. The independent advice we can get at budget time, and when our development plan is being put together, is so important. On roles and responsibilities, we are certainly not afraid to take decisions. Like Limerick, Kilkenny County Council took the decision to increase property tax by 15%. We took those decisions. We love the job we are doing as public representatives, but please give us the tools to deliver to the people who elected us.

**Mr. Derek Hussey:** I will not say "members of the committee"; I will simply say "colleagues", as that is what has materialised.

We talked about abuse of members but, and this has already been touched on, our partners and children should not be forgotten. It very much happens. It happened in my children's school. I am thick-skinned and I can take it. However, when people come into this role, their families come into it with them. We have to remember that. As was said, I am not sure how we address it. Barriers and all the rest of it can be put up but, at the same time, we have to be available so that people can approach us and we can do our job.

One of the reasons we all get into this is to make a difference. The resources and powers should be given to us to actually make a difference. It might not be big things. It could be about the pothole or the grass that is not cut and, in our case, if there is a flood, whether it involves the rivers agency, the Housing Executive, the council or Northern Ireland Water. There are all these different agencies whereas with the local council, if somebody rings me, I can get on to our guys to say, "Right boys. Get out and get that sorted. Get it done", and not have to go through channels to do that.

One of the issues in respect of cross-Border co-operation is that society was ahead of us. It is as simple as that. That was particularly so in the north west. Folk from County Donegal

have been toing and froing into the Londonderry and Strabane area and vice versa. There is that co-operation between educational bodies, should they be ATU co-operating with Magee college, or the regional colleges co-operating within education. Foyle Port is a cross-Border organisation, with Greencastle and Lisahally on one side. That has been the norm for years. It was simply a bringing together of that which enabled the development of very successful cross-Border co-operation between councils and civic society. It is about the development of shared issues moving forward.

There was a recognition that for far too long development on each side was back to back and we were turning our backs on our neighbour, but we turned around and said, “How are you doing? Let’s get on with it”. That applies across all sectors of our community, should it be me going to the Rossnowlagh Twelfth in County Donegal, folk coming over to go to Magee or, in some cases, coming to Strabane to use the schools there. Society mixes. Why should the rest of us not mix at a political level as well while, as I said, recognising the jurisdiction of issues between each separately?

**Mr. Paraic Brady:** Hello to the councillors, our friends from NILGA and Senators. I will speak on our role as councillors. We recently had a storm that ripped through counties Galway, Roscommon, Longford and parts of Leitrim. People decided that the first person they would ring was the priest and the second their local councillor on issues from electricity being out to, as somebody said, potholes on the road. We have now become the go-to fella for everything. If people’s houses are broken into, they ring the local councillor rather than the garda because they probably cannot get him. They ring the local councillor to get him. This is how we end up in a situation where local councillors do not have a private life any more.

People come and knock on your door at night-time. I have a family of four. They have seen me very little since I joined public life ten years ago because my public life has eaten into my family life and work life. When we go to council meetings, we are allowed to put in representatives for our own areas. However, if there is a pothole in a different municipal area, you have to get somebody else to put in a rep for you because it is not in your electoral area. These are little things that are very annoying to councillors. In fairness, AILG and LAMA have listened to the elected members. I ask the committee to listen to the concerns AILG, LAMA and our members from the North have brought today regarding abuse. NILGA has brought out a report on abuse. We met with it last September in Derry. It is important Senators have a look at those findings. If councillors’ roles keep being diminished, as in the policing and health forums and other bodies where we sit on boards, fewer and fewer people will buy into the role of local elected member.

Regarding getting younger people involved, I am the third generation. My father and grandmother were elected to the local authority. It was in my blood. To get younger people involved, we have to bring them on board and get them to buy into the idea they can make a difference at local level and that we can deliver on services. I will give one instance regarding housing. Our local authority in Longford had probably 137 derelict houses. We, as councillors, implemented a ruling that we get back to a set figure in one year. Our budget this year is under-resourced because doing up derelict houses has eaten into it. There is a new dereliction grant for private people whereby they can get €50,000 to revamp a house or €70,000 for a derelict house to get it back into the market. Why not put that into councils and give councils €70,000 for derelict houses, rather than our county manager putting a report in front of us saying we are disposing of ten derelict houses and then a developer comes in, buys those ten derelict houses, qualifies for €70,000 per house and sells them back to the local authority? The system makes no sense. We have to have joined-up thinking when it comes to housing and delivery.

**An Cathaoirleach:** I am conscious of the time and I have more to get in. I would like the Leader and the rapporteur to come in and Senator Flynn would like to come in as well. We are due to finish at 1 p.m., with extra time obviously. I call Senator Seán McGowan from Leitrim. He is a councillor. Not yet a Senator - maybe next time.

**Mr. Seán McGowan:** I am in the right place. That is very good. I thank the Cathaoirleach for organising this session. I also thank the Leader, the Deputy Leader and the rapporteur, Senator Cassells.

Our general secretary, John Sheahan, gave a rundown on what we as LAMA put forward. I will pick up on a few areas. Jason Murphy from AILG mentioned the diminution of powers in local authorities down through the years. I was elected in 1991, when we had an agricultural committee; that is gone by the wayside. We had a planning committee; that is gone by the wayside. Uisce Éireann, as Jason mentioned, is gone as well. Our powers are very limited and it is an awful pity. Northern colleagues still have a role in the planning, which is great. If we had that it would help us.

We are approaching the local elections next year and all parties have a huge problem trying to get candidates to run. Colleagues have mentioned social media and the abuse candidates get. I am involved in social media but never involve myself in anything controversial because it would leave me open to be put down or whatever. The comments made about, particularly, national politicians are horrendous. I feel for them and their families who have to look at this. That is part of the reason many people are opting out of politics. Our general secretary mentioned one council where there was 20 co-options in this term, which is horrible to see.

Another area impacting on trying to get young people involved is pension. If a young person joins at 20 years of age and the conditions are the same when they retire in 40 years' time at 60, they have the gratuity to look forward to. That is all they have. They may have to sign on for five or six years until they come to pension age. There is need for a pension for councillors to attract them and keep them there.

As Pat said, we like making decisions ourselves. We in Leitrim agreed the 50% on the local property tax. The reason we decided that and were all in agreement was to enable our council to draw down matching funds for active travel, CLÁR, ORIS and those schemes, which are of huge benefit to our county.

I thank the Cathaoirleach for giving me the opportunity to speak and for promoting me to Senator. I appreciate it very much.

**An Cathaoirleach:** You are welcome. Before I call on Tommy Moylan from AILG, I welcome Robin Byrne, transition year student who is here on work experience with Senator Wall. Anois, Tommy.

**Mr. Tom Moylan:** It is an important day. The decision by the Seanad as part of its public consultation committee to do a public consultation on the future of local democracy is hugely important. Democracies around the world are coming under increasing pressure so it is important to protect and enhance what we have. I met Dr. Brid Quinn from UL last week. She is an expert in local government. She was on a monitoring visit last week to an eastern European country I will not name, monitoring local elections, like the Congress of Europe came to ourselves last spring. When she was over there, elections were taking place on a Sunday. On Friday afternoon, the Government banned one of the parties – two days out from local elections.

It was a far-right party which it felt was undermining democracy and, with the stroke of a pen, banned it. We may give out about our local government and democracy but we need to value it as well. The work of this committee is also hugely important.

As our president said, the Council of Europe committee carried out monitoring last spring and the report was adopted at the end of October. It gives a detailed overview of our local government system and the issues with it. It is a fairly damning report. We have since launched our campaign for a fundamental review of our local government system. We hope the report from this committee will add impetus to that and lead that debate and change, as our president and our past president have said.

For the last two years we have undertaken a research project with Maynooth University on the 21st-century councillor and what it means to be a councillor and local public representative in 21st-century Ireland. What are the expectations of it? What is the skill set needed? As representative bodies, what support do we need to give councillors to ensure they have the proper skills, knowledge and expertise to carry out their role effectively? We hope to launch that early in the new year and that it will add impetus.

I will not go into specifics. There are a lot of questions here. Apologies to the Cathaoirleach and clerk of the committee. In their call for submissions they asked for five-page submissions. We put 25 pages in our submission because of the importance of the subject. We hope our submission, recommendations and opening statement will answer many of the questions raised today.

There are two things I would add. Any local government system around the world, and particularly ours, is based on the three Rs, which are representation, responsibility and resources. To have an effective local government system, you need those three Rs. We spoke about the importance of representation. We have a solid democracy. We have local elections every five years. We have 949 councillors, which is one of the lowest levels of councillor representation *per capita* in Europe. There are issues with retention of female councillors as a result of the abuse they receive. In fact, there are issues with gender representation in general and finding representation for minority groups. That is a big issue. We must solve those issues with representation.

We have spoken about responsibility, the lack of powers that local authorities have and the overarching power of central government. There are concerns around other State agencies, including the Office of the Planning Regulator and the Land Development Agency, in that regard. The new planning and development Bill will make national planning statements mandatory. Where is that local decision-making for locally elected councillors who know what is happening in their local communities and who can bring that expertise to the table? As the president said in his opening statement, we must strike the right balance to allow for our members' statutory role in their local authorities and making statutory decisions. That is what will convince central government to devolve more powers to local authorities and to our local members. We need to balance that statutory role against our representational role and the right of councillors to make representations of behalf of the citizens and the communities, whether on an individual basis or for communities in general. We must get that balance right. As the president said, the representational role will determine whether you get re-elected or not. I am not an elected politician, but that latter consideration will determine whether a councillor is elected. However, the statutory element will determine the power and functions that will be devolved to the democratically led local authorities. The decisions have to be with the elected members, going forward.

On resources, public expenditure at local level in Ireland is approximately 8% of the total national spend. As Councillor Hussey said, the comparative level in the UK is approximately 23% and 24% among most of our European counterparts. The amount of overall public expenditure at local level is only approximately 8%, which is one of the lowest figures.

These are all significant issues we hope the committee will consider in its report. They are all correlated and relate to one another. I hope the committee will consider them.

The president referred in his opening statement to a fundamental question for the committee. The terms of reference for the committee relate to the future of local democracy. What does that really mean? I am trying to figure it out in my head. What do we mean by the future of our local democracy? Does a strong local democracy equate to a strong local government system? Is one dependent on the other? In our view, that should be the case. One should not operate without the other. If you do not have a strong local democracy, you should not have a strong local government system. The committee should ask is that the case in Ireland at the moment. If the answer is “No”, we have a serious problem and the future of our local democracy is bleak. If we did not have a local democracy, would our local government still function? Would our local authorities still deliver the 1,100 services they are delivering on the ground? If the answer is “Yes”, we have a serious problem on our hands.

I hope that in talking about local democracy, the committee will equate it to democratic local government, which is what we need. I hope the committee will consider that in its deliberations because it is important. We have seen a steady decline in turnout rates. There was a 60% turnout rate in 2004 but that had fallen to approximately 50% in 2019. There are issues around finding candidates. The committee members are all politicians from political parties and know the difficulty with finding candidates. We have seen the issues with trying to attract more female candidates to stand for election, never mind being elected. We have issues around supporting and retaining them. We are at 24% at the moment. If a cohort leaves, that figure will drop further. It is also important that we attract people from minority groups. Local government must be representative of society. It is the only way it will work. We need to do that.

We know there are issues in respect of abuse, work-life balance and long hours, but job satisfaction also comes into it. Councillors who were elected for the first time in 2019 are leaving after one term because they feel they cannot make a difference because the power of the chief executive is too much. When those councillors come into a council chamber, they feel they have no say. The power of central government has too much of an influence on local government. Job satisfaction is important. Thank God we live in a society where the younger generation are far more educated and going to third-level education, which may not have happened in the past. Those young people coming into local government will not tolerate the situation. If they feel they are making no difference, they will leave. We are seeing that happen and have seen it, in particular, in this local authority term. Is the day of the 40-year councillor gone? Is the life-long councillor a thing of the past? Will people continue to dedicate that period of their lives to local government? We cannot lose that because we need that experience. We must get the balance right. I am sorry for going on.

**An Cathaoirleach:** I thank Mr. Moylan. I will next call Ms Alison Allen, chief executive officer of the Northern Ireland Local Government Association. Mr. Taylor will come thereafter. There will be one minute each for the remaining members, followed by contributions from the rapporteur and the Leader. All of those contributions should happen in the next four minutes.

**Ms Alison Allen:** I will be brief, in the interests of time.



**An Cathaoirleach:** We are hear to listen to you. The rest is part of it.

**Ms Alison Allen:** I wanted to share a key takeaway from our experience in Northern Ireland. It has been a shock, as we have developed our relationships, to understand the limits on the political mandate for those in Ireland because local government and local democracy are one and the same in Northern Ireland and across the UK. All power is vested in the councillors. They are the council. All authority is devolved to the chief executives through a scheme of delegation not only in Northern Ireland but also across the rest of the UK. The politicians are the decision-makers. It has been a real shock to learn of the situation here.

The committee may be interested that there are conversations going on across the UK about the appropriate balance of local service delivery and centralisation. The mood music within the Labour Party and among some think-tanks and national public service agencies is that centralisation has failed and will never give quality public services. We would be happy to provide those reports to the committee.

I said I would be brief. That is the key takeaway. It has been a real shock to hear that the political mandate is very different at local government level down here.

**An Cathaoirleach:** I thank Ms Allen for her sharing her insight in respect of the balances. We can learn a lot and take the best from everybody in Northern Ireland and the rest of the UK, and across Europe and the world, to make sure the system works better for the citizen.

**Mr. Paul Taylor:** I thank the Cathaoirleach and members of the committee for inviting us here today. It is not all bad. I thank Members who deal with representations that I send on, at times. It is great to have them on the other end of an email or the other end of a telephone line at all times.

I will be brief and will not go over everything that has been said but the national development plan is a big issue for me. I represent a rural area. I take offence at the plan being called our plan because it is not our plan and it is not our local authorities' plan either. It is a national development plan. I believe it needs to be regional. Not all things need to be regional, but some do. There is no point in telling me that we need to put green belts around small towns and villages of 200 or 300 people in the areas we represent.

I said I would be brief. We are here to look to work together and to seek a collective voice. Let us be honest that we are all reliant on officials and staff in Departments. We are, the national politicians are and everyone here is. We like to get on with them and I thank them for the work they do. We need to get on with them if we want anything. However, we sometimes need to rock the boat a small bit. We are here looking for help. I certainly do not want to control everything but if there was a little more respect for what we do among some, not all, officials and staff, we might entice more people into public service and public life. Until that happens, I do not think we will. It is very important that we work together because if we do not, if Senators do not have councillors on the ground, their job will become ten times tougher to do. If we do not have Senators, our job becomes a lot tougher too. We are here looking for a voice. We are looking for support and for us all to work together. Sometimes we need to cross that line and say "This is what we need to do". If it rocks the boat and we make a little disturbance or make one or two enemies for ourselves, so be it, but it needs to happen and needs to happen soon.

**An Cathaoirleach:** I am conscious that we have come to our time but I want to make sure we get everybody in. I call Senator Flynn.

**Senator Eileen Flynn:** As many will know, I am the only Member of the Houses from an ethnic minority group, from the Traveller community. Every single one of us here is very privileged to be a representative at a local or national level. Like many other ordinary young people in our communities, I did not understand the proper true role of a county councillor. From the outside looking in, you think it is the county councillor that has the power and the responsibility. They do have a responsibility, of course, but they have little or no power. That is what I learned from being in here as a representative of rights, really, for people from minority groups. I try not to be just one voice for those in the Traveller community but a voice for equality for all people. I am very privileged to be living in Donegal and to be taking part in some of the cross-Border work I have done. We had a consultation over the summer with women around conflict and poverty. There are real issues there.

Being a councillor today is not like it was in the time of the corporation, etc. Today, it is so dangerous to be a public representative, be that in the Seanad or at local level. It is work you cannot just turn off and say "That is it" or walk away. The report should reflect that but the most important thing is to keep representatives safe. Councillors are voted in from a local perspective and they should be able to have that strong voice but it is not just about having a voice. I am a little sick of voices. We need actions for our communities. As local representatives, councillors should have the power to do that. To my surprise, I got 76 first preference votes in the Seanad the first time I ran, being very open about my identity. I did not want to be judged by councillors, thinking councillors do not want good for Travellers and do not want this for local communities. We all judge. This report should reflect their true role and what it means to be an activist and a representative at a local level. We need to educate our young people and older people on the role of a county councillor.

**An Cathaoirleach:** Before I call Senator Fitzpatrick, I welcome students from Gorey Educate Together Secondary School, along with students from the college in Bilíkova, Bratislava and the ambassador from Slovakia. It is the first ever twinning between a school from Ireland and a school from Slovakia. They are most welcome to Seanad Éireann. We hope they enjoy their stay here.

**Senator Mary Fitzpatrick:** Comhghairdeas. You are all very welcome.

I thank the Leader of the Seanad, the Cathaoirleach and the rapporteur for this committee, my colleague Senator Cassells. I spent the best part of two decades working at local level. Everything the witnesses have said resonates with me and with the other Members of the Seanad, who, like the councillors, have represented their local communities and done it despite the challenges, restrictions and limitations of the role. Every councillor in the country is to be commended for their inventiveness, energy and creativity in exercising power on behalf of their communities despite the inherent weaknesses in our local government. The work this committee is doing is incredibly important. There is no future for local democracy unless there is a strong local government system. We need to address this issue. This committee's work will go a long way to not just identifying the problems but also identifying solutions into the future. I commend the committee and support its work. I am the Fianna Fáil spokesperson on local government and working with my colleagues within the party, we will certainly be pulling our weight. This is a cross-party initiative and a cross-party initiative is required to make our local government and local democracy stronger.

**Senator Niall Blaney:** I see a few suspect members of delegations still in the audience. My two Donegal colleagues are also welcome. I very much welcome today's discussion and particularly the fact that there is a North-South basis to it. There is so much we have to learn

from each other, even at local government level, on a North-South basis. I very much welcome that input. I heard some contributions as the morning went on, and had meetings in my office, and some of them were quite good. Councillor Moylan talked about democracy. What we are discussing here is at the heart of democracy. It is probably the most important aspect of the discussions here today because councillors are a very key part of democracy on this island. Losing powers is taking that democracy away from local people on the ground. Councillors are the front of democracy. As a former councillor and someone who was very passionate about county development plans, I feel councillors have never been fully protected. They do not have the advice they should be getting from a legal or technical perspective. There needs to be much more of a contribution from local government and getting proper advice that is independent of the executive. What is offered is not advice that is independent. It is executive advice. It is important that into the future, that type of support is given. I welcome the deliberations and concur with them as a former councillor. I know only too well the hard work councillors do, the hours they put in and how they are open to meeting the public any day of the week in any setting. That is not fully recognised. I welcome the contributions today and look forward to more in the afternoon.

