

**Speech for Secretary General
Dublin Citizens' Assembly
The Grand Hotel, Malahide, 25 June 2022**

Introduction

- Chair, members of the Assembly, ladies and gentlemen
- Thank you for inviting me to speak with you today about the potential benefits and challenges of the office of directly elected mayor in the context of local government in Dublin.
- Local government is at the heart of many of the functions delivered by the State. It is a forum for local democracy and is the level of government closest to the citizen.
- As local government is something of a specialist subject, I welcome the participation of councillors as members of the Assembly, as well as the contributions of local authority mayors and chief executives, academics and other experts to your deliberations.
- I understand that you have enjoyed presentations from a variety of speakers with experience of diverse local government systems.
- There is a great deal of diversity in the roles, responsibilities and powers of directly elected mayors found in a variety of jurisdictions, operating in a range of differing governance systems, under different legal codes, and in an array of political cultures.
- I believe you have already spoken with the Mayor of the Greater Manchester Combined Authority, Mr Andy Burnham, who has very rich experience to impart to you about his time as Mayor. Auckland, with its single executive serving the overall Council, as well as the constituent local boards, might

provide another useful example. So could the *Area Metropolitana de Barcelona*, which has a representative council from the constituent municipalities, led by a President appointed by the assembly – by tradition the Mayor of Barcelona.

- In that context, in giving the Department's perspective, I will perhaps begin by stating the obvious: Dublin is a unique city within a unique country.
- While international comparisons enlighten and guide, at the end of the day, any proposed model for local government in Dublin must have proper regard to the particular needs, opportunities, risks and features of the city in its proper local, national, and international contexts.

Local Government: Ireland and Dublin

- As you will know, local government in Ireland consists of 31 local authorities, each with an elected council and a chief executive who is appointed following an open competition. Four of those 31 local authorities are in the county of Dublin: Dublin City Council, Dun Laoghaire-Rathdown County Council, Fingal County Council and South Dublin County Council, although we should also acknowledge that the functional area of Dublin spreads into neighbouring counties too.
- Nationally we have a total of 949 councillors, with 183 of those elected to the four Dublin local authorities.
- The cumulative size of the four Dublin local authorities is significant in relation to the overall local government structure in Ireland. The latest audited figures available, for 2020, show that the 4 Dublin local authorities accounted for some 25% (or €1.7bn) of the overall adopted local authority expenditure total of €6.8bn for that year.
- This is in line with Dublin's population, which is roughly one quarter of the national population.

- Local government functions are divided between those reserved for the decision of the elected council and all other functions, which fall to the chief executive, called executive functions.
- The elected council's reserved functions relate mainly to setting and developing the policy and strategic direction of the local authority, including the making and adoption of a balanced annual budget and the county development plan.
- Executive functions are mainly to do with day-to-day running and staffing matters of local authorities. This delineation is similar to the situation at national government level too.
- Local government in Dublin represents the outcome of processes of evolution and reform that have been ongoing since the foundation of local government itself.
- The current arrangements in Dublin were established under the *Local Government (Dublin) Act 1993*, which put in place Fingal, South Dublin and Dún Laoghaire-Rathdown, while dissolving Dublin County Council.
- This reform was the culmination of about a decade of work and involved a very substantial reorganisation of local government in the county.
- Its intention was to ensure more relevant and accessible local government structures with a sharper focus and operational capability to serve their areas.

Directly elected mayors: previous initiatives

- The Local Government Act 2001 included provisions for the direct election of local authority Cathaoirigh, who would have served in their roles for a full local government term of five years. It was considered that this could be a first step on the road to giving an executive role to local authority Cathaoirigh.

- However, the provisions were never given force and were repealed in 2003 on the basis that other related recent reforms in the local government sector at that time, such as the abolition of the dual mandate, needed time to bed down.
- In 2010, then Minister John Gormley introduced a Bill which proposed a Dublin Regional Authority with planning, waste management, water and transport responsibilities, to be led by a directly elected mayor. That legislation lapsed with the dissolution of the Dáil in 2011.
- There was another attempt to introduce a directly elected mayor for Dublin with the Local Government Reform Act 2014. Resolutions were put to the elected councils of the four Dublin local authorities. The legislation required all four Dublin local authorities to pass a resolution allowing for a plebiscite in Dublin, but the necessary resolution was not adopted by all four local authorities.
- In 2016, the Dáil saw the introduction of two Private Members' Bills regarding a directly elected mayor for Dublin, both of which lapsed with the dissolution of the Government.
- Given the protracted history of this policy initiative, and the variety of views that people have, it is a sensible approach to allow the matter of local government and a directly elected mayor for Dublin to be given detailed and considered analysis in a participative forum such as this one.

The directly elected mayor of Limerick

- Following a commitment in the 2016 *Programme for a Partnership Government*, a policy paper on local authority directly elected mayors with executive functions was agreed by Government.

- Subsequently, plebiscites were held in Limerick, Waterford and Cork City in May 2019.
- The people of Limerick voted in favour of establishing a directly elected mayor with executive functions, and a Bill is currently at an advanced stage of drafting to give effect to that decision.
- Broadly speaking, the mayoral model proposed for Limerick is that the mayor will be assigned executive responsibilities, while also being a member of the elected council.
- A director general (replacing the Chief Executive) will support the mayor and be responsible for the day-to-day running of the local authority, like staffing matters. The director general will also be responsible for decision-making in relation to individual cases, allocations, enforcement matters, and so on.
- The mayor will be accountable to the elected Council, as well as being directly answerable to the electorate.
- The introduction of a directly elected mayor in Limerick is innovative, representing a sea-change in local government in Ireland.
- It was considered that a directly elected mayor could enhance the profile of Limerick, enhance transparency and accountability, and improve access to national government and decision-making that impacts on Limerick.
- Bear in mind though that Limerick is a unitary local authority, consisting of the areas of the former Limerick City Council and Limerick County Council, merged in 2014.
- As such, the geographic area is well-defined and Limerick itself is an important regional centre.

