

Section 59 (1) Report

Introduction

This report has been prepared by the Lord Mayor of the City of Dublin in compliance with Section 59 (1) of the Local Government Bill 2013.

The purpose of this document is to report on the Forum's deliberations and conclusions in relation to the possible options for the future local governance arrangements for the Dublin Metropolitan area including in particular the establishment of an Office of a Directly Elected Mayor.

This report includes a draft Resolution for the purpose of Section 60 (1) of the Bill. As set out in Section 60 (1)(c) of the Bill the draft resolution is also accompanied by a Statement setting out the main features of the proposed future governance arrangements of the Dublin Metropolitan Area.

It is understood and noted by the Forum that the Bill provides that the Minister may conduct such further consultations with each Dublin Local Authority and with such other persons as the Ministers feels appropriate. The Forum members will be happy to engage in such consultation as required and look forward to receipt of a draft resolution from the Minister pursuant to Section 60(1) of the Bill to enable each Local Authority to debate the matter and vote thereon during March 2014.

Background

The background to the establishment of the Forum and its deliberations stems from the Government's "Putting People First – Action Programme for effective Local Government" document. The action programme sets out a vision for local government in Ireland as the main vehicle of governance and public service at local level – leading economic, social and community development; delivering efficient and good-value services; and representing citizens and local communities effectively and accountably.

The reform programme sets out that a special forum of the elected members of the four Dublin Local Authorities should be convened to consider the options for the introduction of a Directly Elected Mayor for Dublin Metropolitan Area which is to be put for decision by Dubliners in 2014.

Section 59(1) of the Local Government Bill 2013 (the "2013 Bill") provides that the Lord Mayor of the City of Dublin shall convene a Forum representative of the members of the Local Authorities within the Dublin Metropolitan area to consider the possible options for the future local governance arrangements for that area including the establishment of an Office of a Directly Elected Mayor for that area and shall in particular consider the following matters:

- a) The establishment of such an office,
- b) the rationale for and implications of such an office,
- c) Details relating to such office and its relationship with each Dublin Local Authority or with those Authorities or any public authority which the Forum considers would be representative of, or having functions representative to, the Dublin Metropolitan Area, and

- d) Such changes as would be needed in local governance arrangements for the Dublin Metropolitan Area consequential on the establishment of such an office, including matters to which paragraph (c) of Section 60(1) would relate if a resolution under that paragraph were proposed.

The establishment of the Forum and Steering Committee and their work

Following a letter from the Minister of the Environment and Local Government to the Lord Mayor of the City of Dublin each of the four Dublin local authorities nominated four members to sit collectively with the Lord Mayor, Mayors and Cathaoirleach of the four Dublin Local Authorities to constitute the Forum. In addition to these 20 Councillors it was agreed that two further Councillors would be nominated by the DRA. In total therefore the Forum consists of 22 Councillors (Names, party affiliation & attendance record set out in Appendix A).

In addition it was agreed that the administrative and preparatory work in advance of each meeting of the Forum would be done by a Steering Committee consisting of the Lord Mayor, Mayors and Cathaoirleach of the 4 Local Authorities together with Executive Managers from each LA. The Forum and Steering Groups have met on the following dates:

From	Time	Description
11 th July	11.30am	1 st Meeting of Steering Group
24 th July	6.00pm	1 st Meeting of Forum
29 th Aug	10am	Meeting of Steering Group
4 th Sept	7.00pm	Forum Meeting
22 nd Oct	9.45am	Meeting of Steering Group
23 rd Oct	7.00pm	Forum Meeting
9 th Nov	9.00am	Forum Meeting
4 th Dec	9.00am	Steering Group Meeting
10 th Dec	7.00pm	Forum Meeting

When the Forum was initially established, based on the Ministers letter and action programme, it was agreed to carry out the Forum's work with the view to a proposal being voted upon by the four Local Authorities by Dec 2013. Consequent upon the publication of the 2013 Bill it was agreed by the Forum that a specific proposal in relation to the establishment of the Directly Elected Mayor for Dublin did not need to be voted on until March 2013 in line with the timeline identified in the 2013 Bill. Consequently the Forum agreed to have a fifth meeting in December 2013 and to circulate to all Councillors of the 4 Local Authorities a draft report and resolution following a workshop meeting of the Forum on 9th November 2013.