**Senator Lisa Chambers:** I will not go back over ground that has been covered previously. I will pick up on a couple of things. Councillor Sheahan raised the issue of remote meetings. We can meet remotely at committee level but we are not allowed to participate remotely and we do not have voting rights remotely. For the Seanad, we do not have any remote meetings whatsoever for the reasons outlined such as being able to see the whites of the eyes of the person you are engaging with or who is in the Public Gallery for those meetings. It is important to get back to a pre-Covid situation for meetings where there are voting rights attached. Whatever about tuning in remotely and watching proceedings - that is fine - but participation in a meeting is a different level and we do not have that facility here. I know it impacts on work-life balance and there may be different views on that but maintaining that remote access and allowing people to vote remotely was never properly discussed. That is a pretty big leap from what was done previously to what is happening now. We do not do that here because there could be challenges in verifying the vote and making sure we can stand over it. That is something to be dealt with. It has been brushed over for a little bit.

The matter of online abuse has been quite well dealt with. I have had my fair share of it, as people are probably quite aware. I am still here but I certainly questioned whether I would continue in politics. You would want to be mad not to think about it. We do not have the answers to that only to say that we are looking at it. There is a separate committee in the Oireachtas, a task force on safe participation on which I sit with others. We are looking for solutions but we do not have an answer to that currently. I know three female councillors who are not going forward for election next time. All three are in their thirties and new councillors. They have varying reasons but the work-life balance is one. Councillor Kelly said something along the lines of "You cannot have it all". I heard the line recently, "You can have it all but not at the same time", which I thought was quite insightful. It is a big challenge for a councillor to try to manage public life work particularly if they have another job and family. It is extremely difficult to do that and get some sleep at the same time never mind a private and social life which gets parked anyway.

Representatives of both AILG and LAMA mentioned consultation on legislation that impacts on their role. I had discussions with colleagues as recently as this morning - we have only just got information on this. I want to put this out to my local authority colleagues and their representative bodies. On the Policing, Security and Community Safety Bill, which deals with

the community safety partnerships, it took me until 8 o'clock last night to get confirmation as to what will happen to joint policing committees. Councillors will probably be aware that section 114 of the Bill provides for the Minister to make regulations to allow for the dissolution of joint policing committees and their replacement by these community safety partnerships. I have asked for a briefing on it. I will circulate that through the committee; I only got it yesterday.

The community safety partnerships will be done through regulation. The regulation is not yet drafted, so we do not have sight of it. JPCs will be dissolved as soon as those partnerships are up and running. We have not been consulted on it and so I know councillors have not been consulted on it. It took me several emails back and forth to try to find out how many spaces will be ring-fenced for councillors on those community safety partnerships. It took me a few emails because I felt the question was being avoided. That is my own assessment of the exchange.

I have been told that three pilots are ongoing. They have not concluded and have not been assessed as to their successfulness or otherwise. Maybe they have been brilliant; I do not know. Six to seven local authority members are present on those forums. That is the blueprint if we want to call it that. In my local authority 13 councillors have a space on our JPC. I am flagging this because we have only just been made aware of it.

That Bill has already passed all stages in Dáil Éireann. Committee Stage is due to be taken in this House next Tuesday. I am working on getting that moved out to give us a bit of time. At the very least, what I can do as Leader of the House is ensure that it is adjourned on Tuesday and not concluded which gives us a bit of time. Maybe these community policing forums will be fantastic; I do not know. However, it seems a bit rushed to bring through policy change of that magnitude that quickly without consultation on the ground with elected representatives at all levels. I ask the representative bodies present to work with us here in the Senate because we are at the eleventh hour in the legislative process. We are already a good 60% or 70% of the way through that process but there is an opportunity for engagement and amendments, and we can facilitate that. I just wanted to flag that.

I have made my colleagues aware of that; we have just been chatting about it. We only became aware of this last night to its fullest extent. My concern is that regulations are not yet drafted; we have not had sight of them. We have no idea what the Minister may or may not do with those regulations. Once it is legislated for to allow the Minister to make regulations, we have no control and have no say. We need to make sure we know what is proposed before we can agree to it. On behalf of Senators across the House, I give an assurance that we will certainly be delving deeper into that. We will keep councillors and their associations abreast of what is happening with that Bill. We look forward to some help in getting the councillors' views as to what they want to happen with those with those bodies.

**Senator Shane Cassells:** My job as rapporteur today was to listen. As Mr. Hussey said, the open session gave plenty of food for thought. It was straight talking and robust. I would not expect anything else and I appreciate that.

Mr. Hussey, when talking about the cross-Border initiative, and a number of others, including Mr. Sheahan and Mr. Taylor, used the word "regional". It was something I thought long and hard about when I was a councillor. I am not promoting super-councils because having been a town councillor I also appreciate democracy at a very micro level. When we had a town council it had financial autonomy and it worked well. A number of statutory bodies, such as education and training boards and tourism boards, work on a regional level. The question here is on the future of local democracy. It is worth probing the possibility of operating on a regional

basis and strengthening the statutory functions of the existing bodies in a real manner, moving towards full-time local representatives. Given that many people have mentioned it in this conversation, it is worth having that discussion.

I absolutely agree with Mr. Fitzpatrick on providing councillors with the tools. This report has highlighted the need for the public to see their councillors' representation having meaningful impact. That feeds into what Mr. Murphy said as well. What Ms Allen said from the Northern Ireland perspective gives us all food for thought in terms of local democracy and local government and whether the people coming to our local representatives feel that they can make a difference. If public representatives only act as a kind of citizens advice bureau, that is not good for local democracy and not good for local government. People need to have belief in the system that exists.

Mr. Moylan is right in saying we should value what we have because what we have is very valuable when we see what is happening even within our own continent. We need to make sure, as has been said, that it is fit for purpose and that those who are coming in next generation see a system that is worth protecting and enhancing. That is the discourse here today.

We should regard Ms Allen's final words as a note of warning. It is a reality check as to where we need to go and the improvements we need to make. That is why today's proceedings are important in that discussion. I look forward to contributions people want to make individually to me after this.

**An Cathaoirleach:** On behalf of the members of the Seanad Public Consultation Committee, I thank all the witnesses for their contributions, their questions on the purpose of the committee and also the questions to the members. We are grateful for the suggestions, ideas and learnings we have got from our colleagues from Northern Ireland.

A valid question was raised. Reports tend to sit on shelves; that is the problem. It was suggested that after the local elections we would come back here with the witnesses and do a post mortem. What we are doing at the moment is a pre mortem. Here is the problem. We can see the elections coming and not a lot can be done between now and then. In this pre mortem, we are highlighting many concerns. As I said at the start, the rapporteur will be working with our Library and Research Service to identify all those legislative changes that have taken powers away from local government over the past 30 years. In order to reverse that, we need to draft the legislation. The drafts office will also draft the legislation and then pick the ones that we need to implement, such as taking back responsibility for driving licences.

Some reforms were good and some were bad. We need to identify how we reverse the ones we have and propose the legislation. Then the local authorities and the members of the all-party committee can come back and ask if this is what the political parties would include in their manifestoes after the next general election. That will be a long discussion for members of the committee but that is what this is about. It is not just about writing reports and having recommendations. We have recommendations from Europe and from previous reports. We need to understand the tools that would address some of the things that have gone wrong. We cannot say all the reforms were great; some of them were but some of them were not.

I again thank the witnesses. This will be included in the interim report and then we will have the final report. We hope to see them all back here after the local elections.

*Sitting suspended at 1.19 p.m. and resumed at 2.10 p.m.*

**An Cathaoirleach:** I welcome everyone to the Seanad public consultation on the future of local democracy. On behalf of the committee, I welcome members from local authorities across the country but this area mostly concerns north Galway and Dublin all the way to County Donegal. From County Mayo, we have Councillor Michael Loftus, cathaoirleach of Mayo County Council; Councillor Louise Heavin, leas-chathaoirleach of Westmeath County Council; Councillor Ciarán Brogan and Councillor Nicholas Crossan, Donegal County Council; Councillor Mark Duffy, Councillor Christy Hyland, Councillor Jarlath Munnely and Councillor Annie May Reape, Mayo County Council; and Councillor Donal Kilduff, Roscommon County Council, joined by his father, Paddy, who also served on the council for many years. I thank him for being in Seanad Éireann today. We have Councillor Donal Gilroy, Sligo County Council, joined by his daughter, Orla; Councillor Niall Murphy, Galway City Council; Councillor Shane Curley, Councillor Geraldine Donohue, Councillor Mary Hoade and Councillor Evelyn Parsons, Galway County Council; Councillor Mike Bray and Councillor Aisling Dempsey, Meath County Council; and Councillor Uruemu Adejinmi and Councillor Gerry Warnock, Longford County Council. I also welcome members of the committee other than the rapporteur, Senator Shane Cassells, and Deputy Leader of Seanad Éireann, Councillor Regina Doherty.

**Senator Regina Doherty:** Senator.

**An Cathaoirleach:** If I start naming people Senators, that is all right. I have promoted and demoted people all day. Senators have become councillors and *vice versa*. We are joined by the Leader of the Opposition in Seanad Éireann, Senator Victor Boyhan, who informed me earlier that he is running the committee, which it sometimes feels like.

**Senator Victor Boyhan:** The next one.

**An Cathaoirleach:** Senator Frances Black from the Civil Engagement Group, Senator Vincent P. Martin from the Green Party, Senator Pat Casey from Fianna Fáil and my colleague, Senator Diarmuid Wilson, also from Fianna Fáil, is here as well. They are all very welcome on this topic of the future of local democracy. As I said previously, I have to read out this notice on privilege. Please bear with me.

I remind witnesses of the long-standing parliamentary practice that they should not criticise or make charges against any person or entity by name or in such a way as to make him, her or it identifiable or otherwise engage in speech that might be regarded as damaging to the good name of the person or that entity. Therefore, if their statements are potentially defamatory in respect of an identifiable person or entity, they will be directed to discontinue their remarks. It is imperative that they comply with any such direction.

I remind Members of the long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside the House or an official either by name or in such a way as to make him or her identifiable.

Concerning the process for today, we will take questions and answers from members of the committee about halfway through the contributions by members of local authorities. This is the first of a series of public consultations in which we will hear from former Ministers for local government, ask them about their time in office, the vision they had when they went in, the changes they made, improvements they felt worked and what did not. We will also hear from the secretaries general of all political parties after the local elections for a post mortem of how they thought the local elections went. I do not feel they would contribute too much before the local elections. The Local Authority Members Association and the AILG will come in to dis-

cuss the interim report and a draft report in which the Library and Research Service of Leinster House will look at the changes to local government over the past 30 years, the legislation that effected that and the changes required to reverse some of the, shall we say, least democratic elements of that legislation. Working together, the committee may agree legislative changes that would make local democracy more relevant to citizens on the ground. Local democracy is undermined by powers being centralised and given to officials who are unaccountable to the citizens to whom councillors are accountable. If we do not have people running - there are challenges getting candidates to run - for local elections, the Dáil and Seanad, who will run the Cabinet and, in essence, the country? It will also look at the longer term issue of democracy in Ireland. We are only three generations into democracy really. It is still an experiment. We cannot take it for granted. I know the councillors do not. We are delighted the councillors are here today.

I call the Leader of Seanad Éireann to say a few words.

**Senator Lisa Chambers:** I thank the Chair. I welcome the witnesses to the Seanad. It is a pleasure, on behalf of the House, as Leader of Seanad Éireann and a member of the Seanad Public Consultation Committee, to welcome them to today's proceedings. I believe it is the first time the Seanad has embarked on such a project. We have suspended normal sittings to facilitate a committee meeting on a conversation around the future of local government. We have a serious body of work to do as Senators and members of local authorities to identify the changes we want to make and, importantly, how we intend to achieve them, with all of us working together. I think we are all united in our view that we must protect local democracy and enhance it. We have a lot to be proud of, as do the witnesses as local authority members. I served as a councillor on Mayo County Council. I welcome my colleagues from the council.

However, there are a lot of gaps in the functions, role and powers local authority members have to represent their communities and do justice to the mandate given to them by the local community. There is a view, which I think is widely held, that we have a centralised form of local government. Many decisions are already made for local authorities before they get a chance to even look at them. That is a challenge for us. Lots of research has been done by representative bodies such as the AILG and LAMA to that effect, telling us that, *per capita*, we have the lowest number of councillors of any European country and the most centralised form of local government. I believe we are all in agreement that we would like to change that but we must have a coherent and a collective voice as to what those changes will look like so we can go away from this meeting and know what we have to achieve.

It is great there is a level of familiarity. I think we all know each other quite well. It is a lovely thing to have in a working environment. That does not take away from the job of councillors holding us to account as Senators and us listening to them today. That is the real bulk of what today is about. We are here to listen to the witnesses, their views and ideas and what they would like to see happen in local government and local democracy. I also want to make sure the report we will publish based on today's work is meaningful and has actions, follow-through and delivery. That is a message we received loud and clear, that it should not just be a report that sits on a shelf and with no follow-through. That will be an important body of work for us as the Seanad after we conclude our work, to bring that report forward and make something happen out of it.

We have fewer councillors because of the removal of town councillors.

There are different views on how that is working but the reality is that when we reduce the

number of councillors, the workload for those left behind increases. The job has become a 24-7 full-time role. While we have made some good strides in improving the pay and conditions of local authority members, there is still a job of work to do and in reality, it makes it very challenging to do the job full time. Many councillors are finding they have to manage a family life as well as have another job and that is a huge barrier to people entering into local government and really importantly keeping people there. We will probably touch on that throughout the course of the proceedings. We have a lot of councillors who resign prematurely because the demands of the job and balancing their work-life balance is becoming increasingly difficult. The question is how we address that and attract and retain councillors into the role. The importance of the work done at a local level is just so crucial to local democracy and how we run local services. We need to get that balance right. I will finish on that point. I commend the Cathaoirleach on his role on the Seanad Public Consultation Committee and for taking the initiative, pulling together this work and this project, and making it happen. Today is day 1. We have more work to do but it is a fantastic initiative and it is a pleasure to be part of it and to be able to say a few words here. I wish everybody well in the work and I look forward to hearing what they have to say in a good robust exchange back and forth, which I have no doubt we will have over the course of the next few hours.

**An Cathaoirleach:** We will now have a few comments from the rapporteur to the committee, Senator Shane Cassells.

**Senator Shane Cassells:** As the Cathaoirleach said, I am the rapporteur for the work of this committee and I thank him and the committee members for that appointment and for entrusting me with this work. As the Leader, Senator Chambers, has said, this morning's session, which opened with representatives from the AILG, LAMA, and from the Northern Ireland Local Government Association, was very frank. We had a straight-talking and frank exchange in the open session which was very welcome because we are here to do a body of work and to look at the future of local democracy and we need honest opinions. One of the most interesting viewpoints was that of the Northern Ireland Local Government representative body, CEO, who spoke about her shock at the difference between local government in the North and local government down here, and the fact that far more power is vested in local authority members in the North and in the rest of the UK, than down here. That gave us plenty of food for thought. There was a very good discussion on local democracy and local government and the need for both to work together to prevent it falling down. That is what we want to garner from the witnesses in this debate here today. There are very good things happening in our local authority system. I was first elected in 1999 as a 21-year-old and spent 17 years on both town and county councils in County Meath. From my time of first being elected back in 1999, I saw a very big change in the type of work to what councils are doing now. I look at local authorities now and the work they are doing in the arts, in the community, and on enterprise. The huge work that local authorities do now on local enterprise is very significant and it should not be underestimated.

The Cathaoirleach mentioned former Ministers and their work in local government making presentations to the committee. That will be very important. The reform of local government back in the late nineties by then Minister for local government, my fellow Meath man, Noel Dempsey, ended the dual mandate and created the opportunity for young candidates such as myself to get on the playing field. We saw further changes then from the former Minister, Phil Hogan, with the creation of the new municipal districts system, and in the role of councillors and enterprise, as I have said. It is an opportune moment for us to reflect on those changes that have happened and how we go forward to strengthen local government and make sure that the public who it is there to serve, feels a connect. One of the statistics that the president of the



AILG, Councillor Gail Dunne, presented to us this morning, was the ever-continuing decline and turnout in local elections. That is worrying. He pointed to the fact that there was a high turnout in counties such as Leitrim, with 65%, but the turnout in Dublin city was approximately 30%. That is a very worrying statistic. I look forward to the contributions this afternoon, and most importantly, to making sure the outcome of this report is something we can stand over but also that the witnesses are happy performs that pathway.

**An Cathaoirleach:** I begin by welcoming the cathaoirleach of Mayo County Council, Councillor Michael Loftus, and more importantly, I welcome his wife Dr. Eleanor Fitzgerald to the Distinguished Visitors Gallery. They are most welcome.

**Mr. Michael Loftus:** I thank the Cathaoirleach for the opportunity to come before the committee to address the members. It is a great honour to be here amongst them.

**An Cathaoirleach:** I interrupt Mr Loftus to say that the witnesses may all take off their lanyards, so that when the photograph is taken their ID badges will not been included.

**Mr. Michael Loftus:** My belief, since becoming a member of the Mayo County Council in 2014, is that the backbone of local politics has been the backbone of politics in this country. I note what the IMF says about local government. It says that it typically provides “a wide range of services to local residents” while the scope of its authority “is generally much less than that of central government or state governments”. I agree with that but this is not the case anymore in our local area. Is it all right to ask how many of the members of the committee were county councillors? That is relevant from the point of view of what we did and what we do. It is very important. When you see the number of representatives here today from Mayo, you can understand that we have a serious concern about where we are regarding county councils. The power we originally had does not seem to be there anymore. Since 2014, there has been a reduction in councillors, down from 1,627 to 949, and the number of local authorities down from 114 to 31. We were told at that stage that we would get a lot more powers to deal with issues but this is not the way it has happened. It seems to me that most of the powers today are with the chief executive and this includes funding as well.

As somebody who does not like to talk about problems - instead, you make suggestions and try to make improvements - one of the points I raised in my submission was to give back more powers and more money to local municipal districts. This is something that has to be looked at once this report is completed and also that the likes of rates generated in the local municipal area would be something to be kept in the municipal district.

A lack of staff is another big problem we have in Mayo. There is an awful lot of centralisation of staff. This should be decentralised and more of the staff members brought back to the municipal areas. Many of the councillors may bring this issue up but planning is something over which we had some sort of control. However, we no longer have that same type of power to make representations on behalf of people in the area.

Coming back to 2014, as I said, we were supposed to get 148 reserve functions in the local municipal area and as councillors. This did not happen. I want to see these functions being brought back into play.

Senator Chambers brought up the fact that nowadays the role of a councillor is practically a full-time position. Councillors today give an awful lot of their time and effort to do their job and do it well, but unfortunately they are not paid the correct salary. This is something that has

to be addressed by the committee and must be looked at.

We have a serious issue in the west of Ireland when it comes to funding. We are asked as municipal areas and councils to give between 10% and 25% for capital projects. This is something with which we have a serious issues in the west, particularly in Mayo. It is very difficult to find funding for projects and those types of projects are suffering because of this. I would like to see these charges being abolished and that anyone from the west of Ireland, from Cork to Donegal, would be exempt. I would like that to be considered.