- At its heart, and while there are new functions due to be assigned to the mayor, the reform involves the transfer of executive functions from an appointed official to an elected officeholder.
- I would suggest that the approach being taken in making Limerick the first local authority in the country with a directly elected mayor might not easily lend itself to Dublin. At least not without the wholesale dismantling of the local government structures put in place in Dublin in the 1993 Act.

Local government reform in Dublin

- Any local government reform and directly elected mayor model for Dublin should, in our view, be looked at afresh to consider whether a different model to that currently being developed for Limerick might be more appropriate or whether there are useful synergies between the two geographical areas.
- Dublin has four local authorities which together constitute the capital city of the state. As such, it is a major economic, political and administrative centre, with national transport and other strategic infrastructure.
- The four Dublin local authorities' areas provide employment for a significant number of citizens from contiguous counties, people who bring increased footfall into Dublin on a daily basis. Limerick is perhaps not dissimilar in this respect, though on a much smaller scale.
- The 2012 Action Programme for Effective Local Government, titled *Putting People First*, recognised that there are, in principle, potential benefits to having a directly elected mayor.
- These included the strong leadership that can be exercised by a mayor with a large direct democratic mandate, a strategic policy formulation role, improved accountability, greater connectivity between communities and local government, and the standing to act as a champion for their city.

- Although a decade old, I mention *Putting People First* because it identified a number of issues in the context of a directly elected mayor for Dublin, which remain valid and which could, I suggest, be considered as part of the work of this Assembly.
- *Putting People First* recognised the potential role of a mayor in championing and setting a vision for Dublin.
- It suggested that the functions performed should be substantial and strategic: for instance, transport; economic and spatial strategy; education; policing; emergency planning; waste management and an oversight or “call-in” role in respect of certain local authority functions having a metropolitan impact.
- It proposed that any mayor of Dublin should be fully empowered, not only in terms of having substantial functions but in terms of budgetary capacity.
- *Putting People First* took the view that simply inserting an additional layer of governance over the existing local authorities would not be appropriate. It suggested that any significant transfer of functions and related budgetary powers would probably require a significant reorganisation of Dublin’s local government arrangements.
- There would be a need to ensure that the governance arrangements underpinning a directly elected mayor for Dublin are appropriate and proportionate to reflect Dublin's status as a European capital city.
- Any arrangement must ensure that a directly elected mayor is properly accountable; *Putting People First* suggests, in the context of revised local governance arrangements, an assembly drawn from the metropolitan area which could form part of scrutiny and accountability arrangements.
- To these principles, I would also add the challenge that many functions exercised by mayors in other jurisdictions are currently outside the local

government system in Ireland, such as health, education, policing and even transport.

- The assignment of new functions to local government is, therefore, not straightforward. I say this not to discourage the Assembly members. On the contrary, it is to suggest that any proposals for devolution should give consideration to setting out how new functions can be assigned to local government, while maintaining the overall national focus and balanced regional development.
- It is of course possible that the assignment of functions to a directly elected mayor for Dublin could involve taking functions not only from central Government Departments, but also from other State bodies. Whatever system is proposed will need to ensure that value for money, efficiency, regional balance and equity are maintained.
- Assigning a metropolitan planning function, for instance, to the Mayor requires careful consideration to ensure that it coheres with the longer term strategic vision for regional development to 2040 set out in the National Planning Framework and with the planning hierarchy set out in planning law.
- Similarly, at a functional and operational level, the relationship and interaction between the mayor and the National Transport Authority and public transport providers, the HSE, Irish Water, An Garda Síochána, Enterprise Ireland, IDA, Tourism Ireland, etc. - all of which are central to the smooth development of Dublin – would, in our view, need to be clarified.
- Indeed, the area of Dublin that should fall under the mayor's remit is itself a matter for consideration: while there is the County area, the metropolitan area of the city, as defined in the National Planning Framework, extends into Kildare, Meath and Wicklow. I would suggest that, in whatever arrangements are ultimately proposed by this Assembly, the interests of the metropolitan

area should also be taken into account in terms of cooperative cross-county boundary engagement and operational arrangements.

- A challenge of any significant reform of local government in Dublin will, in our view, be the lead time required to progress and develop the optimum operating model for Dublin. It is an issue we are encountering in Limerick. While significant, fundamental change is being introduced, we must ensure that services continue to be delivered seamlessly to our citizens throughout the transition period.
- A final point relates to the budgetary capacity of the mayor: to guarantee a sufficient level of financial independence in order to deliver on their assigned functions, the mayor will likely need additional revenue raising powers. The possibility, indeed responsibility, on them to introduce new taxes, like, for example, a tourism tax or congestion charges, should be considered. Rules around their capacity to access central government funding, bearing in mind public financial procedures and the public spending code, as well as to borrow financing, could also be considered.
- Let me conclude by again thanking the Chair and Assembly members for the invitation to speak with you today.
- This is an exciting time for local government reform in Ireland. You have been given an extremely important mandate and responsibility to design a new governance approach for our capital city.
- I wish you well in your deliberations and look forward to our discussion today and, ultimately, the publication of the Assembly's final report.