Following consideration of the need to engage in robust public consultation the Forum did the following:

1. The website www.mayor4dublin.ie was established and various papers and documents were published on this website to give people information on the process of consultation and the type of options available based on an analysis of Directly Elected Mayors in other jurisdictions.
2. An online survey was carried out to ask people's opinions in relation to the type of Directly Elected Mayor options available together with questions on accountability, finance and functions.
3. A formal public consultation period from 15th September to 12th October was provided for allowing all members of the public to make submission on the topic.
4. Various workshops were carried out.
5. Public meetings were held.
6. On street public consultation was carried out.
7. Social media debate was undertaken.
8. Mainstream media & newspapers were engaged & encouraged to cover the issue.
9. Other civic groups were encouraged to engage in the public consultation eg Dublin Chamber of Commerce

The Online Survey in summary showed:

1. 78% of respondents were in favour of a Directly Elected Mayor (with strong support across all 4 Local Authorities and from both residents and business respondents);
2. Of those in favour, most preferred a model of a DEM with strong executive power and who could appoint his or her own cabinet;
3. 67% wanted the DEM to be held accountable to a directly elected Dublin Regional Assembly;
4. Areas of responsibility most favoured were Transport & Traffic (70%), Community Facilities (65%), Environment & Waste Management (59%) and Tourism & Heritage (58%);
5. The majority 61% favoured costs being met by direct transfer from central government rather than raising new local taxes. A combination of both local taxes and direct transfer was the most favoured financing model.

Following the public consultation a further meeting of the Forum was held to consider and review the feedback from the public consultation and it was agreed to hold a workshop for the Forum members in the Mansion House on 9th November to discuss in detail the nature of a proposed draft resolution and statement.

At this workshop there was a strong desire expressed by the members of the Forum for this reforming opportunity to lead to a process of double devolution of power. In other words, not only for appropriate powers to be devolved from national government, state and public agencies to the new Directly Elected Mayor but also for power to be further devolved down to immediate local level through the local council structure where possible. This was considered to be necessary to respect the principle of subsidiarity and to ensure that the role of local councillors was enhanced.

Following this workshop a draft Resolution was circulated to all Councillors in the four Dublin Local Authorities and their feedback was invited.

In addition at normal monthly meetings of each of the four Dublin Local Authorities the ongoing progress of the Directly Elected Mayor forum was referred to and members were invited to contact the reps from their Local Authorities on the Forum to discuss progress. Forum members were encouraged to discuss the ongoing progress with their own political groupings.

Following the circulation of the draft resolution and consideration of feedback from Councillors the final meeting of the Forum was held on the 10th December, 2014 at which it was agreed by all Councillors on the Forum bar one to submit a draft resolution and accompanying statement in the terms attached hereto.

In the forum's opinion, the rationale for such an office relates to the need for strong coherent local government and accountability for the Dublin Metropolitan Area which is critical to the lives and well-being of Dubliners and Ireland as a whole.

Currently with four different Dublin Local Authorities and a multiplicity of national and state agencies it is felt that the system of governance for this city is not sufficiently robust to make the strong clear and accountable decisions needed for a modern city region.

In particular it is felt that not only do many members of the public not have a clear sense of who is responsible for many of the decisions that affect the way the City is run but many Councillors themselves are at a remove from these decisions particularly in areas like transport.

This lack of clear accountability and coherence often means that ordinary, straightforward and basic decisions such as a fully co-ordinated transport system and integrated ticketing have taken far too long to be implemented.

In addition, it is felt that both for the Dublin region itself and for promoting Dublin internationally clear, strong, robust and accountable leadership is needed to drive the Dublin area in terms of economic development.