In recent times, I have made representations regarding the JPCs. I am very disappointed with our Oireachtas Members who have passed the Policing, Security and Community Safety Bill 2023 without even checking it or looking at it. That Bill talks about the abolition of the joint policing committees, JPCs. The JPCs are where councillors represent our community with an Garda Síochána. With this new local community safety partnership, councillors are being taken off that JPC where it is not actually going to be abolished. That will come into play. I have a serious problem with that, as do people in the west of Ireland and Mayo. This is something which slipped through very easily but I am asking the Senators here today that when that Bill comes before them from the Dáil that they look at it and change it because I want to represent my community as I believe I am an elected member of my community. My other councillor colleagues here are also elected by the community to represent them and I would like to see that Bill altered in some way, or changed, to allow for the JPCs to be continued.

What we are asking for here is our powers. We want more powers and want to be able to help our communities in a better way but, unfortunately, with these new proposals which have been put forward we do not have that and I am looking for it. I thank everyone on this committee again for taking the time to listen to me today.

**An Cathaoirleach:** I thank the cathaoirleach. He is most welcome. I will be ringing the bell at four minutes and at increments thereafter which allows for a bit of injury time. I am conscious that we all want to get home. Incidentally, the committee members have two minutes a piece to ask questions and sometimes they do not stick to time either. I call now on the leas-cathaoirleach of Westmeath County Council, Louise Heavin, to speak. She is most welcome.

**Ms Louise Heavin:** Our towns and villages are vibrant and enjoyable places to live, work and raise a family and we need strong local councils to ensure that they continue to prosper, grow and develop in the right way for future generations. Our local authorities and councillors need continued and greater support to strengthen and expand our services. We need to address the needs of changing populations, changing climate and biodiversity systems. Councillor Liam McDaniel is the cathaoirleach of Westmeath County Council who, unfortunately, could not make it today and he wanted me to talk about the role of councillors in decision-making, housing allocation and planning. This role has diminished over recent years. Our representations on all issues are given a short response without any detail. It is difficult, as councillors, to go back to constituents with little information. This is particularly challenging in housing where no hope can be provided because there is rarely a timescale or solution provided.

I would like to talk about measures to make our local government more inclusive. For the past number of years I have been working with the diversity committee in the council and have worked on the topic with great organisations such as the National Women's Council and See Her Elected. It is clear to me that we need to empower people from different backgrounds and income levels to participate in local councils and I suggest the following measures to do so.

We need to require all employers to provide time off for employees to participate in local councils. This would ease the stress for many councillors trying to balance the demands of a job with another job, and with family or personal time. People considering running could do so without the fear of how it would impact on their other employment or employer. The details of this could follow the model set in many public sector contracts.

Hybrid working and meetings should be the norm and all county councils and municipal districts should be supported to have dial-in options. This measure will allow a far greater range of people to view the role as viable.

We have a poor gender representation at local level across the country. We know that gender balance leads to better decision-making. How are we going to get there?

The changes I have mentioned so far should help. In addition, we need gender quotas. They work, and that is all I am going to say on that.

Religion is a barrier for many in Irish society. Local and national chambers should be a place for people of all religions and none. We need to promote that equality by removing religious prayers and blessings from public meetings and events.

We need to work on the abuse which councillors get. There has been a public focus on what happens to councillors outside of the chamber but there is little discussion on what happens inside. The chamber is my workplace and I should be treated with dignity and respect in my workplace. When I am not, where do I go? We need to provide an independent avenue for councillors to go; somewhere for support, listening, and, when required, action.

We also need to train councillors in the skills of diversity and inclusion in the workplace and this training needs to be mandatory.

I have also noticed in my time since being elected that people do not necessarily understand the role of a councillor. Some people think you are a TD and some think that you can sort them with a house or a planning permission. I know that these are hang-ons from another era but this is something we need to work on. People need to know how councillors represent them, what the role is and, in particular, what the role is not. If all council meetings were recorded and were made available for watching, that might help. Councils need to be supported with public service communications empowering people to report potholes and lights out themselves. We could also undertake a national publicity campaign ahead of local elections so that people know why it is important to vote, and to think about how the councillor is going to represent them.

To conclude, let us strive for a future where our local councils are inclusive, representative and equipped to tackle the challenges of our communities. I thank the Cathaoirleach.

**An Cathaoirleach:** Now, from Donegal, I invite Councillor Ciaran Brogan to speak.

**Mr. Ciaran Brogan:** I thank the Cathaoirleach. I am from Letterkenny in County Donegal. First of all, I thank the Cathaoirleach and all of the members of the committee for the opportunity to be here today. I hope that the representatives of the committee and, indeed, that all of the Senators here learn from this process as much as we do. In fairness to the democracy we have in this country, it is a good democracy because we all know we have good contact and can lift the phone to some of the great Senators we have who have served us well over many years, so I believe this will be beneficial for us all.

Having first been elected to Letterkenny Urban District Council in 1999, and Donegal County Council in 2004, I have seen huge change in the local government area over the years. If anything, we have perhaps made it too complicated for ourselves and, more importantly, too complicated for the people we represent. Politics is about people and perhaps what has happened now is that everyone has become a number, a statistic, and there is perhaps too much focus on graphics. We need to get back towards shaping the policy we have towards the needs of the people. That is what we need to do because there is far too much of a duplication of the service we see at the moment. When I think back to the old town council model we had in Letterkenny, with the simple small agendas; the success of Letterkenny Urban District Council-Town Council has been huge.

It has transformed the north west and, indeed, Donegal over the years. It was a simple model of town clerk, assistant town clerk, town engineer and the team around that where everybody was working for the good of the town and of the area. There were nine councillors and it was a council which worked very well. It was apolitical which was of great benefit. The success of that is there for anyone to see in Letterkenny and in the north west, we now have a very successful university. The hospital has grown greatly and we have 5,500 jobs in foreign direct investment.

What role did we, as a council, have in that? We provided the infrastructure such as the town parks and the recreation and sports facilities which were very significant projects undertaken by us as a town council. The budget we had, however, and the fact that we were able to put these projects together as a town council at the time, gave us the power to do that.

We do not have that anymore. The new model which in place since 2014 is failing us and is not working with the director of service model. We need to look at that and at the simple process. There is far too much of a duplication of service now at local government level. I am a great believer that one should not overcomplicate anything. If one keeps it simple, one will never go far wrong.

The biggest challenge for us now, as public representatives, right across the board is to represent the people and to challenge the system towards the needs of the people. We need to get back to doing that. I see that all of the time in the whole area of housing which has been talked about. The biggest challenge we have in this country at the moment is housing and there is far too much duplication of service in this whole area. So much has to be approved by the Department up in the capital, the great capital we have. There should be more power given to the local councils to make those decisions and to keep it simple. I see it in regard to the roads and the local LIFs, where it has to go here and there. We have good people employed in the councils and we need to give them the power and to back them to do the job we need to get done.

We have achieved a great deal and for me it is a great honour to be elected as a public representative. We have achieved a great deal together. This morning was interesting because I saw my colleague, Councillor Derek Hussey, from a unionist background representing Derry and Strabane Council. We work very well in the north west. The north-west city region is an example of working together cross-Border in a part of the country that has suffered an awful lot over the years because of partition. We have worked very well together in areas of health, improving our infrastructure, employment and making the region a more popular destination.

I hope this will be a good exercise but it will be only as good as where committee members take it from here. The difference between a public representative and many of the people who make decisions today is that we have to renew our contract every five years. This should not

be forgotten. Over the years public representatives have been taken off far too many boards and positions. Perhaps it was not politically correct to have elected representatives on them but those on them now are not accountable. We are accountable. We go before the people every five years. I commend everyone who goes forward for public office. It is not an easy job. People should go forward if they have a passion for it and want to bring about change. On this small island of Ireland we have achieved a lot in this way over the years.

**Mr. Nicholas Crossan:** I thank the committee for its kind invitation. Is mór an onóir domsa a bheith anseo. As a former president of the AILG I commend our opening statement on the future of local democracy to the committee. I have been a local independent councillor for 29 years. I served 20 years between Buncrana Urban District Council and Buncrana Town Council. I have also served on the two most recent terms of Donegal County Council. During this span I have witnessed many changes to the responsibility of the councillor. The most dramatic change has been the constant erosion by central government of the powers of local elected representatives. I do not have to go through the list of them, which includes higher education, third level, joint policing communities and, in recent years, Uisce Éireann. Who better knows their local area than Donegal County councillors or local councillors? It does not make sense. Local government should mean making local decisions at local level. To quote the late great Tip O'Neill, a famous son of Buncrana who had his roots there, all politics is local. This sums it up as far as I am concerned.

To maintain and sustain local democracy we must encourage and attract more young people, better gender balance, community leaders and members of minority groups to run for election. The demands, conditions and public perception of our role will not encourage new people to go forward. The role has become a full-time occupation. Therefore, it excludes those in certain professions and jobs.

Another concern is that people holding unelected roles are undermining elected members and frequently they are contacted by the media for comment and input instead of local representatives. For example, yesterday on local radio in Donegal, an unelected person was introduced as the mayor of Donegal town. Our cathaoirleach is sitting here. This misleads the public. It dilutes our role as elected representatives. Town teams have been set up but no councillor goes on them. There is an awful lot of bureaucracy.

Social media was mentioned this morning. This has also had a detrimental effect on councillors. There is harassment and threats from anonymous accounts. The personal details of councillors are public. Councillors who are members of my independent group have told me they are concerned for their safety. This is unacceptable.

Rural Ireland must be protected at all costs. It is imperative that we take control of our county plans without interference from central government. I have mentioned bureaucracy. In my home town, we have 70 vacant mica houses out of which the local authority has moved people. It still cannot get a commitment from the Department to do something about it. This means 70 families have been displaced for Christmas without knowing whether their house will get built. I might add that these are local authority houses. Bureaucracy has gone mad. We have been told that redress is coming. This has to be addressed. We, as councillors, are feeling the brunt of it.

Local government in Ireland is 100 years old and it has served us well thus far. Its structures have to change for it to survive and serve the people. The committee is aware of the CLRAE report that has noted that local government in Ireland is weaker than in most other European

countries. I am glad the committee is taking this on board. I am delighted the Seanad consultation group will look positively on our submissions. I commend the AILG on its continued support and training and the many TDs and Senators who give their time so freely to take our concerns on board.

**Mr. Mark Duffy:** I thank the committee for having us before it today to give our take on our experience of local democracy in the areas we represent. I will take the area I represent, Ballina in County Mayo, as an example. In 2014 before the abolition of town councils we had 19 representatives. We had nine councillors, including the mayor. We had eight county councillors and two TDs. Today in Ballina we have seven representatives with six county councillors and one TD. Of these seven the only one resourced adequately, including with staff, is the TD. Perhaps Deputy Calleary might say it is not so adequate. This is a void and vacuum of empowerment of the towns, communities and villages we represent.

The void created after the abolition of town councils has been attempted to be filled by town teams or community councils. We do not need to complicate it. The solution is the return of town councils. In County Mayo we had town councils in Westport, Castlebar and Ballina. They did great work. They motivated and encouraged leadership and civic life in each of the towns. They encouraged the towns to be creative with their commercial rates or parking income to make positive interventions for the towns and for amenities in them.

At present, Mayo County Council's budget is €176 million per year. Of this, €55 million is spent on roads and we have very little autonomy in terms of where it is spent. If we were empowered adequately to deal with the roads funding, and if we had autonomy over where the money goes, we could use it much more effectively to benefit the quality of life of the people in the towns and villages. Outside of the €55 million for roads the majority of the remainder goes on staffing costs. What is then left goes into community hands, and for my municipal district this amounts to €420,000. This is to support the arts, sporting organisations and residential groups. It is a tiny percentage of funding compared to the overall part of €176 million that Mayo County Council has. This takes away so much potential for improving the quality of life of citizens in towns and villages.

I would love to see the return of town councils, formal recognition of community councils and much more discretion on where the funding goes. At present we are told centrally that we cannot spend it because of X, Y or Z. The money goes up the chain and comes back down but it comes down with a lot of specifications. This is much to our frustration and the frustration of the communities we are trying to support and represent.

We could have the return of town councils and potential measures such as gender quotas and age brackets whereby, for example, we could have two representatives for the age group from 18 to 35 years, two for the age group from 35 to 55 years and two for the age group of those aged over 55 years. That would guarantee we have fresh, new thinking and new ideas coming into each council in each term.

From an accessibility point of view, we talk about women in politics. Mayo County Council has two female representatives on a council of 30 members. Having town councils makes politics far more accessible for those like myself who have no political background but entered the field. It is a big jump to go from being a citizen to becoming a public representative. The return of town councils would help to bridge that gap, encourage more women to join politics and encourage younger people to get involved.

I thank everyone for the opportunity of this hearing. It is very encouraging. This could be powerful in making a positive difference and I am hopeful that it will.

**Mr. Christy Hyland:** I thank the Cathaoirleach; the Leader of the House, Senator Chambers; the rapporteur, Senator Cassells; Senators; and my colleagues from the local authorities for the opportunity to make a presentation. I made a submission, as I know the committee is aware. I am not going to be repetitive about the problems facing local government. I am going to suggest some solutions.

I represent the west Mayo municipal district. What is the Mayo municipal district? There are seven councillors in two different electoral areas. Three councillors are elected in the electoral area of Mulranny, Achill and Belmullet. I am from Westport and for that town, Louisburgh and Newport, we have four councillors. We sit as one at municipal meetings. If there is a vote, I may be required to vote on something I am not aware of at all in Belmullet. The opposite also happens. That is far from good local government.

How many councillors here today are former town councillors? There are three others, so four, including me. That is great. When the town councils were removed, were the people asked? They were not. We were not asked. The decision was made by the Government without any consultation. I am not here to ask whether we should get town councils back. I will offer the solution, which are borough councils that are run like a rating authority such as Westport town council. Newport, Westport and Louisburgh would be a borough council. It would be a rating authority and we would be the architects of our own future. The decision-making would be close to the people. The programme for the reform of local government in 2014 was called Putting People First, but it did anything but that. With the utmost respect to Phil Hogan, who was the Minister at the time, what was done was diabolical. We have talked about the turnout at elections. I hear TDs and Ministers say that 60% is a good turnout, but that means that 40% of people are completely disengaged. The way we have reformed local government means there will be further disengagement unless the problem is fixed. The problems have been outlined to the committee. I ask it to ensure that decision-making is brought back to the people.

There are, as I said, two electoral areas in my municipal district. It is absolutely ridiculous and we need to get it sorted out. We have a broken system. Did we need the Council of Europe to tell us we have a broken system? Committee members will have read the report of the Council of Europe that came out a few weeks ago and stated, in a nutshell, that local government in Ireland is a disaster. It compared our system with that in Moldova, with all respect to that country. I am going to repeat that we, as councillors, did not ask for that reform. The people of Westport, Louisburgh and Newport who I represent did not ask for that reform. The Government of the day brought in that reform and people now feel completely removed from government, from decision-making and from the councils. That is how they feel at the moment.

I heard recently that the number of TDs will increase in line with increases in population. Will the number of councillors increase? It will not. Does anyone really care? I am representing thousands of people. We had nine town councillors in Westport and four county councillors in my electoral area, a total of 13 representatives. We now have four councillors representing thousands of people. You should try it. I am up every morning at 8 a.m. because my phone starts ringing. That is also true of my three colleagues across the municipal divide. We all work together for our area. Local government reform, when it was made, gave all the power to the chief executive. It is not that I am power hungry. The people want to feel they are represented and that they have a say. The way it is at the moment, they have no say. To allow every municipal district, MD, to have a real impact, each should have a full operating budget. Under the cur-

rent system, why would any municipal district councillors vote for a rate increase? Why would they vote for an increase in parking charges? They would not, because the proceeds will go into a central system in Castlebar and will not come back to Louisburgh, Westport or Newport.

**Mr. Jarlath Munnely:** Gabhaim buíochas leis an gCathaoirleach, le Ceannaire na Se-anadóirí go léir agus leis na comhchomhairleoirí go léir. Gabhaim buíochas leis an gCathaoirleach freisin as an gcuireadh anseo inniu.

It is an important business that the committee is engaged in. It is certainly heartening to get the opportunity to come and say something about it. Like everybody else here, I made a submission to the committee and in my contribution, I am going to concentrate on two parts of that submission. The first is similar to what Councillor Hyland was talking about, which is the idea of district councils. Parts of many of the reforms that have happened to date have been good. The 2014 reforms levelled the balance and distance between the general public and their councillors. Everyone was equally badly represented at the end of the process. Before that reform, there were considerable discrepancies in the relationship between heads of population and councillor representation. There were great variations across the country and we must remember that. The establishment of local community development committees, LCDCs, and the role that councils are now playing in communities, and in enterprise in particular, are all very welcome. However, there is an awful lot more work to do.

If I were to outline how a district council might work, it would have very similar functionality to that the town councils used to have. District councils would definitely be rating authorities and would have the power to set budgets. They would establish development plans and could vary the local property tax. On representation, we could take the operation of standard municipal districts now and increase representation by 50%. I represent the Ballina electoral area. Under my proposal, that would be a nine-seater area. Nine councillors would be elected by the municipal district, which would give a better balance per head of population than we currently have. A senior management team would comprise a director, senior engineer and senior executive officer. That would be the management team in the district and they would manage everybody underneath them. The senior engineer would manage the engineering staff and planners and so on. The senior executive officer would be responsible for housing, etc. Day-to-day delivery and all the typical functionality we associate with local government would happen under the district council model.

There is also room within that model for an executive of the municipal district, if we want to go down that road. Members of the executive could be elected every five years. If we wanted to be radical, an executive mayor and councillors could appoint the senior management team. That would be a radical step. There would also be provision in the model for the following situation. Let us take a town such as Athlone. I am not trying to tell its representatives how to operate the system but such a town is in two different counties and two different local authorities as things stand. There could be separate district electoral divisions, DEDs, on two sides of a river in two different counties. Those two DEDs could elect councillors independently and the two DEDs together could form a district council. A district council could straddle a county boundary and have democratic representation on both sides.

I will turn to consider the type of functionality that councils should have. There are many powers that need to be devolved to local government. A very quick example would be the allocation of housing. When Mayo County Council comes to allocate housing, we have to follow income eligibility criteria the Government sets by regulation, by statutory instrument, and by the social housing assessment regulations. I would propose devolving full decision-making on



income eligibility criteria for local authority housing in its entirety to local government. There is no point in having councils or local authorities as housing bodies if they are not given the full powers to make decisions on allocating housing. Currently, we have to follow nationally set income eligibility criteria. I propose we be given the power to make our own decisions. If Mayo County Council - the elected members, because it should be a reserved function - decided they wanted no limit in terms of income eligibility for local authority housing, so be it, because the local council has decided it. Of course, there would have to be good, sound policies to make sure housing is being allocated to the people who need it most. That is imperative. The housing SPC would come up with good policies to make sure we are making good policy decisions. In terms of having parameters that are set by national Government, that should be out the window.

The very last thing I want to say is that the committee members are the lawmakers and the people who can make legislation. They can make legislation to put these changes into effect. They can draft secondary legislation to change the social housing assessment regulations. They could draft legislation around returning municipal districts to district councils, so I look forward to seeing that work happening in the times ahead and it will have my full support.

**An Cathaoirleach:** I welcome the Minister of State, Deputy Dara Calleary, to the Gallery. The reason I do so is because the powerhouse in his office is our next speaker. It will be Councillor Annie Mae Reape, who has been involved in Mayo politics and a powerhouse in Dara's office for a long time.

**Ms Annie May Reape:** I am not giving away too much. I thank the Cathaoirleach.

**An Cathaoirleach:** Councillor Reape is most welcome.

**Ms Annie May Reape:** It is a privilege to be here today. It is fantastic to be here and see you all. We are used to committee members coming to our doors so we have come to your doors today and that is very enjoyable. It is good for us as well. I welcome Dara and thank him for coming to listen to our complaints. He is used to me complaining. I was amazed by Senator Cassells. He mentioned when he spoke to people this morning from Northern Ireland that there is such a vast difference between Northern Ireland and the South of Ireland when it comes to local government. That is something we need to dwell on and it was very interesting to hear that.

There was a long-standing councillor working from a northern base and a rural base. Council powers, as has been said so many times, have been seriously eroded. The problem I see is that officials are not taking cognisance of what councillors say anymore, or not to the extent we would like them to. That is particularly so in housing and planning. That is a major issue for everybody. Housing has to be the number one priority at the moment. On my way here today, I got an amount of calls because we have just finished an affordable housing scheme and there were a number of people looking for more houses. We need more affordable houses to be built in towns and villages in Ireland.

Planning is a major issue for us. We have no say in planning anymore. There was a time when planners were invited into the chamber and we could discuss planning applications in our own area. Ours, for instance, is Ballina. We could discuss planning decisions with them and permits. That is now allowed anymore. That is another one of the powers that have been taken from us recently. I know the Tánaiste has mentioned bringing back town councils. I am an advocate for that. I think town councils should be brought back in some form. I know there are people from rural areas here and some councillors who would say we will not have any spending or the BLG. We will still have it. In the urban base we could have autonomy over

the urban and, as Councillor Loftus correctly said, keep our money in our own area. We would get extra money from them to run the town in addition to the rural areas that surround our MD in that area.

As a result of the loss of urban councils, the towns have suffered from a reduction in funding. There is no compensation from central government to make up any shortfall and we do not now have the finances to keep our towns to a good standard. We should have elected councils where there is a population of 1,000 or more, and as I said, Ireland has the lowest number of councillors as a percentage of population in Europe. The abolition of town councils has been detrimental to the interests of towns who had such councils. We have suffered so much as a result of the abolition of town councils. That is the one area on which I would like the message to be brought back to the Minister, that there be some form of town councils. We all sing from the same hymn sheet regarding planning and housing, but bring back more powers to the councillors in the area. In fairness, it is a full-time job, as we have already said, and the Cathaoirleach will know that himself. It is now full time, day and night because we are the local people and the ones at the other end of the phone but we do not have the powers.

Planning is a major issue in Mayo and I think it is probably the same in a lot of areas. Planning permissions are refused without the council being aware of it and every planning is the decision of the planner of that area. It is at his or her discretion. If the applicant is told they are refused, they will naturally come to the county councillor to make representations. We get no joy from making representations and we are told it is the development plan. We decided on the development plan. It is our plan, our Bible. When we ask a question, it is not our development plan. That is where the problems are. We just do not have the powers to do any of the extra work we would like to do as councillors.

I thank the committee again for bringing us all here. I hope something good comes out of today and that the Minister will be aware of it and may come to another session another time.

**An Cathaoirleach:** I thank Councillor Reape for coming today. We have two more speakers before I bring in the Senators in this session. Then we will open it back up to the remaining members of the delegations here today. The next speaker is Councillor Donal Kilduff.

**Mr. Donal Kilduff:** I thank the Cathaoirleach and committee members for the opportunity to address the hearing today. It is a great honour and I am delighted to be here. I was a first-time councillor in 2019. I decided to run for election to try to solve some of the problems my community faces and to bring enhanced facilities and amenities to my community, and to a certain degree I succeeded in that. We have some enhancements; there is no doubt about that. I concluded three years into my role as a county councillor that it is hard to take the role seriously, unfortunately.

My submission to the committee centres on my experience as cathaoirleach of the Athlone municipal area of Roscommon County Council during the time of crisis which we had in the Athlone municipal area. This was a crisis around the issue of Lough Funshinagh. I was cathaoirleach of the Athlone municipal area in the run-up to that crisis in recent years and we were actively seeking serious engagement, as a municipal area, with State agencies to try to solve the problem and to try to engage and come up with a solution. We were passing resolutions of the council and passing motions and we found basically that there was no engagement. We got correspondence back from one serious State agency stakeholder stating it did not have the resources to attend municipal meetings. That was my experience and that experience was shared by other members. It was similar to other problems we faced in the municipal area. When

trying to solve an issue of a congested road, it took three years to get a meeting with Transport Infrastructure Ireland just to discuss a primary route through the municipal area. I concluded three and a half years into my role that it was difficult to take it seriously because I felt that all of the major players and the major stakeholders who have the power to actually solve the problems did not take the role seriously either, so it was difficult for us to take it seriously.

We need to be real and recognise we do not really have a local government. We have local administration. Our local authorities administer schemes from central government; that is what we do. Like I said at the start, I have had some success with that and we have brought great benefits to our area by administering Government schemes - there is no doubt about that - such as in town and village renewal and all that kind of stuff. It is great and we do succeed in bringing great benefits to our community. However, the people elect representatives to try to solve problems. When it comes to doing that, though, we find we do not have the power. We do not even have the power to insist on talking to someone who does have the power. I have found in my role that it is often difficult to identify definitively who is responsible or who has the authority to do something. When I do identify that person, he or she typically does not have the money. Someone else has it. We go around in circles trying to solve problems, which undoubtedly becomes frustrating and wears us down. We become disillusioned with the role and find it difficult to take seriously.

There are many positives to being a county councillor, but my colleagues have identified the lack of power. In reality, we as elected representatives do not have the power to remove a dangerous bend on a local road. We can decide to do it, but we do not have the money for it. That decision has to be sent to Dublin to be approved for funding through something like a low-cost safety scheme, which itself is administered by the local administration. This is a significant frustration. In Roscommon, we have 18 elected members. One has to question the merit in us not being able to decide to take a bend off a road.

I have appreciated the opportunity to address the hearing. I hope the committee can do something about this matter, given how important it is. Lough Funshinagh was the subject matter of my submission. It is an example of flooding. In my experience, local authorities are in no way equipped to deal with what is coming in terms of responding to flooding and other emergencies. That is not good enough. I would like to see significant enhancements in local authorities and in the power of local elected representatives to act and serve the people who elected them. I wish the committee well in that endeavour.

**An Cathaoirleach:** I thank Mr. Kilduff, and I wish him well also. We are delighted to have his father with us today as well. I call Councillor Gilroy.

**Mr. Donal Gilroy:** I thank the committee for the invitation to address it on the future of local democracy.

This year, the Council of Europe found that local government was weaker in Ireland than in most other European countries. Indeed, Ireland has been found to be compliant with only eight of the European Charter of Local Self-Government's 20 principles.

Unlike many of my colleagues, I intend to focus on the issue of regional representation. Unfortunately, everything in Ireland appears to be pulled back to the centre for decision making. Grants, loans, funds and even ideas have to come back to central government. The membership of the three regional assemblies is selected by the members of their respective local authorities. This could be made more democratic by having regional assembly members elected directly. It

is my belief that any change that is made to reform local and regional government policy should include giving autonomy to regional assemblies and giving each assembly the budget to work with the local authorities on how resources are spent within their region.

Recent OECD research found that greater levels of regional authority in the form of fiscal powers was positively associated with greater levels of regional economic activity while revenue decentralisation – providing the regional authorities with the power to raise their own revenues – appeared to be even more strongly associated with income gains. According to the OECD, this is likely because regional authorities that have designated powers and are properly funded tend to have a greater ability to implement their own regional development, as local and regional stakeholders tend to be better able to design regional policies and respond to regional needs and are more successful in generating positive outcomes. Despite this and according to the OECD, regional and local government spending in Ireland dropped from a high of 41% of total government expenditure in 2004 to only 9% in 2021. Ireland’s regional and local government expenditure as a percentage of total government expenditure was notably smaller in comparison with similarly sized developed economies such as the Netherlands and Denmark and lower than the overall OECD average of 14%. Likewise, the percentage of tax revenue collected by regional and local government in Ireland amounted to just 3% in 2021. The OECD average is 10%.

As regional and local government spending has dropped, regional inequalities have risen considerably. For example, the gap between the Northern and Western Regional Assembly, NWRA, as a percentage of the Irish average and the Eastern and Midland Regional Assembly, EMRA, was 25% in terms of disposable income per head in 2021. It was only 10% in 2010, so the gap is widening. Of the 234 EU regions examined in the regional competitiveness index, the eastern region was ranked 24th and the southern region was ranked 90th. The north-western region was ranked 218th, making it 17th lowest. In terms of investment in third level education between 2011 and 2021, the higher education institutes based in the north west received average capital funding of only €259 per undergraduate. The national average during the same period was €356.

Perhaps we will soon face what the London School of Economics and Political Science once called the revenge of the places that do not matter. The school’s recommendation is that we equip our institutions with autonomy. We need strong regional government while also allowing our institutions – universities, local authorities, ports, etc. – the autonomy and flexibility to make revenue-generating decisions. Persistent poverty, economic decay and a lack of opportunities are at the root of considerable discontent in declining and lagging regions the world over. Poor development prospects and an increasing belief that such places have no future have led many of these so-called places that do not matter to revolt against the *status quo*. The revolt will come from an unexpected source, namely, the ballot box in a wave of political populism. We must ensure that these problems are addressed so that opportunities for all are spread out and lagging areas fulfil their development potential. We will ignore this at our peril.

**An Cathaoirleach:** I thank Mr. Gilroy. We will now go to members of the committee. There are also additional Members of the Seanad present, whom we will try to get in as well. We will start with the next group of witnesses after the questions and answers session with the first group, so if any members wish to come and go, I ask them to be mindful of the cameras and to watch for their groups being called to speak.

I call the Deputy Leader of Seanad Éireann, Senator Doherty.

**Senator Regina Doherty:** I thank the witnesses for their attendance and contributions.

It is funny – I can recall being in a cold pub in Skryne in Meath in 2010 when Phil Hogan was in opposition and we were attempting to get ready for the next election. I recall listening to his delivery that night and his passion for what he would do and how he would change local government and local democracy for the better. I can remember going home to my husband that night and telling him that if I had believed half of what Mr. Hogan had said, I would not have even thought about running in the general election that we knew was coming. We all know that the outcome of what was actually delivered differed greatly from an increase in local democracy and empowerment.

What is sad – other colleagues will also tell witnesses this truth – is that, when Senators as a group meet local representatives twice per year, much of what comes up in the conversation has to do with conditions and interactions with the Department of the environment as the employer, so to speak. However, none of the submissions we have received has anything to do with conditions. Instead, they are all about impact, input, empowerment, councillors' role and the lack of respect that has grown in all quarters in recent years. I do not even have a question. I just want to say that we all hear the witnesses loud and clear. What we have to do over the coming months is provide recommendations and a solid report that has teeth and gives members of this committee as well as Senators more generally the ability to try to make a difference once and for all. The Cathaoirleach has stated a number of times today that we will revert to this matter after the local elections next year and discuss our impact, but that will probably be too late because many of those who are considering their positions now will make decisions between now and those elections. We need to make sure we are mindful of the responsibility we have and the return we have to give councillors on their investment in this public consultation.

**Senator Victor Boyhan:** I welcome our colleagues and friends. There are 949 councillors around the country. We heard from many of them this morning and again in this block of presentations. I thank the witnesses for those presentations. It is very clear there are issues with central government. We currently have a coalition Government. We have had coalition governments for many years but there is that disconnect. Time and again we hear councillors tell us about things that happen that should not have happened. Many of them are in political parties that are in government. There is a disconnect between what people say and what people do. We have had a number of events in the past two or three years in Seanad Éireann where we have challenged some of the political parties about their support. I am particularly concerned about policing, which was raised by Councillor Loftus. He will certainly have my support and we will all talk about it next Tuesday because that Bill is scheduled, but that is now a major concern. To demonstrate the disconnect, this legislation was passed in Dáil Éireann, in which many councillors have party affiliations. There are a lot of questions they might like to ask of their colleagues in Dáil Éireann between now and next Tuesday.

In simple terms, the message is clear. Councillors want to be empowered and supported. They want to be valued and protected. They want more powers and they want their powers enhanced. Councillors are not accountants. They are not lawyers and they are not planners or architects. The message that is coming time and again is that we must empower councillors, and to empower them, they need support. They need independent legal advice, independent financial advice and independent planning advice. I am not talking about advice the manager procures on his terms or to sort out what he wants to do. I am fully supportive of that.

I look forward to working with everyone on this committee for a constructive report but I do not want it to just be a report. Whatever report we agree, I hope there will be a period of

consultation with councillors again before we sign off on it. I do not want Seanad Éireann or a committee signing off on any report until it goes back to councillors again for their commentary and input so we can then agree on the channels. I concur with Senator Doherty. It is important we speed up this work. It cannot go on until next May. We need to complete this work by February. That is a suggestion I will be taking back to the Cathaoirleach and to the committee in the coming days.

**Senator Pat Casey:** I welcome everyone and thank them for their contributions. It is slightly different from this morning's session in that we are seeing some suggestions coming from members this afternoon on how they see the future of local government. The Putting People First document from 2014 was mentioned, which in essence was meant to increase local democracy but in fact did the opposite. It took a huge amount of power away from councillors. The one thing it introduced was municipal authorities and the local property tax and it gave councillors the power to increase or reduce the LPT, which filters back down to a municipal district level to some degree, giving a few bob to spend on a few small minor projects.

There were a few interesting comments. Someone suggested the expansion of municipal district representation and increasing it by 50%. Councillor Munnely spoke about increasing the powers relating to functions. That is maybe something we should be looking at and considering what the model is at municipal level or county level. What is the best way the councillor can serve the people he is representing? As I said this morning, councillors are the face of politics. They are the people who meet the individual first. In fairness to them, they do not have the support we have as regards administrative backup. They have to deal with everything on their own.

I just want to mention planning because a number of people raised it. It is important we look at the planning process in some form, whether that is the national planning framework and how it forced and directed county development plans or what representation councillors can make about one-off rural planning. It is different in every county as regards what a councillor can do. Some consistency around the planning process needs to be brought to local democracy. I thank the witnesses for sharing their opinions.

**Senator Vincent P. Martin:** It is an absolute pleasure to be here. We have so much in common. I come from the class of 1999, like others, when I was elected to the urban distinct council. I hold the near-unique distinction of being elected to a county council in two different provinces. I am aware that councillors are the heartbeat of our democratic system and functions but yet there is so much disconnect and so much more has to be done. I hope all the chambers will consider live broadcasting of their business if that has not already been done. That is something I am passionate about. I would like to see them open up their chambers to school tours and I would also call, as I have in the Seanad, for a formal State curriculum on this area. I know we have had a politics and society subject in the leaving certificate since 2016 but that has been downgraded. As my party colleague Councillor Heavin said, and I am proud to see her here today, people do not get it about county councillors or TDs or what they are. I am a big advocate of the urban district council. That was a very sorry day when that was dissolved.

I am also bitterly disappointed the western rail corridor has not been connected. My good friend and lecturer, Fr. Mícheál Mac Gréil from Westport, was so let down by that. It was the only time he was so infuriated because once again the connection from Sligo all the way to Galway has been left. That was done by consecutive governments, including this Government, which my party is a member of. It is not a day I am proud to say I am part of that Government. All of us must work harder to get this basic line connected. Fr. Mac Gréil fought for it and he

managed to get the late Séamus Brennan to hold those lines and retain them there. He went to Europe. I would love to see that happen if we could all come together. I know Senator Blaney would love to see a new railway line and a vision for the full island. I look forward to talking to the witnesses later. It is wonderful they are here today. I hope there will be regular interactive meetings like this.

**Senator Mark Wall:** I too welcome all our guests here today. I thank them for a lot of what they have raised today, which is very dear to my heart. I am another member of the class of 1999 on a town council. I will talk about that in a minute. I will take up the MD areas that Councillor Hyland mentioned. I am passionate about the fact they have not worked, for the reasons he has given. In Kildare, we have huge areas that are voting on town plans and they have never been associated with the town plan from the beginning and conception. It just has not worked. Councillor Hyland's point is very well made. Councillor Duffy spoke about age brackets. It is a very interesting point because we have to make sure all local democracy, and indeed national democracy, is representative of society. We have to bring in the quotas Councillor Heavin spoke about as well but age brackets are a very interesting concept and one this committee should look at to make sure every age bracket gets representation in local government. That is the core of democracy as far as I am concerned.

Councillor Munnely spoke about housing income limits. I could not agree with him more. Where I am from in south Kildare, there is another county where the income limits are 25% lower, as are the HAP limits, so people from my home town cannot go to the next county to rent. It has caused huge problems. It would be great if the local authority could set that. It is a very interesting point, one I have made before myself, and is definitely something we will take up through this committee. It is about the powers local councillors have or what they have left at this stage.

The point Councillor Kilduff made about administration versus power is the one that is key for me. That is where we are gone with local democracy as far as I am concerned. It is now administration or signing off. We are fed from central government right down to local level. I agree totally. Even to take out a bend you have to go back up through an LIS or whatever else, which has to be approved by somebody up there when we and, more importantly, the councillors are the ones on the ground who know exactly what needs to be done. That is key to this. I look forward to working with the witnesses on this issue. Administration versus power is key to what we are trying to do here.

**Senator Frances Black:** I thank all the witnesses for coming in today. We are learning so much from their expertise and experience. Their submissions covered a phenomenal amount and so many different issues. I have learned so much not only by preparing for this meeting but by listening to councillors' contributions today. I would love to continue by having a question and answer session but I know that we do not have time for that today.

Mr. Crossan talked about the "continuous erosion by central government of the powers" and that erosion is a key issue. Councillors do so much work in their communities and local authorities so not having that power must be so frustrating for them.

Mr. Kilduff mentioned that newly-elected councillors have a huge level of enthusiasm and ideas about special projects. I have read the report by the committee on local and regional authorities that 90% of local authority funding is conditional, which is a shocking situation and an extraordinary amount of central control. Therefore, the situation for newly-elected councillors must be very frustrating. I cannot even imagine how frustrating it must be when new council-

lors brimming with ideas discover that they cannot do what they want to do.