Dubliners pay more than 50% of national income tax paid in the state and Dublin businesses account for 60% of national business taxes. Dublin needs to be able to adapt to compete effectively with competitor cities abroad such as Copenhagen, Edinburgh & Barcelona. In truth, the members of the Forum feel that Dublin is not competing with other cities or towns in Ireland but is competing on an international stage.

A Directly Elected Executive Mayor creates a strong focal point for effective and accountable decision making on issues relevant to Dublin. It enables changes to be made because a mandate for those changes can be secured directly from the electorate. It can facilitate more scrutiny not only by the media and the public, but also by Councillors who it is felt need to be given a key role in terms of holding such a DEM to account.

In addition, based on the analysis of other cities abroad, it is felt that a Directly Elected Mayor can become a strong identifier for the city region as a destination for foreign direct investment. Business decision makers will find it easier, it is felt, to deal with one decision making body in relation to a city

they are contemplating investing in, rather than having to navigate a multiplicity of agencies and decision makers. In addition, a Directly Elected Mayor can be a powerful ambassador for the city abroad attracting not just international business but international students and tourists.

Furthermore, it is felt by the members of the Forum that the residents of Dublin now demand a stronger say in how their city is run and a stronger connection to those making decisions which affect them and life in the city.

A Directly Elected Mayor with an appointed team can create this more powerful connection and has the potential to inspire more civic involvement and debate about the shape of the city. This can give individual Councillors a more powerful role in debating the future of the city from a strategic point of view and holding a Mayor and his/her team to account ultimately allowing them to become champions on behalf of Dubliners in ensuring that the vision for the City which gets the backing of the people gets implemented.

In addition, the Forum feels there is scope for savings and efficiencies by consolidating decision making in relation to issues that affect Dublin 'under one roof'. As will be seen from the draft resolution, the members of the Forum believe that there are certain decisions in respect of which the Directly Elected Mayor should have executive control and others in respect of which the Directly Elected Mayor should have a strategic input. Currently in many areas, decisions affecting Dublin are made either in whole or in part by national bodies or government departments and the decision making process and the amount of accountability is, at best, opaque.

Indeed, it is the view of Councillors on the Forum that even Councillors, who to some degree may be felt by members of the public to be "insiders", are not always in a position to challenge decisions that affect Dublin, made by public bodies, involving public money.

All of this creates the current situation, where it is almost impossible for many Dubliners to know who is making certain decisions and why there are being made. It is felt by members of the Forum that this current lack of accountability inevitably leads to inefficiencies occurring and/or being masked by obscure decision making processes.

Accordingly, there is scope to ensure not only robust decision making for the Dublin region, but also to achieve more clear-cut delegation of local decision-making to local Councils and in particular local Area Committees. Currently this happens in relation to many LA services such as community facilities and planning decisions on an individual scale but it is felt that the introduction of an office of a Directly Elected Mayor could lead to a more robust and transparent delegation of local decision making powers thus giving local Councillors a more clear-cut role in local decisions affecting Dublin's urban villages.

While there was not always unanimity amongst the members of the Forum on the precise details of the proposed creation of an office for Directly Elected Mayor, the majority of the Forum were of the view that Dubliners must be given the opportunity to vote on such a proposal and it is felt that a robust public debate on the needs of more robust local government and devolution of power to local level is needed.

It is also fair to record that during the consultation phase, during meetings of the Forum and in terms of feedback from Councillors some concerns were expressed about the risks of creating an office of Directly Elected Mayor with strong executive powers. Firstly it was felt that too much power could be concentrated in the hands of one person and their appointed team. While it was acknowledged that it was potentially beneficial for a Directly Elected Mayor to be able to appoint either Councillors or persons from outside politics to executive positions it was also felt that there was a risk of an unsuitable person being elected to such an office.

However on balance members of the Forum felt that the robust election campaign that would precede such an election was likely to reduce this risk and that in addition fundamentally, as public representatives, the Councillors felt they had to have faith in the electorate.

Next, it was felt by some members of the Forum that the creation of an office of Directly Elected Mayor might lead to an increased focus on the city council area. In part to combat this, the forum feel that this can be addressed by providing for each of the 4 local authorities to have equal representation on the Dublin Assembly.