Some councillors mentioned the very worrying stories about the abuse and harassment of councillors. We really need to highlight such a matter in our report. I would like our report to mention the supports for councillors to ensure they retain mental and emotional well-being while doing their work. I ask that because councillors have to nearly be experts on health, housing, mental health, etc. They hear devastating stories on a daily basis. I have met councillors on my travels around the country and have seen the impact of these stories and the ensuing exhaustion. This morning, some councillors mentioned wanting to walk away from it all and, particularly following harassment. I would like our report to mention mental health and call for more supports to be provided to councillors to protect their well-being.

**Senator Gerard P. Craughwell:** I thank the Cathaoirleach and the Leader for laying on this vitally important session.

As many councillors and Senators will know, I have never served on a local authority so I cannot speak about local authorities in the same way as others. However, what has emerged for me from the day I was elected a Senator is that one does not exist outside one's local authority area. We are in the grip of a very powerful Civil Service that constantly etches away and strips away the powers that councillors have locally. We have some say in this House and the councillors have friends in this House. One of the councillors commented that it will not be long until we will knock on people's doors again telling the inhabitants how much we love them and we will do that. We have seen situations where people tried to merge Galway City Council and Galway County Council but this House stopped that because the councillors contacted us.

I suggest that we have a standing committee comprising local authority members and Members of Seanad Éireann where legislation, like that on policing and on various other things that have arisen, can be fed into the debate that takes place in this House, and not on *ad hoc* basis but on a regular basis. A standing committee would mean we would hear the views of local authority members and represent those views. God damn it, we will be knocking on their doors begging them to vote for us so should we not at least listen to what local authority members have to say? Should we not at least try to represent their views in this House? Should we not at least try to make sure that legislation and regulation that comes into county councils meets their needs?

The issue of income has been raised. It is not a salary but an allowance. Why does my allowance not impact my salary? Why is the allowance paid to county councillor referred to as an income? The allowance should facilitate county councillors to do their job and not be regarded as pay nor subjected to tax, PRSI or anything else. I know that most of the Members of this House agree with me on that and is something that we need to drive home. How the hell can county councillors do their job when everywhere they go people look for a few bob from them to sponsor this and that? The money paid to councillors is not sufficient to do that so we need to look again at the income paid to county councillors.

I thank the Cathaoirleach for giving me time to speak even though I am not a member of this committee.

**An Cathaoirleach:** I thank Senator Craughwell for coming in today. We will move on to the next session but a number of questions have been asked.

**Senator Lisa Chambers:** I will respond to a couple of the issues that have been raised. I noted them as they arose.



Mr. Loftus mentioned JPCs. During this morning's session I alerted this committee to what we only became aware of last night. It was on foot of him coming to me a few weeks ago about this, so I thank him for that representation. At 8 o'clock last night I got information on how many councillors would be facilitated on the new community policing forums. The Policing, Security and Community Safety Bill is going through the House and was due to be scheduled for next Tuesday but I have asked the Department for more time. I am not scheduling the Bill for next Tuesday, so the Bill has been deferred for at least a week beyond that. I only got word of that today because the schedule has just gone around.

On the Department's plan in the Policing, Security and Community Safety Bill, this is a huge piece of legislation that reforms the Garda Síochána Ombudsman Commission, GSOC, and the Garda Inspectorate. The Bill has passed through the Dáil and I can see how people might have missed this element because it has been literally tagged on to the very end of section 114. The section allows the Minister to make regulations and lists a number of things that he or she can do and the very last line of section 114 reads: "(p) the dissolution of joint policing committees." The Bill is so large that I can see how the provision was missed in the other House but we have caught it here thanks to a small number of councillors flagging it with a few of us. We have managed to put a halt to it for now.

What concerns me most is that when I asked the Department yesterday for the briefing and confirmation as to how many councillors would be on the new community policing, it took me quite a lengthy exchange to get a simple question answered. I suggest that there was a reluctance to answer my question. I was told six to seven councillors are currently sitting on the pilot schemes that are currently running. Those pilot schemes have not concluded and have not been assessed as to their effectiveness. I have since been told that the information is incorrect because representatives of Longford County Council told me they have only three and representatives of Waterford County Council have told me they have only five. Mayo County Council has 13 councillors on its JPC, so anything less than that is a reduction in councillor representation. We were caught on the hop with the university boards and we will not be caught on the hop with this one. We were not aware that this was happening until very recently. I think a lot of councillors and members of JPCs are unaware this provision is contained in the Bill.

The intent of that legislation is that the minute each new community policing forum is up and running, the JPC will cease to exist. The regulation to provide for that has not been drafted. I have asked for the regulation but I have been told it is not ready. We do not have sight of it, so we do not know what is specifically planned for these new community forums or how many councillors will actually be appointed in each of the different areas. When regulations are not drafted, we do not know what we are being asked to agree to. Furthermore, once the legislation is passed and the Minister is allowed to make regulations, he or she can make regulations at any point in time but we have no say in that because it is not primary legislation. That is something to take away from today.

We made the representatives of the AILG and LAMA aware of the situation this morning during our meeting and I have asked them, as councillor representative bodies, to liaise with Members and councillors. An email will go out to all councillors. We are working on this matter on a cross-party basis. This matter has been discussed within the Fine Gael Party and within our group. As I said, we are only getting the information at the last minute.

I reiterate a view I expressed this morning which is that we have too few councillors doing too much work. The geographical areas some councillors are covering is too large. Mr. Hyland made a very good point about the situation in Westport and Belmullet. To drive from one end

of that municipal district to the other would probably take an hour and a half. Some counties are smaller than that municipal district, MD. A councillor could not be expected to be abreast of all the issues given that geographical area.

Mr. Duffy made a very good point about resourcing. We are fairly well resourced as Senators, TDs are even more so and Ministers even more than that but local councillors are on their own in terms of doing their work.

As I pointed out earlier, lots of citizens do not differentiate between councillors, TDs and Senators because they think that we all do the same work. They will go to whomever is closest to them and the expectation is the same, regardless of one's position. We have done some good work on pay and conditions but more needs to be done because what was a part-time role is now a full-time one in terms of the expectations of the public. However, the job is not remunerated to that level.

On representation of people who are in their 20s, 30s and 40s, some councillors have made a point about trying to strike a work-life balance. The elephant in the room is that in those decades one is probably dealing with young children and one may also have a second job. The juggle is difficult and, looking around, I know some councillors dealing with that. It is a difficult job to manage. It is difficult to do all of that and deal with demands without the proper resources and remuneration. If it is properly remunerated, councillors may be able to do that job full time and not have to have a second role, if they choose not to. They are issues we will work on as a committee and we will be part of it.

I have probably covered enough because we are tight on time, but we will get another chance later.

**Senator Shane Cassells:** I want to touch on two related issues from different ends of the spectrum. They are the points raised by councillors in respect of regional councils and town councils. Regional councils formed a large part of the debate earlier among the representative bodies. Councillor Gilroy mentioned the plans for regionalisation and the idea of direct elections to regional authorities, and that idea should be posed and teased out. So many of our statutory bodies, such as ETBs and tourism boards, are now operating on a regional basis and there should be direct representation of councillors on those bodies. This session is on the future of local democracy and that is a question worth posing.

On the issue of town councils, Councillors Brogan, Duffy, Hyland, Munnelly and Reape all spoke to this. Of the 17 years when I was a councillor, I was a dual councillor and 15 years were spent on a town council, so I know that system well. While I have been speaking about regionalisation, I fully believe in having that urban-centred council base as well, just as there is throughout the Continent, where very small areas have a town municipality. If we are to re-establish them, and I sought their re-establishment in the previous Dáil term with a local government Bill to that effect, it would be on the basis of having those statutory powers for finance and planning. There is no point in re-establishing them if it will be just a dressed-up MD all over again. That will defeat the purpose and will not be local democracy.

Councillors Munnelly and Hyland spoke about the finance from parking, rates and everything else that is generated in a town and about being able to finance that back into it. If a proposal coming forward does not have that, it will not be worth the paper it is written on. When I was first elected, the county council I was elected to was broke. It was €10 million in debt, whereas the town council I was elected to was in surplus. That meant we were able to go to

the banks and leverage our own loans, separate from the county council, which allowed us to build a 350-seat arts centre in the middle of town because we were running a surplus. We had parking charges that were bringing in €2 million per annum. It showed the benefit of having a stand-alone, separate, autonomous town council.

A point was made about borough councils. Borough councils should never have been done away with. They had been there for centuries. They represented huge places such as Sligo, Drogheda, Kilkenny and had a connection to those urban centres. The points that were made to advocate for their return will form part of the report.

**Mr. Michael Loftus:** I thank the Senators for what they have said. If we look around the table here, we politicians in local areas look at our communities and work for them. It does not make a difference what party we are in. To us, the important thing is our communities. We as councillors will always represent our communities but we want to be given the opportunity and ability to do so. If we do not have the ability to do so, something is wrong, and that is what we feel at the moment. We have heard strongly from most councillors at this meeting about the different things we are looking for. I thank everyone, especially the Cathaoirleach and Senator Chambers, for organising this meeting, and the other Senators for their contributions, but we want something out of it. I ask them not to let the report just sit on the table but to do something and give us back some sort of powers such that we will be able to do something for our communities.

**Mr. Christy Hyland:** I thank the Cathaoirleach and his colleagues for their time. The system is broken. I ask them, please, to fix it.

**Mr. Ciaran Brogan:** I thank Senators. I will leave them with two points for reflection. First, in 2014, the abolition of town councils came about as a great PR exercise and a cost-saving exercise. A lot of public representatives and councillors get flak about this. The abolition was seen as a cost-saving exercise, but in Letterkenny, elected members' expenses amounted to 1% of the overall budget.

The second point relates to housing. There is something badly wrong at the moment with housing and I ask Senators to reflect on that and to look at it more closely. There was some discussion earlier of how many voluntary housing associations are emerging. There is something badly wrong with the model among local authorities and the Department if so many voluntary housing associations are emerging. We need to look at the model we have. What has not been said is that it is much more expensive for the tenant. For local authorities, nothing brings in more income than housing, so we need to look at that model.

I sincerely thank Senator for allowing us this opportunity.

**Ms Louise Heavin:** I am the mayor of Athlone municipal district in Westmeath County Council and one of my main issues is that we should free Athlone from the shackles of the county system. We do not belong to Roscommon or Westmeath. Ours is a big town and it is to our detriment, especially of the west side, that it is split across two administrative areas.

On planning and housing, Senator Cassells is correct. We need that skill and attention on the town councils, in the municipal districts or whatever ends up being the solution. Currently, in my council, for example, people based in Mullingar who live nearly an hour away from Athlone are making decisions about Athlone, but they do not really know the town and geography as well as they could. To be fair to them, they are stretched in and of themselves, so it is not a

staff problem but a location problem. That is crucial.

We recently had some input into planning. However poor the SHD system was, it allowed all councillors to view a planning application, sit in committee and discuss its merits. I have seen SHD applications change for the better because of feedback that happened in council meetings. That is one tiny bit of good news that came from an SHD system and it could be considered in this report.

**Mr. Nicholas Crossan:** One of the major factors at the moment is the uncertainty of the gratuity payment, and that has to be looked at in the coming months. The gift is here. Senators have been told about it. Everybody has been warned about it and, as Councillor Hyland said, they should not come knocking on our door. It is serious for people and it has saved an awful lot of time.

Another issue relates to the simplification of vouched expenses. We are not accountants. We are prone to making a mistake or error. If we do that, we are pointed to and told it should not have happened. A simpler way of submitting expenses would be much handier for us.

I thank Senators for their time. I hope they will take all the points on board.

**Mr. Mark Duffy:** I thank the Cathaoirleach and everyone for listening to the contributions. I am passionate about empowering people, our towns and our communities. If we do not do that, our national parliamentarians, who are supposed to deal with national and international issues, will be pulled into and bogged down in individual housing issues and other small issues that could be dealt with by local town and county councils if they were adequately resourced. That is what our national parliamentarians should be doing, but I often see they get bogged down and almost become pseudo-county councillors. That is a cost to the State in terms of where our focus and political capacity lies. The quip is often made that we do not need more politicians, but the alternative to that is that we have disempowered communities. We need our town councils and village and community councils because that will give back power to the citizens living in towns, villages and communities.

**Mr. Donal Gilroy:** I thank Senators for listening to us and for their feedback. It was much appreciated. I especially thank Senator Cassells for his comments on regional representation. I do not know if Senators have invited the Association of Irish Regions to make a presentation. The cathaoirleach of the regional assemblies may also have something to add. There are different regions within our country. We are not all the same and that has to be remembered. What works in the east may not work in the west and what works in the south may not work in the north. We need to all work together. We are all different but we are all the same. Everyone I have listened to today on this side and that side is here to serve. Every one of us is here to serve and I thank everyone for their service.

**Mr. Donal Kilduff:** The key is greater autonomy. Our local authorities need greater autonomy. If we are to go to the trouble every five years of holding elections and electing representatives, then those representatives need powers to decide on things of local importance. My experience has been there is very little power to decide on anything. Once a year I have a free vote and complete autonomy to decide on one item, and that is whether or not to raise the local property tax. After that, there is not much autonomy on anything else. If Senators can do something about that and give greater autonomy back to local authorities, that would be a key deliverable for this hearing.

**Ms Annie May Reape:** If anything comes out of today, we will all be very happy about it. We have all raised the same type of issues. For God's sake, somebody has to listen at some stage. The Senators have all agreed and given us great encouragement that something positive will come out of this. They know the areas of most importance, including more autonomy for councillors. We have directors of services, management and chief executives and we have absolutely no power. We leave our meetings frustrated at times. It is the most important issues affecting our areas that we are not getting information on. Maybe there are too many officials at times. That is why better local government, BLG, did not work the way we thought it would.

I thank Senators for the wonderful opportunity for all of us. We will always remember this day.

*Sitting suspended at 3.53 p.m. and resumed at 4.14 p.m.*

**An Cathaoirleach:** I thank our next group of speakers, who are local authority members, for being here and opening this session. Mr. Niall Murphy has come all the way from Galway city. He is most welcome.

**Mr. Niall Murphy:** I thank the Cathaoirleach and Senators for the time and opportunity to speak on this matter. I will make the case for term limits for councillors. Limiting the number of successive terms a councillor could serve would help turnover and democracy, and bring fresh blood and younger politicians into the system. Previous speakers, including councillors Heavin and Duffy, referred to gender and age quotas. That kind of diversity can be achieved in other ways. Those kinds of quotas can be very difficult to manage logistically but a term limit would mean we would get extra turnover and diversity, without necessarily having to be specific about the percentages of what types of diversity we want. Diversity is not just about age and gender. It includes employment backgrounds, ethnic groups and so on. I suggest a three-term limit. Fifteen years is a reasonable amount of time for anyone to make a contribution, give to the public, and leave his or her mark on politics. If we can increase diversity among local authority councillors, it will have a knock-on effect of increasing diversity among Senators and TDs because most of them have cut their teeth as councillors.

Why does a term limit make a difference? Being an incumbent at any election gives a candidate a large advantage. Over the years, in a system like ours, the clientelism that is part and parcel of Irish politics means that votes are accumulated over time in return for, let us say, fixing a pothole or for some other local repair. For example, if anyone in the Gallery is from County Galway and he or she needs a pothole fixed, I am the politician to contact, and if that person does not contact me, I am giving an advantage to my opponents because that is how we get elected. If I cannot do that, I might actually have to run on my policies. The other advantages an incumbent has are name and face recognition, access to public events, and the media being more available. Once an incumbent has been there for several terms, it can be very hard for that person to be ousted by a younger, fresher challenger. It means there will be less turnover. Over the decades, the total number of people who will have served on the council will be less if the incumbent always has that electoral advantage.

The counterargument is that it is anti-democratic to deny voters a chance to vote for the individual they feel best represents them. I am sure many existing councillors would say that very loudly. However, the very fact that existing councillors would be heard very loudly if they said that we cannot have term limits and they should be able to run for as many years as they want is due to incumbents having power and audiences such as this one where I get to voice my opinion as a councillor, when the average person on the street, or the person who will run against me at

the next election, does not have that same level of access.

To give a little international context, city councils in the United States often have term limits. New York has a two-term limit. Term limits tend to be a little less popular in Europe, although Portugal has them. There is also an argument that politicians become more experienced after a number of terms. That is why there should be at least three terms. We do not want one term, where councillors are always novices. If there were always a fresh set of councillors every five years the executive would run rings around them, but 15 years certainly seems long enough.

In terms of the party system, it could be argued that a party might have trouble. A party could say it is losing its councillor after three terms and needs to replace him or her, but that is good for the parties. Not just at council but at party level, if one party has one superstar who runs for years and years, that will put off fresh members because somebody will say there is no way he or she will ever be able to represent the party in his or her area because that guy has been there for the past 15 years and will be there for the next 15 years.

It has also been found that term limits make it harder to lobby a politician. Lobbyists depend on the relationships they build up over a number of years. If there is more turnover in politicians, the lobbyist has to start from scratch. I believe that anything that weakens the lobbyist will help democracy because it is voters who should have the say and not lobbyists.

I ask that term limits be introduced to bring more change, fresher ideas and younger politicians into our local authorities.

**An Cathaoirleach:** I thank Mr. Murphy for his contribution. Members have earphones if they wish to use them for contributions in Irish.

**Mr. Shane Curley:** Gabhaim buíochas leis an gCathaoirleach, an Treoraí, an rapóirtéir agus na Seanadóirí go léir. Is mór an phribhléid dom é a bheith anseo inniu. Táim fíorbhródúil go bhfuil mé in ann seasamh anseo agus labhairt leis na Seanadóirí mar chomhairleoir. Is maith liom an smaoinemh atá acu.

As a county councillor, one of the things that gets asked of me quite regularly is why go into politics and why I want the hardship of being a county councillor. I try to give a humorous answer and say that I am not only a councillor but also a GAA referee and a secondary school teacher so I just love hardship. The reality is I would like to change the narrative and ask why not. Why not want to go into local government? There is currently a narrative out there that it is a toxic environment where people get abuse when they go online and see what is happening. I want to try to change that.

Why it is politics for me is I was raised by a family and parish in Killeenadeema in east Galway, where I got an incredible national school education. I went to Loughrea where I got a great secondary school education and was equipped to be a good human being who wanted to do well for my community. I wanted to go into Galway County Council to get resources for that community to pay back what it gave me. That is where I am coming from when I say I want to be a county councillor. I slightly disagree with Mr. Murphy on term limits because I do not think some of the things I want to get done could ever be done in 15 years, if that is the term that will be considered. I would totally oppose that, but that is just my view. We can talk about it afterwards. Given my stated aims as a county councillor, I am failing right now because I really have no powers aside from the power to pass a local property tax rate, as Councillor Kilduff said. That is pretty much my only individual power as a councillor. Everything else has to be

approved either by the Department or a Government body. Mr. Moylan mentioned the three Rs: representation, resources and responsibility. I do not believe I have much of any of these as a county councillor right now and I would like more of them.

Consider the practical steps we could take immediately to make impactful, low-cost changes to local politics. Given that we cannot attract new candidates to engage with local policy or attract them into local politics in general, why not obligate every local council to live-stream every council meeting, be it at plenary level or municipal district level. Right now in Galway County Council, we have been trying to get the streaming equipment for four years. A young person who wants to go into politics cannot go online and watch their councillors representing them. As stated in the 20×20 campaign, “If she can’t see it, she can’t be it.” This was to try to get girls into sport. Let us take this approach into politics, make politics visible to people, and bring people in. If they see it, they will want to be it. They will see the difference I am making at local level. Although it is very small, I feel I am doing a reasonably good job.

There are two other steps that could be taken, the first being to give us legal advice independent of executives. With this, we could double-check that what we are doing is legal and have confidence, if challenging the executive, that what has been said to us is legal and that, when we vote on the matter and take the responsibility we are given, we will be doing something legal. Second, we should have technical support. If an engineer tells me something is impossible, I want to be able to ask an engineer independent of our executive why that is the case before I tell the people I represent that it is not possible. Let us be given the technical and legal advice for free and empowered to access it very quickly without having to go through the rigmarole of asking a TD whether something is legal because he or she, being a TD, will have the expertise. Let us just bring it down to local level and be given the equipment.

George Bernard Shaw stated that some people see things and ask why, whereas others dream things and ask why not. I am asking why I am not able to represent people right now. Why am I not being given the resources to represent them? Why am I not being given the technical and legal support available to Senators and TDs? Why do I feel as if I am a rubber stamper at local level, basically facilitating national red tape? Give me the power and I will engage in implementation responsibly, using the resources and power I am given to represent my people. I want to represent Loughrea. I want to give back to Kilnadeema. I want to give back to the area that made me the person I am today because I am really proud of where I come from. I love my area and have a vision I want to enact over much more than 15 years. I want to see a future that is sustainable, climate proofed and education proofed with a really good education system. I am fluent in the Irish language because I got a great education. Some 95% of people cannot speak Irish properly. Why? We have a 14-year education cycle in which I am handcuffed as a teacher to deliver a curriculum that does not serve the community. If I were on a board of education at national level, in the NTA considering the climate, or in TII considering road or rail infrastructure, I could feed in the local issues I see in my community, as could every other councillor. However, we have no resources to do this. Also, we are choked by red tape because the national bodies are part of a system that makes it impossible for us to do things in a timely fashion. The money is available and can be used but we cannot do so properly.

As a referee, I am going to respect the fact that injury time is probably over. Go raibh míle maith agaibh.

**Ms Geraldine Donohue:** I thank the Cathaoirleach and members. It is a great honour to be in this Chamber today. I thank the committee for the invitation to make a presentation here.

I am a first-time councillor and represent the Gort-Kinvara electoral area of Galway County Council. I am an independent. I have had a steep learning curve over the past four years but it is one that I am thoroughly enjoying. We have a common denominator here today, namely that all of us, both Senators and councillors, are public representatives. The greatest honour is that somebody would pick up the phone and dial my number to ask for help, knowing somebody at the end of the line will answer, try to help and make representations. The best part of my day is making representations, be it for a social house or a for a road. I make many representations on roads. The issue of school buses was the most recent issue, having featured over the summer. I got it over the line for the students in Lough Cutra and Gort. Many issues come across my table and I try to do the best I can as a county councillor. There is a steep learning curve.

Members will see from my submission that I include four asks. The first, of which members and the LGMA are well aware, concerns the basic matter of electronic payslips. There are 949 councillors still getting their payslips through the post, yet Oireachtas Members are getting them electronically. Addressing this should be at the front and centre of any change, if we are talking about change.

I also refer in my submission to local government modules in primary and secondary schools. I recently attended Kilbeacanty National School, which is setting up a school council. Those involved were so eager to learn about the constituency, the Constitution and all that goes with them. They were very eager to learn about democracy, even in their own school. I would really like to see school leavers being registered to vote. If they want to vote at 16, I would be an advocate. Also, we should encourage them to vote and do so wisely. It is a bit like money in that a vote has a value. It is really important, therefore, that it be spent wisely rather than left unused or hidden away on polling day.

I also state in my submission that I would like to see a booklet on local government sent to every home in the country to take the mystery out of local government and draw attention to the community effort around it. People do not know their TDs from their councillors or Senators. Therefore, we need to educate them, be it at school or in the home. We need to take the whole mystery out of local government and get communities engaged again. That will bring back voters and increase the vote.

I also ask for fairness in funding in local authorities. As has been well said in this Chamber, we all know Galway County Council is underfunded. Every year, my colleagues, some of whom are here, and I cry poverty and ask why we are so underfunded. Underfunding has a knock-on effect on delivering projects and services for our constituents. Staff morale is low, which in turn has a knock-on effect on delivering projects. The rate of the filling of vacancies is very low. There may be no big appetite to apply for a role because there are no resources to do the job. It must be very disheartening. I honestly feel for some of the engineers. They are doing their best but have to apologise because they have no money to deliver on what is requested. While I try to do my best for my constituents, it can be difficult at times.

Another big issue I am encountering at the moment concerns rural planning. I have constituents who cannot build on their own land. That is not acceptable. They are of the land and should be entitled to build on their own land, in their communities. They deserve that, as do their communities.

I will conclude because I am probably into injury time. Some council meetings can go on for a very long time. Ours starts at 11 o'clock in the morning and can sometimes go on until 6 o'clock in the evening. It is not that family friendly. It would be desirable if we could consider



that.

Questions comprise a new initiative brought into Galway County Council. I advocated for this and am thankful it has been introduced. There is not often a carbon copy throughout councils but I hope that, with this consultation, we will have a report and feedback on all this.

**Ms Mary Hoade:** Tá an-áthas orm a bheith anseo. Táim buíoch as an gcuireadh.

I have been a councillor since 1999. Senator Cassells and I started out at the same time. I have seen several forms of reform in local government, from the days of Better Local Government days to those of Putting People First. I definitely feel the power of the councillor is far more diminished now than it ever was.

Before he left, Senator Craughwell spoke about the situation concerning the amalgamation of Galway city and county councils. We had a huge debate on this. There was talk of amalgamating a city council and county council. People who are not from Galway must bear in mind that it is faster to drive from Galway to Dublin than from Portumna, which is on the Tipperary border, to Clifden, which is at the other end of the county. There was talk about amalgamating Galway city and county councils with no extra financial or other resources. We are only fooling ourselves if we are talking about that. Thank God it was stopped at this level. Thank God you stopped it because we would not be providing any services to the citizens we represent. It is important that we acknowledge the situation regarding funding in Galway. We have a serious crisis in Galway. There is a serious situation with the equalisation fund. Nobody can ever tell us what formula was used to create it. I have spent a long time talking about it. As I said at our budget meeting yesterday, you could probably wallpaper all the rooms in the Department with all the documentation that has been sent in by previous executives and councillors on Galway County Council and former Oireachtas Members. It is ridiculous that we are underfunded. Part of the current review group's terms of reference included that no local authority would be left off as a result. Let us be very clear: if no extra money is going into resources, why are we even bothering to set up terms of reference and a team to look at the local authorities? I appeal to the committee to address that.

The retention of members on local authorities is very serious. Several others have spoken about work-life balance and how difficult it is to get people into local authorities. I am a former president of the AILG and I must say that during my time, which was during the difficult Covid pandemic, I spearheaded efforts to set up resources and research into the current situation where local elected representatives could not get maternity leave. There is no other job in this country where you cannot get maternity leave. I was a councillor. I had a child and I went back to work four days afterwards. There are now people taking nine, 12 or 15 months off in different jobs. In local authorities we had absolutely no option to take maternity leave. Thankfully that has been addressed. The Minister, Helen McEntee was the first person who actually availed of it and now a few councillors have done so too.

We need to start addressing the question of getting people into local politics. You will only join local politics, as I did in 1999, if you want to make a difference to your community. You can make a difference but we are losing all our powers. The recent Congress of Local and Regional Authorities report into local government showed Ireland third from the bottom. That says it all. It is very clear. Compare us to the Danish model. Denmark has a similar population. It has a say on primary and secondary education, healthcare, housing and social welfare. More and more of our powers are being taken away. We cannot even deal with local area plans or local town plans any more. In our county development plans, we now have the Office of the

Planning Regulator. When I first started in the council, if you wanted to make a representation on a medical card for someone, you would go to the community welfare officer. You would know the person on the ground and the community welfare officer worked in the area. We do not do that anymore. It is now in Finglas so we have to contact a body and we do not know who we are speaking to. At least as Oireachtas Members, the Senators here have a contact number. As councillors, we have a number where we have to wait on hold and no one can share information with us. The SUSI grants have all been taken away from local authorities. If we really want local authorities to work, we need to start giving them back power. The gap between the powers of the chief executives and those of the elected members is getting wider and wider. Let us be serious about this. If we really want to make a difference, we have to start giving the powers back to people at local level, we have to start resourcing them and we must start to genuinely address the issues that affect them. During my term, we were very lucky that we got the Moorhead report through. It would be remiss of me not to acknowledge Noel Dempsey because he was the first elected representative who did anything to remunerate councillors. It is now a much more onerous job. It is now full time. It is hard to hold down another job unless you are self-employed. It is difficult to be asking employers for time off. What will happen if you are not going to remunerate people and provide them with resources? It has been noted that TDs, Senators and MEPs are quite well resourced - and Ministers even better - but we have no resources as locally elected representatives. We are crying out. I really welcome this opportunity today but I really hope that very clear and concrete decisions will come from it to bring local government back to where it really and truly should be.

**Dr. Evelyn Parsons:** A Chathaoirleach, a Cheannaire, a Sheanadóirí agus mo chomhghleacaithe comhairleora, gabhaim míle buíochas libh as an deis seo mo thuairimí faoi thodhchaí rialtais áitiúil a roinnt anseo inniu. I thank the committee for the opportunity to delve into the future of local government in Ireland and for being invited here today. I am an accidental politician. I was co-opted barely over three years ago. It has been an absolute education, an experience and a journey. It has been life-enriching, frustrating and rewarding. Listening to the councillors' contributions this afternoon, there has been a real commonality of themes that have come through. We have all remarked on similar themes throughout our submissions. Everyone so far that I can detect has identified the need for independent legal, accountancy and planning advice and more. Things are becoming more specialised in areas like climate change, renewable energies, digitalisation and broadband. There are so many new technologies coming along and we need to have independent access to experts in these areas.

The topic of local government resonates deeply with me and rightly so because it is the backbone of our communities. I would like to consider a vision that balances tradition and progress and values the voices of all citizens and harnesses the potential for innovation. I think we are at a very exciting time.

Through the beauty of local government, I am here today. I was co-opted and it worked to allow me to have a voice. I am somebody who would never have considered putting myself forward publicly. It has been an eye opener and an experience I will treasure. I have learned so much from it. I hope I am giving back with a different eye from someone who would have put themselves forward. I want to acknowledge the strengths of our local government system. Its roots run deep. It intertwines with the rich tapestry of our history in this country. Our local representatives with their close ties to the community have been the bedrock of effective governance. Their legacy is invaluable and any vision of the future must respect and preserve those foundations. I represent Ballinasloe municipal district and am also the leas-chathaoirleach of Galway County Council. How could it happen that I would be standing in the Seanad today

were it not for local government? We have to think of those things too.

As we stand at the crossroads of progress, we must be willing to adapt. The challenges our communities face today are complex and multifaceted. Climate change, which I already mentioned, evolving demographics and technological advancements are all reshaping our landscape. To navigate these waters successfully we need a local government that is agile, forward thinking and responsive to the diverse needs of its residents. We need permeability between local authorities, State agencies and other public services. There is a need to tackle dereliction of State-owned properties around the country in towns and villages. We really need to move this important and valuable infrastructure on.

I cannot be out of time already. I will skip on. I want to mention that balancing powers between the executive and the elected council is essential for checks and balances. We have often been blindsided by things such as the residential land zone tax, the Land Development Agency, SHDs and SIDs. They are all eroding local governance and utilising the scant administrative resources of already stretched local authorities such as Galway County Council, which is paid less than it costs to administer those schemes. We do not have any effective power on those.

I am out of injury time, it seems. I wrote too much. I am so delighted to be here. Go raibh míle maith agaibh go léir as ucht an deis seo.

**An Cathaoirleach:** Go raibh maith agat. Thank you for being here today. We have two councillors from Longford with us - Councillor Uruemu Adejinmi and Councillor Gerry War-nock.

**Ms Uruemu Adejinmi:** I thank the committee for the opportunity to make a submission to it on the future of local democracy. I am a councillor from Longford. This is my fourth year of service as a public representative. Prior to that, I worked in the public and private sectors for nearly 20 years. I have seen a stark contrast in how both sectors are run. I have put forward some observations as well as recommendations on the future of local government.

The current structure of local government in Ireland prevents it from adapting to changes in the environment and meeting the needs of its growing diverse communities and businesses. The principle of subsidiarity in the EU treaties is to ensure that power is exercised as close to the people as possible. Local authorities are the closest bodies to the citizen yet they do not manage a substantial share of public affairs - only their own responsibilities. Local government needs fewer layers of bureaucracy to be more flexible and responsive, to provide more cost-effective public services better suited to local needs and to attract residents and businesses.

The number of elected representatives in local government is a neglected area of reform and innovation. Irish local government is the second largest in Europe, with 949 councillors each representing on average 5,400 citizens compared to other European countries such as Denmark, which has a ratio of 2,400 per councillor, and Finland, which has a ratio of 627 per councillor. Unequal representation and inconsistent structures reduce the democratic legitimacy of Irish local government. This is affecting citizen engagement resulting in low and declining voter turnout at local elections.

Gender equality and the empowerment of women and girls are among the UN's 17 goals for sustainable development. Representation of women, minorities and new Irish groups is significantly low. Women are under-represented at all levels of decision making worldwide with representation of women in local government at 36%. In Ireland, women make up just 24%

of elected representatives in local government. In Longford, the figure is even lower at 11%. The under-representation of women in local government has a knock-on effect on female representation in national government. To truly reflect local communities and their needs, we must improve the gender balance in local government. A recommendation of mine is to legislate for and implement gender quotas for women, minorities and new Irish groups in local government to fast track representation reflective of today's society. In my submission, I cited a working paper that was a global analysis of women's representation in local government that showed that countries using legislative quotas have higher representation of women in local government. A total of 44% of countries use legislative quotas to improve representation in local government. The proportion of seats held by women in local government is also one of the indicators of sustainable development goal five relating to gender equality.

Another recommendation of mine is to increase the range of functions of local authorities as well as financial and organisational autonomy to enable local authorities to respond more quickly to the changing needs of citizens in each local authority. This would be in line with the principle of subsidiarity in EU treaties. Local government's share of the public sector in Ireland amounts to 8% of total public expenditure compared to the EU average of 23.3%. Local autonomy could have a positive impact, as has been mentioned by other contributors, on citizens' satisfaction with services and democracy as well as on political trust. Proportional cities with a direct participation structure of civil society in urban planning and management that operate regularly and democratically is also one of the indicators of sustainable development goal 11, which is sustainable and inclusive cities.

Another recommendation is the introduction of population thresholds in the determination of council size to manage the electorate to represent ratios. This system is in place in Nordic countries, one of which I mentioned earlier. It would also facilitate the creation of gender and diversity quotas. In Longford, we have experienced a 14% population increase since 2016. If an additional seat on Longford County Council, which has 18 councillors, and that representation is female, it would take the percentage from 11% to 15% so that is a sure-fire way of improving representation at local level.

My final recommendation concerns SI 449 of 2023 to provide a security allowance for elected members of local authorities. At the moment, this must be paid on a once-off basis not exceeding €2,500 or 50% of total cost. My recommendation is for it to be 100% up to a maximum of €2,500 because the abuse, threats and harassment experienced by councillors is a direct result of their role as public representatives. Councillors should not bear any cost incurred up to the maximum allowed for ensuring their security and that of their families to enable them to execute their duties and promote democratic participation of citizens in local government.

**Mr. Gerry Warnock:** I thank the committee for the opportunity to present here today and contribute to this important work. I have been a public representative since May 2011 having been co-opted on to Longford Town Council, a place where my father Christy served with distinction since 1979. I was first elected to Longford County Council in 2014 and returned in 2019. During that period, I had the honour to serve as Cathaoirleach of Longford County Council from 2015 to 2016 as well as chair of the Longford joint policing committee between 2014 and 2019. I have been employed by Longford County Council since 2001 and have an intimate knowledge of how local government works.

I believe in local government. I have seen how it can work to the great benefit of the people but I have also see massive weakness in its current form. When I started my journey as a councillor back in 2011, reform of local government was a hot topic. This was something I em-

braced as we had and sadly continue to have the most centralised system of local government in the OECD with far too many powers residing with unelected officials in central Government Departments and council executives while the elected councillor has a restricted role centred around statutory and representational obligations.

I had such great aspirations but I was so let down by the provisions of the 2014 Act. It was a missed opportunity to do something meaningful that could have had a generational impact on local communities. This Act weakened the role of councillors and in many respects, sidelined us in favour of an increased role for unelected community groups and NGOs through the public participation network and the requirement of the establishment of town teams and other such entities to draw down so many national funding schemes, particularly around regeneration projects.

The ill-considered abolition of town councils was a knee-jerk reaction by the Government of the day to appease a public that was clamouring for some sort of political reckoning following the economic downturn a couple of years earlier. This was a reckless error of judgment. Almost a decade later, it is obvious that provincial towns have never recovered from the devastation wrought by the economic downturn and are still challenged by high levels of commercial vacancy and business closures on high streets. One must ask if we would be in this situation if we had a system of town governance that was more responsive to the challenges affecting our urban centres.

Any reform of local government must acknowledge the shortcomings of the municipal districts system and the vacuum left in the wake of the abolition of urban authorities. On that note, I recommend that this committee give serious consideration to the re-establishment of town councils for towns with a population of over 10,000 people. These should be stand-alone authorities with a suite of powers like the old urban district council model. Failure to acknowledge the limitations of the current system around town governance will not lead to reform but rather accelerate the demise of provincial centres socially and economically.

My final proposal is for radical reform of the funding model. Councils are limited in the amount of income they can generate locally and are heavily dependent on Government subvention for current and capital expenditure. The bureaucratic system for drawing down capital funding, particularly around housing and regeneration, is cumbersome and at complete odds with realistically achieving targets set by Government under national action plans for service delivery and infrastructural development. I will give two examples in Longford. One involves our voids programme that was set for us by central government. Over the next couple of years, Longford County Council will have a hole of about €3 million because the Government is only providing €11,000 per void. The average cost of bringing a void back into stock through the standards that are acceptable at the moment is €45,000 so the council must eat that. That €3 million is matched funding towards a €12 million urban regeneration and development fund project - probably in our county towns. That is the level of funding and knock-on impact with which we are dealing.