In addition some members of the Forum and Councillors were concerned that the day-to-day current role of Councillors might be undermined by the creation of this new office. Equally on the other hand some Councillors felt that this change offered the potential for a significantly enhanced role for Councillors both in terms of articulating and participating in the debate on the future shape of Dublin and in holding a Directly Elected Mayor and his/her team to account in relation to decisions in respect to which currently Councillors have little or no say.

In addition, it was felt that the creation of a new Dublin Regional Assembly would provide a forum for those Councillors who like to devote time to strategic decisions about the city. Equally more clear and enhanced delegation of powers to local area committees can provide Councillors with a more efficient forum to devote time to particular local issues and areas of concern to the urban villages in their specific local electoral areas.

Requiring the Mayor to seek to have his or her nominations to the cabinet vetted by a sub-committee of the Dublin Assembly is felt will encourage the Mayor to seek to propose a well balanced cabinet. In addition, requiring the Mayor to have his/her budget approved by the Assembly each year will encourage a collaborative approach between the Mayor and the elected Cllrs.

Finally, some concerns were expressed that there was always a risk that the creation of a new office could lead to additional bureaucratic costs, but a number of Councillors both on the Forum and generally in four Local Authorities, were determined that the opportunity should be used to find efficiencies by consolidating existing senior executive management roles and by ensuring that the current financial and executive supports to the Lord Mayor, Cathaoirleach and Mayors were consolidated. This should be done to provide the appropriate support for the Directly Elected Mayor's office. In addition, the persons elected to chair the four Local Authorities under the new structure will be able to deputise at events where appropriate without additional cost or reward

much as currently happens when the Lord Mayor, Cathaoirleach or Mayors deputise to other Councillors in their area to represent them at events often of a local nature and in the deputising Councillor's electoral area.

Conclusion

Overall, therefore, having considered the options that emerged from an analysis of elected mayors in other cities internationally and the rationale for such options, and having considered the public consultation outputs, the feedback from persons and organisations who made submissions, other Councillors and the members of the public, the majority of the members of the forum recommend to the Minister that a draft Resolution and accompanying Statement be put to a vote of the people of Dublin in May 2014 in terms of the attached document.

draft **Resolution**

In accordance with the provisions of Part 11 of the Local Government Reform Act 2014, we the members of () hereby resolve to approve the holding of a plebiscite in the Dublin metropolitan area (Dublin City Council, Dún Laoghaire-Rathdown County Council, Fingal County Council and South Dublin County Council) at which a proposal will be put for decision of those persons entitled to vote at the 2014 local elections for the Dublin local authorities, as to whether they are in favour of establishing the office of a directly elected mayor of an authority for the Dublin metropolitan area with the powers, functions, responsibilities and re-organisation arrangements set out in the report of the forum of the elected members of the Dublin local authorities and the accompanying statement attached hereto.

Accompanying Statement on the costs and benefits, advantages and disadvantages of the proposal, of the Forum of elected members in Dublin, for an office of directly elected mayor, prepared in accordance with section 66(1)(c) of the Local Government Reform Act 2014

Main Features of the proposed creation of the office for a Directly Elected Mayor for the Dublin

Metropolitan Area

- i. The term of office would be for a maximum of five years, with the opportunity of re-election (nomination may be by registered political party or 1,000 audited signatures from persons on the electoral register in Dublin)
- ii. The date of election for the office of Directly Elected Mayor (DEM) would be held in conjunction with the date of the Local Elections for the Dublin Metropolitan Area, save in the case of the first election which may take place at an earlier date, if the transitional arrangements are in place
- iii. In general and subject to the further details set out below the DEM will have strong executive powers in relation to a number of specific responsibilities (as listed below) and will be responsible for those functions in conjunction with a cabinet to be appointed by the Directly Elected Mayor
- iv. The Directly Elected Mayor shall, in consultation with the Local Authorities, be obliged to formally identify all decision making functions to be delegated to Local Authorities in relation to local issues that fall within each of their functional responsibilities
- v. The Directly Elected Mayor can appoint the persons to the cabinet (such persons may be, but need not necessarily be, Councillors) however those persons shall only hold such office while the Directly Elected Mayor remains in office and their appointment shall cease immediately upon the termination of the office of Directly Elected Mayor
- vi. Subject to the further details set out below, the Directly Elected Mayor and his/her appointed cabinet shall be responsible and held to account by a Dublin Assembly of Councillors for the Dublin Metropolitan Area
- vii. The Dublin Assembly will consist of an equal number of Councillors (5 from each plus the Chair of each of the 4 Dublin Local Authorities) nominated by each of the 4 Dublin Local Authorities using the 'Group' election system (similar to the D'Hondt system which is designed to secure representation for independents and smaller parties)
- viii. The Dublin Assembly members will elect their own chairperson and such Sub-Committees as they consider appropriate including a Vetting Sub-Committee of 7 members the role of which will be to vet the Directly Elected Mayor's cabinet nominations in public and to make recommendations to the Assembly
- ix. The Dublin Assembly will have, inter alia, the power to remove the mayor (and therefore his/her cabinet) by a 2/3 majority vote on stated grounds and after allowing the mayor to appear before the Assembly
- x. The Mayor will be required to present his/her annual budget to the Assembly and must have it approved by majority vote
- xi. The Mayor's cabinet nominations (entitled Directors) must each be approved by majority vote of the Dublin Assembly
- xii. The Directly Elected Mayor will have a strategic input into the functional areas listed in section B below

- xiii. The Councillors selected to chair the four Dublin Local Authorities will no longer hold the office of Lord Mayor of City of Dublin or Mayors. They will be called either Cathaoirleach or Chair of their local authority. However they will deputise for the Directly Elected Mayor in relation to local representational roles and/or will be responsible for further delegating such local representational roles to Councillors with their Local Authority. In addition, in those situations they will wear the chain traditionally associated with that role. Furthermore, the Directly Elected Mayor shall be entitled to be described and addressed as Lord Mayor of Dublin on appropriate ceremonial occasions or while travelling abroad on behalf of Dublin and to wear the traditional chain of office heretofore worn by the Lord Mayor of the City of Dublin.
- xiv. The budget of the Directly Elected Mayor and the carrying out of the executive functions required therefore (as set out in further detail below) will be appropriately funded by a mix of local property tax and rates and existing charges together with an appropriate direct transfer from national government reflecting the current financial arrangements and the direct transfer of responsibilities as identified hereunder.

This statement is designed to give the electorate the best available information on the costs and benefits, advantages and disadvantages of the establishment of an office of directly elected mayor, as proposed by the Forum. In the event of a decision being made ultimately to establish an office of directly elected mayor, a more detailed analysis than contained in this statement will be required. Were the plebiscite to be passed, this more detailed assessment would need to be undertaken to assist Government determine what, if any legislative changes are warranted and also to identify in full the implications of the establishment of an office of directly elected mayor.

Proposed Functions and structures of the office of Directly Elected Mayor of the Dublin Metropolitan Area

The Forum proposes that the office of Directly Elected Mayor have executive functions in relation to the following issues in as far they relate to the Dublin Metropolitan Area. In addition, it is proposed that while many of these areas will involve a devolution of power and responsibility from national, state and public agencies to Dublin regional level, that there should be a follow through downward delegation to local authority level where appropriate in line with the principle of subsidiarity.

- A. Areas of Executive & Strategic (at a Dublin regional level) responsibility for the DEM
 - a) Transport and Traffic
 - b) Community facilities including Parks & Playgrounds
 - c) Environment and Waste Management
 - d) Tourism & Heritage
 - e) Arts & Culture
 - f) Planning (overall responsibility to ensure co-ordination of the local authority Development Plans, which will include the power to resolve any incoherence at the boundaries)
 - g) Economic Development
 - h) Housing
 - i) Drainage (flood protection)
 - j) Traffic & Community Policing
 - k) Fire services

It is proposed that the Directly Elected Mayor will have a strategic role (in terms of national policy) in relation to the following roles:

B. Areas of Strategic responsibility for the DEM

- a) Water
- b) Policing (other than community and traffic matters)
- c) Emergency Services (other than Fire)
- d) Natural Resources
- e) Education
- f) Health & Welfare & Social Services
- g) Promoting Irish Language in Dublin
- h) Such other issues as affect the Dublin Metropolitan Area

In relation to the structure of the Directly Elected Mayor office, it is proposed that the Directly Elected Mayor shall be entitled to appoint a person to hold office as described above to have executive control but reporting to the Directly Elected Mayor, accountable to the Dublin Regional Assembly in respect of the areas at (a) to (k) in Section A above.

Proposed changes in the functions and structures of the Dublin local authorities and the relationship between the office of Directly Elected Mayor and national, regional and local bodies.

The Forum envisages that the appropriate strategic responsibility of senior executives in the four Dublin local authorities will be transferred to the office of Directly Elected Mayor and his/her cabinet. An appropriate consolidation of the top line of the executive management across the 4 Dublin local authorities will take place with transfers, voluntary redundancies or reallocations being sought where appropriate.

The Directly Elected Mayor will then have the responsibility of delegating to local level, appropriate local executive decision making functions.

While the proposed functions of the office are listed above, more detailed consideration would need to be given, in due course, to the structure and status of the office in regards, to staffing, operations, duties and responsibilities. Feasibility also needs to be assessed in the light of the extent of contraction in staffing already achieved in the local government sector.

It is proposed that in the area of transport and traffic the responsibility of national agencies which impact on Dublin (in particular the National Roads Authority and National Transport Authority) will have those responsibilities for Dublin assigned to the office of the Directly Elected Mayor and that such staff that are necessary and the appropriate proportion of those agencies' budgets will be transferred to the office and budget of the Directly Elected Mayor.

Equally, it is proposed that the appropriate functions, staff and budget be transferred from Fáilte Ireland to the office of Directly Elected Mayor to enable the said office promote Dublin nationally and internationally.

At the same time, consideration needs to be given to the implications of the separation of Dublin transport and tourism functions from national functional arrangements and the resulting fragmentation of current institutional structures which, in a number of cases, would involve a reversal of recent Government reforms, including:

- A reversal of the recent institutional arrangements put in place in relation to the National Transport Authority
- The impact on the merger of the National Roads Authority (NRA) and Railway Procurement Agency (RPA).
- The recent merging of Dublin Tourism into Fáilte Ireland

In terms of the key economic development responsibilities currently carried out by Enterprise Ireland and the IDA in relation to the economic development of Dublin both as a region and internationally, it is proposed that in so far as those responsibilities relate to Dublin they would be transferred to the office of the Directly Elected Mayor with the appropriate transfer of budget and staff where possible achieving efficiencies by virtue of the presence of existing staff with responsibility for economic development at a high strategic level in the four local authorities. Reductions in staff should be achieved by reallocation of duties and/or voluntary redundancy.

In regard to economic/enterprise development and Foreign Direct Investment (FDI), regard must be had to the national approach currently in place, under which the IDA is responsible for securing foreign direct investments (FDI) for Ireland, generating jobs and supporting balanced regional economic development. In that role, the IDA markets Ireland overseas as one country and one overall offering. The IDA maintains a strong influencing role in order to identify investment priorities as well as the delivery of specific property solutions – buildings, business parks and strategic sites. However, city and regional stakeholders including local authorities, utility providers and companies are the main driving forces in delivering a climate of proven achievement and innovation necessary to win outside investment to their respective city and region, although the investment location decision always remains with the investing company based on their business needs being met.

The IDA is reported as one of the best Investment Promotion Agencies in the world, with a key strength in attracting and winning FDI investments against international competition being the fact that there is a sole national agency delivering all of the necessary support as a “one stop shop” to potential investors. Its approach of national first and regional second remains as the primary one used by most development agencies. Notwithstanding the foregoing, this does not imply that Dublin should not be marketed by an office of the directly elected mayor, should it be established, as an attractive city location in a generic way and this would be expected to enhance awareness of Dublin globally.