In March 2021, the Minister, Deputy O'Brien, arrived in Longford and made a welcome announcement of €15 million for the Camlin Quarter development. It is a significant project for our county town and is very welcome for an area that has been deprived of investment for many years and is subject to dereliction. We are now nearly three years into the project and, because of departmental bureaucracy, we have to submit five different business cases for the project's various elements. There are no shovels in the ground yet. You could not make this stuff up. It is crazy altogether.

We need to streamline or minimise bureaucratic processes to convert financial resources into action on the ground in a more efficient and timely manner. That is what local communities expect from their lead agencies. We need the Government to trust that councillors know what is best for the communities we represent and to help us in our work through structures that are fit for purpose, appropriate financial supports and more responsive and streamlined oversight.

I thank the committee for the opportunity to present my views and I wish it well in its endeavours.

**Mr. Mike Bray:** I thank the committee for its invitation. It is an honour to be in the Seanad Chamber. I thank the Cathaoirleach for establishing this important discussion on the importance of local democracy.

I acknowledge my local Oireachtas Member, Senator Cassells, who is the committee's rapporteur. He has always been a strong advocate and used his position to protect and strengthen local democracy.

I wish to focus on two specific themes. The first is the macro level in terms of the importance of local government to our overall democracy. The second is how I feel frustrated in my role as a councillor by certain State agencies delaying and blocking projects in my local community.

Democracy and politics are not in a good place and there is a trend of politicians and Governments having declining approval ratings and lower gradings in democratic indexes. For various reasons, large swathes of the population do not trust politicians or have faith in the system to deliver for their needs. There is a disconnect. As with global trends, approval ratings for politicians in Ireland have declined. However, research from the UK has found that 76% of those surveyed trusted their local councillors while just 9% trusted their MPs. I believe the figures for Ireland would be similar if such research was conducted here.

Local authorities and councillors are the most trusted section of our body politic, yet central government has stripped local councillors of our powers over recent decades. The public can see the work of councillors daily, be it in improving our local roads infrastructure, delivering local amenities like playgrounds or tackling our climate challenges with community-based environmental and biodiversity projects. The electorate sees local government working for it in local communities, but the scope of what we can do is limited. By devolving more responsibility and power to local government, we could help to rebuild trust in our politics and, in turn, have better outcomes for the people and improve the delivery and efficiency of services.

I wish to outline how I feel my role as a councillor is being hindered and how I cannot use my functions to deliver for the needs and wishes of my constituents because of the overarching role of certain State agencies and national policies. This year, there has been a spate of accidents on the N51 and N52 roads, which cut through my Kells constituency. As a councillor, I am basically powerless to invoke the council to implement safety measures on these roads, as Transport Infrastructure Ireland, TII, is the responsible authority for national roads. This year alone, I have had three motions passed at municipal district, MD, level on the need for the TII to engage with us on road safety. There has been no meaningful engagement and, more importantly, no new road safety measures have been put in place. The local community of Balrath outside Kells has been impacted by crashes on the N52 on an almost weekly basis while the communities in Athboy and Rathmore have seen a deluge of crashes this year, with eight serious crashes since August. On one 200 m stretch into Athboy, there have been four serious

accidents. This small stretch has a housing estate, a GAA pitch, a school, a park and a nursing home, but the TII will not even meet to discuss the most minor of road safety measures that would save lives. The local communities in Athboy, Rathmore and Balrath cannot understand how, as the situation deteriorates and despite my numerous motions being passed at council meetings and my continuous writing to the relevant CEOs and authorities, no new road safety measures are being installed along these dangerous stretches of road.

I have a proposal. If central government is going to limit the powers of local government and delegate roles to bodies like the TII, we should at the very least have the power to compel some of their officials to meet us so that we can express the views and concerns of the local communities we are proud to represent.

**Ms Aisling Dempsey:** I thank the committee for the opportunity to attend. As I come to the end of what I hope will only be my first term as a local councillor and I see the emergence of candidates for the upcoming local elections in 2024, it strikes me that there has been little improvement in the diversity of candidates who will contest them. We have not progressed in terms of female and minority candidates. It remains the reality that the majority of councillors are male and, coming into the local elections, the majority of candidates will be male and native Irish. This underlines the fact that extra efforts must be made to promote the work and role of the councillor to groups that are not currently represented on our councils. This requires investment rather than aspiration. Funding should be allocated to launch council outreach initiatives, beginning at primary school level. This outreach programme would not be party political and should be a real representation of what the council is, what it does and the role of councillors and the executive.

Creating the diversity and parity that we desire will not be possible if current councillors are not seen as good examples that people can relate and aspire to, approach and see working in their communities. You have to see it to be it, as the saying goes, and councillors should be given the tools to be it in order to attract others into the role. Transparency and removing the mystery around the role of councillor would help in that regard. Mandatory webcasting of statutory meetings or other ways of communicating the business of the council to the public would help.

Political discourse has coarsened in the past decade. This is evident in social media and, indeed, on the floor of the Dáil where personalised attacks are more common than they ever were. I believe that this toxicity and negativity is more off-putting to women and minorities than to men. In politics, this means that people, particularly those already marginalised, will shy away or disassociate completely from politics. We need to stamp this out at national and local levels. There is a perception out there that incidents such as what happened to the Minister of State, Deputy Rabbitte, are not 100% wrong, given that she chose her career path to be politics. Politicians are being dehumanised in the media and by one another. This will not encourage the emergence of new candidates.

When we are elected, it is naturally assumed that we know how local government works and how we as councillors should work. For the most part, though, that is not the case. There is a clear need to have a standardised national course for councillors to familiarise themselves with organisational structures at local and national levels, Departments' responsibilities and even some of the minutiae of how we get our work done. While I find it difficult to have the time to engage with bodies like the AILG and the range of courses and training it provides, more of that is required. An institute for local governance with research capabilities that offered training and CPD for councillors would be invaluable.

I have a full-time job and I am a wife, a mother of two and a councillor. I know that there is really nothing unusual about someone working in a full-time job going above and beyond his or her contractual obligations, but there is something unusual about someone doing it in two jobs, as my firm believes that a full-time commitment to the role of councillor would be most beneficial to those we represent and to local government generally. For many of us who cannot work full time, we spend many unsociable or family hours making up that difference. There have been many calls for a full-time salary. I am not asking for that today, and it seems a long way off, but help with ancillary costs like childcare or pension contributions might make the role more attractive to those who are working full time – it might allow them to go part time – or even just allow current councillors to dedicate more of our time to the role.

As councillors, we cover the largest geographical areas compared with our European counterparts. Each councillor in Ireland has a ratio of one to nearly 5,500 citizens compared with Denmark where the ratio is one to only 2,500, yet we are supposed to do our job on part-time hours. Administrative support for councillors would be greatly welcomed. If we had a national portal where quarterly meeting returns, political donations, expenses and other types of administration could be completed it would be efficient and of great benefit to us. Much has been said about the erosion of councillors' powers, and there is no question that the role of local government has substantially changed in recent decades. That is nowhere more evident than in the development plan process. The CDP now has to fit within regionally and nationally agreed frameworks. It reduces the freedom councillors once had, but it does not and should not remove the responsibility we have to tailor the overall plan to the needs of our local areas. Rather than complain about the erosion of powers, I believe we should start the process of identifying and compiling the powers and responsibilities that are best delivered at local level. Having identified them, we should present a united front in pressing national government to devolve them and give local representatives the responsibility to implement them. This consultation, the work of the AILG, LAMA, councillors themselves and other bodies, together with an institute of research and education could start that process.

**Senator Victor Boyhan:** There have been very powerful presentations today. More important is that they are from the people with the lived experience - the councillors. It strikes me that the recurring theme in this half of our consultation is the EU model. Three speakers have spoken about the Danish model. Right across Europe, local government is strong and independent. It is independently financed. Fianna Fáil Councillor Michael Sheehan from County Wexford was in touch with me to talk about the importance of rates, finance and the independence of all of that. Councillors have a function in very few discretionary funds. It is really frustrating, and is an important point to raise. I thank the witnesses for sharing their experience.

I also take this opportunity to thank the Department of local government. Its officials on the ground, not the politicians, have done a lot of work and been exceptionally proactive in bringing more women into government through workshops and things like that. They have funded workshops for all of the political parties, including the AILG. I also point out that I represented Dún Laoghaire-Rathdown County Council for many years. That council is made up of 50% men and 50% women. That was because the electorate decided it, but it was also reflective of the quality of the candidates there. I point out to Niall Murphy that I do not support placing a span or cap on them. Good councillors are here for many years because they are good. I do not want to penalise people who are good, and I want to see diversity in our local councils. I want to see older people. A teacher contacted me a few weeks ago. She was a former school principal involved in fundraising for the GAA, Tidy Towns and a whole range of things. She told me she had nothing to offer local government. I told her: "Darling, you have loads to offer



local government.” She has life experience in the GAA, the church, politics and could not be better honed for local government. I am encouraging her as I encourage other people. It is great to see independent councillors here in particular. One thing people have said today is that you put all of that aside in council chambers and work together for your communities.

I cannot let this opportunity go without acknowledging the presence of my own parliamentary assistant, Councillor Geraldine Donohue. I can tell you, she has learned a hell of a lot. She talks about stuff going past her table. She sees a hell of a lot of stuff going by my desk. She collaborates with me, and I am thrilled. Geraldine came into the Oireachtas as an employee. She was not a councillor, but after a short period she chose to become a councillor. It is up to us as TDs and Senators to assist, support and empower people. I finish by saying that from all of our deliberations today, we will empower our communities. We will seek to empower them, support them, value them and trust them to do the valuable work they do in their city and county councils.

**Senator Pat Casey:** I thank everyone for their contributions. I will start off with Niall Murphy and his bravery to come in here and recommend term limits, and to tell Gerry he only has two years left in his term. Well done to him for making the case on term limits. Shane Curley then pointed out that it takes so long to get stuff done in the council that you would need longer than 15 years. We have all been there. We have all started projects, but by the time that project is delivered 15 years have passed, if not longer. Some of my projects from 2010 are only coming through now. It is surprising how long it takes. Shane and others mentioned live webcasting, and it has been mentioned throughout the meeting. I do not know why this cannot be done. During Covid you could log in. I am given a login to the council meetings every month so I can log in. It is already there, and it is only a matter of rolling it out. Anybody who wants to log in to a meeting could log in tomorrow morning. We all have access to each local authority meeting. Education was mentioned a good few times by Geraldine Donohue and Aisling Dempsey. Evelyn Parsons mentioned education in the context of outreach booklets. That is maybe something we need to look into, and not just from a local government point of view. Most people do not know the difference between a councillor, a Senator and a TD. All they want is a public representative to sort the problem they have. That is something we should possibly look into doing in the context of the whole of education.

Mary Hoade is passionate about the finances of local authorities, and that is probably where the starting point is. Without finances we cannot do anything, as with Mike Bray’s frustrations with the roads programme. Unless local authorities are properly funded you cannot deliver any of the functions you need. Gerry Warnock mentioned one thing that I have passionately spoken about, which was the devolution of the town councils, and the creation of town teams. I believe they are given more access to, and get more direct answers from the officials, and get more done than the elected public representatives. Their role needs to be questioned at this point. I strongly believe that, because it is what is happening at local level. Town teams have greater access.

Trust has been mentioned a good few times today, and the councillors are right. They are the people closest to the public. People have greater trust in people they can directly communicate with. We must build on that. The Cathaoirleach is looking at me to tell me my time is up. Today has been a fantastic day. Every one of us came from local government. We understand it, and we understand the frustrations councillors have. They were there in my time, and are getting worse because we are taking powers away. Something must happen, and hopefully this will be the catalyst for that change. I thank them for their contributions.

**Senator Frances Black:** I again thank everybody for their time, expertise and experience. It has been a powerful exercise - for me anyway. I hear the determination and passion in all of them. All of the submissions covered so many different issues. The main issue that has come up today is the constant erosion of powers by central government. That is huge. I cannot even imagine what it must be like to work as a councillor and not have the powers, in particular when listening to people daily, all day long and in the evening time. It must be frustrating. That is one of the main things we need to highlight in this report. As I said this morning, we have to not just bring out a report and show the recommendations. All of the suggestions made today must be implemented. We have to get going on this because what the councillors do is so important. The recent report on Irish local democracy and the Congress of Local and Regional Authorities noted that the voter turnout in local elections has been declining steadily in past years. A few people have touched on this today. This makes our councils and, in turn, this House less representative of the electorate, which is troubling. Geraldine Donohue said that we need to educate. People do not know what the role of the councillor is. They do not know what they are meant to do, what their powers are, and what they can and cannot do. I think that is something.

Ms Donohue talked about a booklet. This morning I realised that all schools should receive a booklet on local government and have training provided. We should make learning about local government exciting for young people. These are two issues that are really important.

Mr. Warnock explained that the good aspirations were let down by the 2014 Act. I totally agree with him that we should bring back town councils. We really need to consider town councils.

I thank the Cathaoirleach of this committee and thank Senator Cassells for bringing forward this initiative. I thank all of the councillors for the work they do. I have travelled around the country and met councillors so I have seen how hard they work. Councillors work late into the night and run events that bring people together, particularly concerning mental health. I often give talks on mental health around the country so I believe councillors need to be treated with greater respect and paid a lot more. Councillors work as if the job is a vocation.

**Senator Pauline O'Reilly:** I thank the Cathaoirleach for the opportunity to speak today and for inviting all of the councillors. I thank the councillors for their consultation.

I watched as much of these proceedings as I could from my office and I will watch the remainder. It is quite noticeable that while themes have emerged, everybody has mentioned new things, which goes to show the vast array of difficulties in local government. Mr. Murphy did not have to wait 15 years for me to vacate the seat he now holds and it is lovely to see so many from Galway here.

For me, trust in politics begins and ends with how connected people feel they are with the democratic process. When people see their local representatives have less power than they should, people do not trust politics. It is my experience, from the short period I was a councillor and having listened to all of the councillors here plus all the councillors in my party throughout the country, that people feel councillors have a reducing amount of power and that power is being taken away from them. It is a well-known fact that Ireland has one of the weakest local government systems of any European country, which is a situation that must change so that people feel part of democracy and fully represented. The current system must change because we cannot make the decisions we need to make. We can have all the national policies but it is how they are implemented on the ground that denotes whether they are a success or a failure. At the moment, we are failing to make decisions at a local level.

Ms Hoade and others are quite right with what they said about funding. It has been an uphill struggle to secure funding for Galway County Council. Joining the two councils would only serve to worsen the situation and detract from the large towns in the county. The creation of town councils is no-brainer for me.

On diversity and how people feel connected to their councillors, Mr. Murphy has made a valid point that if people hold a seat for a really long time, it must be asked if that is fully representative of the community. At a certain point it is probably not. We know we have a problem around diversity and gender balance. We need quotas and we need parties to step up to the mark by creating their own internal quotas, let us say 50:50, and confirm who is running in the local elections. Every party should do the same. Obviously such a stance would impact on Independents. The legislative piece should provide for quotas.

I thank all of the councillors for their thoughtful contributions and I look forward to reading the report. I will do everything I can to push my party to push the Government to make as many changes as possible. As we approach local elections next year, we are all putting together manifestos. I would love to see some of what the councillors have talked about in our manifestos and within our parties. We can then say the next time we are in that we will do X, Y and Z to make things work for councillors. We must ensure there is proper funding, decent salaries, and terms and conditions. We must make the system work in a way that delivers on the ground and ensures people feel part of the democratic process. I thank Senator Chambers.

**Senator Ollie Crowe:** I thank all of the councillors who showed up here this afternoon. They are very welcome. I have noted their honesty. I was lucky enough to be a member of Galway City Council for 11 years so I know the frustrations I felt at that time and echo the frustrations expressed by the councillors. A wide range of issues have been raised. It is a no-brainer that there needs to be more support provided to local authority members. Things have improved a small bit. Mr. Noel Dempsey was mentioned earlier and he needs to be mentioned again but the improvements are still not enough.

I agree that most people are not aware whether a politician is a Senator, councillor or a TD. People just want a politician to get the job done. If so, well and good, and if not, people will not take long to complain.

As I have said a few times, the cost of the western rail corridor is an absolute no-brainer and the project should have been completed by now. It is frustrating when trying to run similar projects.

Councillor Mary Hoade has spoken about the proposed merger of Galway City Council and Galway County Council. At least the political will won in that case.

I only attended the second half of this meeting because of the number of groups attending. I thank all those who put this meeting together. We have had a worthwhile debate and there is no point in us thinking about everything and leaving the report on the shelf because that does not cut it. If something comes out of our deliberations, then great.

I thank all of the councillors again and I thank the Cathaoirleach.

**An Cathaoirleach:** A number of issues have been raised.

**Senator Lisa Chambers:** This has been a brilliant day and we have learned an awful lot. Even though most of us have served as councillors, it is still great to hear the views of coun-

cillors. We have had a robust and honest exchange plus we got it between the eyes about the stuff that needs to be addressed. I do not envy the job Senator Cassells has as rapporteur. The Senator brought this topic to this committee so he has the big task of pulling together all of the information and producing a report for our committee. That is a big job of work.

Councillors have made similar comments about resources, the ability of councillors to do their job well, devolved functions, the imbalance between the chief executive *vis-à-vis* the councillor, and being able to do the job for which councillors are elected. The expectations of the public do not match the ability of local authority members to deliver what is expected of them. The public expects a lot from all of us. Senator Crowe has made the very good point that the public does not differentiate between politicians. The public go to whoever is closest to them, whether it is a councillor, Senator or TD. We are all public representatives so we all get asked the same stuff, whether it is good or bad. That situation is really the outcome of the proportional representation. There is a competitive nature to representational democracy and it really does not matter what level one serves at because we are all asked to do the same job.

Ms Hoade addressed the issue of maternity leave. There is a misconception that the issue was finalised in here. There was a bespoke solution for a Cabinet Minister but nothing has been done for other Oireachtas Members and the position remains unchanged. I give credit to Ms Hoade for addressing the issue for councillors, which was long overdue, when she was president of the AILG. Here, we just figure things out among ourselves. Two Members of this House have taken maternity leave and I, as the Leader of the House, with the co-operation of the Cathaoirleach, fix it that they are covered. Maternity leave has not been addressed in here. A bespoke solution was provided for a Cabinet Minister but there is nothing for other Oireachtas Members. Unfortunately, there is perception among the public that we have maternity leave, so we need to get our House in order and at least there is maternity leave at a local authority level. At least there is an expectation that you can take time out and are not penalised for it, but we do have work to do on that.