In this context, the significant implications arising should the office of the directly elected mayor become an Investment Promotion Agency (IPA), actively targeting FDI, would need to be understood. It may be that the dilution of "Brand Ireland" by the creation of competing agencies for FDI would weaken Ireland's global FDI activities, increasing the difficulty in attracting FDI to the regions, with the long term effect of increasing urban/rural disparity, contrary to national policy for regional development. The risks of fragmentation of the industrial development portfolio, for both

Ireland and Dublin, would need to be considered along with the potential impacts on FDI employment trends.

Enterprise Ireland has a national mandate across a number of platforms including: enterprise development and entrepreneurial supports; research and innovation; trade; and direct and indirect funding of industry. This ensures an integrated and cohesive approach to supporting Irish enterprise, the innovation system and job creation throughout the State. Further consideration will need to be given to the fact that in a small country, a national perspective and an agency with overarching responsibilities ensures that the State provides a consistent level of support to all companies across the development lifecycle. This structure was originally developed to ensure that the best outcomes would be achieved for Irish companies.

Similarly, the Forum proposes that the responsibility for Housing, that currently rests with the Department of the Environment, Community & Local Government (DECLG), in so far as it relates to Dublin, should be subject to a transfer to the office of the Directly Elected Mayor with the appropriate transfer of budget and staff again subject to efficiencies being obtained by virtue to the existing high level staff in the four Dublin Local Authorities which would transfer to the office of the Directly Elected Mayor and again appropriate reductions should be obtained by voluntary redundancy and reallocation of staff.

The practicalities associated with the transfer of responsibilities from DECLG to the office of the directly elected mayor would need to be considered further as DECLG currently discharges a national legislative and policy role, which will continue, irrespective of any changes made to arrangements for local government delivery in Dublin.

The DECLG would deal with the office of directly elected mayor essentially as if it were the local authority for the Dublin metropolitan area in determining the relative priority of Dublin schemes vis-à-vis the rest of the country. There are likely to be some administrative economies for central Government from dealing with one overall Dublin housing authority rather than 4 authorities as at present.

Finally, in so far as the Department of Transport, Tourism & Sport and the Department of Arts and Heritage and the OPW have responsibilities in relation to Dublin (including for example Stephen's Green and the Phoenix Park), these should be transferred to the office of Directly Elected Mayor, subject to the appropriate transfer of budget and staff again subject to savings being obtained by taking into account the existing skillsets available in the four Dublin Local Authorities at a high strategic level which would be transferred to the office of the Directly Elected Mayor and again savings should be obtained through voluntary redundancy and reallocation of staff.

In considering this aspect of the proposal, account would need to be taken of the extent to which a large number of facilities in Dublin are national facilities for the benefit of the nation as a whole rather than exclusively for the Dublin Metropolitan Area (e.g. the Dublin Castle complex) and should appropriately remain part of OPW responsibility.

While there would clearly be opportunities for a directly elected mayor to contribute positively in areas such as arts, culture, heritage and the Irish language, it would be necessary to set out clearly any such role in the context of the national policy functions remaining with the Department of Arts, Heritage and the Gaeltacht.

Details of the estimated cost and other resource implications of the proposed arrangements and any increased cost likely to arise as a result of their implementation

In terms of funding, members of the Forum believe that Dublin should retain 100% of the Local Property Tax (LPT) and a % of the water charges (to cover costs associated with drainage and flood protection in particular). The members of the Forum are not recommending any new taxes but believe that the new system of local and regional governance for Dublin is best funded from existing resources, efficiencies, retention of 100% of the LPT plus direct transfers from national government reflective of the proportionate amounts funded by national government to the agencies referred to above, such as in particular:

- National Roads Authority (NRA)
- National Transport Authority (NTA)
- Industrial Development Authority (IDA)
- Enterprise Ireland
- Fáilte Ireland
- Department of Transport, Tourism and Sport
- Department of Arts, Heritage & the Gaeltacht
- Department of Environment, Community and Local Government
- An Garda Síochána
- Office of Public Works

In addition, members of the Forum anticipate that the purely administrative staff needed to support the office of the Directly Elected Mayor and the salary of the Directly Elected Mayor can be funded out of existing resources used to fund the salaries and office of the Lord Mayor of the City of Dublin, Cathaoirleach and Mayors of the three other Dublin Local Authorities.