A couple of councillors, Raymond and Aisling, mentioned diversity and the gender issue. Councillor Niall Murphy mentioned term limits but we are holding onto councillors and getting councillors to run so the last thing we should do is driving people out of local authorities. We need to hold onto the experience we have. It takes a long time to get your feet under the table, understand how it works, make your contacts and build up your team. Even after your second term, you are still building up those contacts and becoming more and more effective as you have more experience. I would not agree with that.

It has been a brilliant day of sitting here listening to contributions. We have learned an awful lot. All of us, as a team of Senators - of all parties and none, to pick up on Senator Boyhan's flying of the Independent flag - will do our damndest to make sure that what comes out of this report is actionable and that we deliver something. That is the takeaway for us from this meeting.

**Senator Shane Cassells:** I thank everyone who has been part of this opening day of our work, and an opening day is all it is. I thank all those who have been here since 10.30 a.m. to contribute, including the Cathaoirleach, all the committee members and all our staff, who have worked so diligently in bringing this together in order that we have this forum to allow local authority members to come to the Upper House and make their views known on the future of local democracy.

Councillor Niall Murphy kicked matters off in great fashion. As Senator Casey said, he is

a brave man. I do not agree but within Irish society it is something that has been discussed in other areas. The GAA, for example, brought in term limits in service of county boards because it saw that certain positions were being held in some cases for perhaps three decades. It was certainly worthy of bringing forward for debate.

Senator Boyhan made a very interesting point about encouraging even more older people. When we talk about encouraging people to enter local government, the focus is always on young people. There was a lady here earlier from the DUP who spent 38 years working as an official and then became a councillor. She brought that experience to her role as a local authority member. Sometimes we can be very focused on saying we need young people but that councillor is a good example of bringing experience from one side to the local elected role. That was very interesting.

Councillors Curley and Warnock both spoke about resources and funding for local government. That is something I would like to hear more about if they would like to expand on the challenges in that sphere. I know Councillor Geraldine Donoghue from when we were on the same corridor in these Houses eight years ago. She is an exemplary local authority member. She mentioned Kilbeacanty. Would she believe I stood in that small village? There is a statue of a bull in the middle of Navan that was sculpted by Galway sculptor Colin Grehan. I was there to inspect work on the statue well over a decade ago when it was under way.

I fully agree about compiling a booklet on local government and distributing it to CSPE classes and educating our children. Local authorities can do a lot of work on this aspect themselves. Sometimes they are not the best at telling people what they are doing. I must pay tribute to Meath where there has been a rethink on getting the message out. In Meath cinemas, Meath County Council has a short ad before the film showing the different aspects of life on which local property tax money is spent. It is such a small thing but it is indigenous. People are there for a night out and they get a 30-second video from Meath County Council telling them the areas in their county into which the council is putting money as an investment from the property tax people pay.

Speaking of tax, Councillor Hoade mentioned equalisation. It was the bane of my life for many years. I sat as both a town and a county councillor and every Christmas I would have a row with the director of finance over equalisation. I have not heard the phrase since I left the council. Every year I would have that row about the equalisation fund and every year I asked for the formula on how we were losing millions on the income side and sending it back to the county council. I never got an answer.

I pay tribute to all the members who came to make representations here today. It would be remiss not to mention my own two county colleagues. Councillor Aisling Dempsey who has done such great work in the Trim electoral area since she was elected in 2019. She spoke about the coarseness in political life today. She is so right. As she said, there is an onus on us because much of it can emanate from the political sphere and that may give people free rein to add to that. That is a very important point. If we do not address that, we will have a problem attracting people because they will ask themselves why they would want that in their own lives.

Like Senator Boyhan, I pay tribute to Councillor Mike Bray, who is my parliamentary assistant in the Oireachtas. He has done exemplary work in the eight years he has been with me. He has served the people of Meath on my behalf and in his own right since he was elected as a councillor for the Kells electoral area in 2019. I am sure the people of Meath will reaffirm his position when he stands for re-election next summer. I thank him for his kind words but he got

in a nice dig at me when he said that 76% of people trust their local councillors but that only 9% trust us.

I thank everyone for their contributions. There is a huge onus on us, as the Leader said, to ensure that we do justice to those contributions when we compile our report. However, we are only at the beginning of the process. I am open to speaking to our guests again at any stage as the process evolves.

**Mr. Shane Curley:** Senator Cassels asked about funding and how we expand where the resources are lacking. The macro view is that we just need more money for our county councils. Then you can take a more micro view. There is one simple practical step that the committee could take now, or bring it to the TDs and the Ministers to get something done right now. At local level, we manage the pensions of retired workers who have left the local authority. Why does the Department of local government not just take that off our books and let us simply look at a budget and see what we are doing with the money rather than taking a percentage of it, giving it to pensions and then seeing what is left to deliver for the people on the ground that need the local authority to deliver the services? That is one simple thing that could be done now. I do not know how long it would take to go through the Oireachtas, but I do not think it would take that long.

I do not want to be too negative and only focus on the things we need. There is humanity in this Chamber and in the Dáil. We are only human beings as councillors. Something that is there that I want to praise is the free counselling service for councillors. If we feel under pressure, under the weather, stressed or anxious, there is counselling available to us. It is very gendered and image-based when women get abused online. I see it every time I look at the comments section of a post from a female politician. In another way, men try to be macho and cover up the fact that they are suffering too. That service is there for us as well. I thank the committee members for having the humanity to recognise that. They are listening. I do feel as though I was listened to today when I spoke so I praise the committee for that.

A one-size-fits-all policy does not always work. We have a predominantly rural local authority in Galway. There is no city in our local authority. We do not have a huge rates base and we do not have unlimited resources. If national legislation creates a blanket ban on something, it stops rural communities, which have good community groups on the ground, from doing things. I will give one example. Loughrea Christmas lights committee is suffering as a result of national legislation that banned festival lighting from being erected on public lighting poles. That is a blanket ban across the 26 counties. In one case, a community group received government funding from Galway Rural Development of €300,000 to deliver a magical Christmas for kids, with lights that are sustainable for 40 or 50 years, if not more, because they are low-impact LEDs. We have money to roll out lights all around a walkway in Loughrea but national legislation is stopping us from making Christmas magic for kids. It is one small thing, but imagine if you were to light up the walkway around a lake and the tourists that would bring to a town. The view from Kilnadeema, where I am from, overlooking Loughrea Lake would be incredible if we could just roll out a small project that had the physical equipment and money to do it and had the engineer, from an electrical point of view, and the electrician ready to roll out a project that national legislation has prevented us from implementing. These are small, practical steps whereby local communities need to be consulted before a blanket ban on something is introduced. I do not know why it was brought in. Whether it was a habitats directive to the effect that it could damage local flora or fauna, I do not know, but we need to look into that and those kinds of issues need to be delved into.

**Mr. Niall Murphy:** I might have the distinction of being the only contributor who has got people to disagree with him, so that makes the trip worthwhile anyway. I might clarify a few issues. A councillor made a point about older representatives. I completely agree. I am thrilled to see somebody at, say, 60 years of age with experience of the workplace, the GAA, raising a family, working with volunteer groups or whatever else bringing that experience to the council. When someone comes to me and asks me, as a councillor, whether they should run, the first thing they want to know is what chance they will have because someone else has been there for 20 years and they think they cannot beat him. Older candidates will also have a better chance if there are term limits because they will not be competing against somebody who has been there for 25 or 30 years. I want to see age diversity in all directions, not just younger politicians but older ones as well. I want diversity on the councils.

Councillor Curley and Senator Casey both made points about periods of 15 years. Someone might be planning to do something that will take 20 years. I agree with that as well - it should be done - but if I want to do something that will take 20 years, I have to accept I might not be re-elected in June, so I will need to work with other councillors. Projects need to be bigger than just me. Having vanity projects that are just about one person is the problem with them having been there for 25 or 30 years. We want projects that are for the community, by the community, and for councillors, by councillors. It cannot be about just one individual, because that individual might be voted out, might reach the end of their term or might retire for whatever reason.

Senator Cassells talked earlier about the dual mandate bringing in fresh blood, and a term limit would be exactly like that. Nobody is screaming to bring back the dual mandate. People accept it was not great to have somebody being both a TD and a councillor, and the term limit is kind of the same thing. It is saying that if someone is doing other stuff, they cannot also be a councillor. We have to more spots rather than fewer spots open.

A couple of contributors spoke about persuading people to run. Similar to the comment I made on age, when we are trying to persuade somebody to run, we have to convince them they have a chance. If there are six spots available in their ward and five of them are occupied by people who have been there for 20 years and cannot be budged, we will not get people to run. If we want people to run, we have to have term limits such that it will be worth people's while getting involved because they will have a shot, and we have to give people from all backgrounds a shot. Several speakers commented on ethnic diversity and gender diversity. We will get more of that if we can persuade more people to run.

**Mr. Mike Bray:** To return to my point about the engagement of certain State agencies, such as TII and the NTA, and my frustration in my role regarding getting engagement with them, I understand we need national bodies such as TII and the NTA because bus routes straddle various counties and regions and national roads go through various counties and regions, so a national body has to oversee that. Nevertheless, we are trying to raise local issues and concerns to improve the services and safety in that regard.

A councillor in the morning session spoke about how Irish Water, to its credit, has improved its engagement. It now holds quarterly clinics with Meath County Council. If other State agencies, such as TII and the NTA, had something like that, we could at least sit down with an official across the table and put ideas forward. It is frustrating that we get only standard responses to serious issues and that we cannot even sit down across the table with an official, whether informally or formally at a council meeting, to do that. That is my core point. If we do not have compellability, at least Irish Water has put in the effort to hold quarterly engagement clinics with councillors whereby we can meet them before meetings.

To go back to the point I was making about trust in politics, Senator O'Reilly touched on this. It is very important. I mentioned the global democracy index. Throughout the world, authoritarianism is on the rise and people's trust in democracy is on the decline, but the greatest trust that people have is with local councillors and local democracy. As Senator O'Reilly said, if we diminish the powers of councillors, people will see that the part of the body politic they trust most has little power and can achieve little. That will further erode confidence in politics and I cannot think of anything more damaging longer term for our democracy.

**Ms Mary Hoade:** I thank Senators. The meeting has been an excellent opportunity for us and the outcomes, regarding where we will go from here, are really important. I am shocked beyond belief by what Senator Chambers said about maternity leave. It is dreadful and is a very retrograde step. If that is a way we are going, we are on a hiding to nothing.

I look forward to engaging with Senators. If we really want to make local government work and make it effective, and if we want to get people involved, we have to work with them. We have to give them powers and resource them. We discussed our budget yesterday evening and, to give one example, we have an enforcement section that is operating on three staff. I spoke about the size of Galway. You can drive from Galway city to Dublin in the length of time it would take to drive from Clifden to Portumna. Let us be realistic. We will never deal with enforcement in any local authority with resources like that.

We have huge challenges, but today has been great. I say well done to Senator Cassells on all the work he has done this. I really look forward to seeing positive outcomes.

**Mr. Gerry Warnock:** I thank Senators. As Senator Cassells said, it really feels as though they are preaching to the choir at this stage, and we feel they do have our backs. Based on what I have heard today, it has been a very worthwhile exercise, with a commonality of views among councillors from various parts of the country. It is fairly obvious the current system of local government is broken, and especially the role of elected councillor. We are sandwiched in the middle of an imbalance within local authorities whereby the balance of power resides with the executive as opposed to with elected members, who are the representatives of the people at the end of the day. Ultimately, we always have to have local democracy at the forefront of our thoughts.

The other side of the sandwich is what I like to call bureaucracy on steroids when it comes to dealing with some of the various Departments. It baffles me sometimes that something that is such a no-brainer takes so long to implement in areas that badly need that bit of attention.

Several speakers agreed on the re-establishment of town councils, and Senator Cassells is heavy on this as well. Having served on both the town council and the municipal district structure, I know it is like comparing apples and oranges in terms of how manoeuvrable they are and how responsive the town council structure was to deal with various needs as they arose. The problem with local government today is it is too rigid. Being a history buff, I always look at the Roman army. It was so successful because it had several armies within one army, which meant it was more manoeuvrable and more responsive to changing circumstances. Having town councils within the county council structure as a stand-alone entity means it will be able to quickly identify, manoeuvre and react to the situation at hand. I have seen that work at first hand, as have many members here who have been a part of the town council structure through the years.

I sincerely hope that will be given serious consideration in the committee's report, although I know Senators will do it justice. A report is only as good as it is implemented and, as a lot of



people said, we do not want something gathering dust on a shelf. We certainly do not; this is too important. We need a working document and, really and truly, it has to be led by politicians. We cannot have what I call the permanent government, or Secretaries General and our other senior civil servants, infiltrating and diluting the good intentions of well-meaning politicians. This has to be led by Oireachtas Members. It has to be pushed by them to get a better result for councillors and, by extension, the people we represent.

**Ms Uruemu Adejinmi:** On the question about bureaucracy in local authorities, I will give an example from Longford, where the housing department was trying to purchase a building to make more social housing available. During the back and forth with the Department of housing, what happened was that the owner of the property sold it on to another body, which then entered an arrangement with the Department of children, the result being that the building is now used for international protection accommodation residents. This has happened because of the delay, the bureaucracy, and the local authority not having enough power to make social housing available and look after people in the community. These are examples of the headaches we experience. As councillors, we have people on the housing list and people struggling with the cost-of-living crisis who are unable to meet their rent payments. People can be above the threshold by €500 or €1,000, which does not make a great difference; however, owing to the current situation, they cannot get a mortgage, meaning they have to rely on local authorities. In turn, local authorities are constrained in delivering in the communities.

I hope there will be more powers for local councillors before the book being promoted is printed so it will have a little more content when circulated to the schools.

Increasing the number of councillors in local authorities will make it possible for new incumbents and those from migrant and more diverse backgrounds to be considered and given a chance. Politics and public representation should be considered in the context of everybody having an interest in building their career. It is a bit tough. As pointed out, incumbents have a stronger chance of retaining their seats. Introducing more seats, which would reduce the workload of councillors, would not only improve the well-being of sitting councillors but also result in more diversity and representation, meaning the policies discussed and implemented would be fit for purpose and represent the communities that elected representatives are in their roles to serve. This would also mean people would get the dividend of democracy and be linked into the democratic process. I hope that will result in more people coming out to perform their civic duty at election time.

**An Cathaoirleach:** I thank Councillor Adejinmi.

I thank Councillor Heavin, the leas-chathaoirleach from Westmeath, for being here for the second session. I call Councillor Donohue.

**Ms Geraldine Donohue:** I thank the committee for the discussion today. I actually believed we would be in a committee room, so it came as a huge surprise and shock that we would actually be in this Chamber. I said, “Oh, my Lord, here I am in the very chairs in which all the Senators sit every day.” I am thankful for that opportunity.

I cannot let today pass without saying thank you to my mentor of the past seven years, Senator Boyhan. It has been an honour and pleasure to share an office with him. I have learned a lot from him and am sure I will learn a lot more. I have also learned a lot from listening to the other councillors present today. The discussion has been very informative. There are many common denominators in some of the topics raised. The discussion has given me the blood transfusion

I need to get going for the next election. I hope that will last-----

**Senator Victor Boyhan:** There is a seat in here for you.

**Ms Geraldine Donohue:** -----all the way until June. I look forward to that. I thank the committee again.

**Dr. Evelyn Parsons:** It has been a great honour to be here today to listen to people's experiences. I sincerely thank all the members and also my councillor colleagues. We have remarked that we have had experiences in common, no matter how long we have been in office. It is important that this is coming to the surface.

I am glad to hear the committee is to take the erosion of local government powers seriously. I have been in my post for only three years but even I am seeing the erosion. In that sense, the role is different from what I thought it would be. Even in three years, I have been blindsided by several things that have landed on us in a way that was not fully transparent. That is because it has been possible to bypass the council.

I recently had the great honour of attending the Pride of Place awards, accompanying representatives of two communities in County Galway, namely, those of Gort and Creggs. At the awards ceremony, an all-of-Ireland event, I noted wonderful examples of the work communities do under their own steam. They are selected by local authorities nationwide as examples of excellence. We cannot bypass communities and must consult them. Where something is to affect services locally and people's quality of living and require people to step up to the mark, we have to include them at every step along the way. At present, we have emergency legislation. We understand where that is coming from and that there are people fleeing war and conflict who need sympathetic support and advocacy, but we have to think of the communities these people are going into, prepare those communities and build capacity within them. They must be pre-loaded with services so everybody, including both newcomers and existing residents, will have access to services, and so a two-tier system will never develop in our country. We want diversity and harmony, and we have to start here.

If I have a request for the members, it is that when legislation passes their desks, they should determine how it will affect communities, local government and councillors trying to be effective in their roles and promote communities. I thank the committee very much.

I want to end on a positive note. With technology, we now have great opportunities to level the pitch for everybody, ensuring accessibility, inclusivity and participation. We are far behind in implementing the UNCRPD, but there is an opportunity to enure equity and equality for people living with disabilities, in addition to giving them the ability to play on a level playing pitch. The average age is increasing in our communities and we are all getting older, so we have to be careful that, in our use of technology and artificial intelligence, we include everybody, leave nobody behind, not become a faceless bureaucracy and retain the human touch. Having noted the passion in the room today, including among members, I believe there is the passion needed to do what I describe and not to lose the human touch. However, I urge us all to think about it. Go raibh míle maith agaibh go léir.

**Ms Aisling Dempsey:** I am last again, so I will be a lot briefer than I was the first time around. I add my thanks for the invitation to attend today. As has been said, it is a great honour to be in this room, in particular.

On the basis of what was said by Ms Hoade and Senator Chambers, I was shocked to hear

there is no maternity leave for Senators and their colleagues. It was fantastic to see it at council level. Unfortunately, it came just after I had my baby, who is now a two-year-old. September two years ago, 24 hours after having her, I was able, thanks to the introduction of hybrid meetings by the likes of Ms Hoade during Covid, to log in to my Trim municipal district meeting from Mullingar hospital. I cannot remember a minute of it. Thankfully, the others at the meeting did not see me; they allowed me to turn the camera off. I just had to hold up the baby for a couple of seconds, and away we went after that. Without that facility for the meeting, I would have been marked absent or sick. It is really a disgrace that this used to be the case and that it has been resolved only in the past couple of years. I am really glad it was resolved. I hope the issue in the Oireachtas will be resolved very soon. I thank Ms Hoade and AILG for their work on matters like this. Again, I thank the committee.

**An Cathaoirleach:** On behalf of the Seanad Public Consultation Committee on the future of local democracy in Ireland, I thank all the representatives for their presence and contributions. They will be taken into account in the committee's draft report. We will consult with them with regard to getting accuracy on the views expressed, the recommendations and the pathway forward to the implementation of those recommendations, which is a key element of the work of the committee. I thank the members of the committee. The Members of the Seanad who joined us today are most welcome. I thank them for being here.

The select committee adjourned at 5.50 p.m. *sine die*.