In considering the funding arrangements proposed, account would need to be taken of the fact that the proposed 100% local retention of Dublin LPT proceeds runs contrary to stated national policy (which is to move towards 80% local retention) and would have cost implications for the Exchequer in supporting the local government system as a whole. In addition, as Ireland is subject to the expenditure benchmark which limits general government spending with reference to the potential growth rate of the economy, any funding/budgets for the office of directly elected mayor would have to fit overall spending limits that apply to local and Central Government, in order not to jeopardise national adherence to the fiscal rules.

Changes proposed to the functions and structures of other bodies

It is envisaged that the bodies mentioned above, in particular:

- National Roads Authority (NRA)
- National Transport Authority (NTA)
- Industrial Development Authority (IDA)
- Enterprise Ireland
- Fáilte Ireland
- Department of Transport, Tourism and Sport
- Department of Arts, Heritage & the Gaeltacht
- Department of Environment, Community and Local Government
- An Garda Síochána
- Office of Public Works

would no longer have statutory responsibility at an executive level for the functions listed at A on pages 10 and 11, but they would retain a strategic role. Some other national bodies concerned with the issues in Section B of page 11, such as water (Irish Water), policing (An Garda Síochána), Emergency Services, natural resources, health & welfare would all be obliged to take into account the view of the office of the Directly Elected Mayor and Dublin Assembly in relation to strategic issues affecting the Dublin region.

Detailed consideration would need to be given to the proposed division of responsibilities currently carried out at national level and the potential consequences for the effective and efficient governance of local and central Government.

In relation to policing, consideration would need to be given to the impact on the current Garda Síochána unitary structure allowing for the movement of people, resources and budgets to areas of greatest need. The Garda Síochána is a national police force and national security and intelligence agency. Accountability and oversight arrangements include the Minister for Justice and Equality setting annual policing priorities, approving the Commissioner's policing Plans and answering to the Oireachtas for the Force. Local authorities currently input into local policing via Joint Policing Committees, and the changes identified by the Forum would require major legislative amendment. The unitary policing model was put in place shortly after the establishment of the State, replacing the pre-independence model of one force for Dublin and a separate force for the rest of the country. Further consideration would need to be given to the Forum's proposal being a partial step back to separate policing arrangements for Dublin, at least in relation to community and traffic policing.

The success of policing major events hinges greatly on the ability of the Garda Commissioner to direct people, resources and budgets into and out of Dublin, within a unitary force structure. To place community policing and traffic policing functions on a separate footing and under a different and distinct command structure from all other policing functions in Dublin would seriously impact on the ability of An Garda Síochána to provide a comprehensive and efficient policing service in Dublin, as these are integral parts of the overall policing function.

In considering the implications of the proposals of the Forum, recognition would also need to be given to the problems inherent in the partial nature of the division of responsibilities proposed. Community and traffic policing are integral parts of the overall policing function, and placing these on a separate footing and under a different and distinct command structure from all other policing functions in Dublin, such as crime prevention and detection, security, emergency response and

public safety would risk seriously impacting on the ability of the Garda Síochána to provide a comprehensive and efficient policing service in Dublin and to implement national policing policy in Dublin.

With some exceptions (Dublin Bus and Luas operations and infrastructure), transport infrastructure and services are currently provided and facilitated with a national rather than a local focus. The proposals in respect of transport would require a transfer or duplication of expertise to cover similar functions that would fall both within and outside of the Dublin area (e.g. NRA and Irish Rail engineering/planning).

While the office of directly elected mayor would cover the Dublin Metropolitan Area, the natural economic and commuter catchment for the Dublin area goes far wider than the geographical area of the four Dublin local authorities. Consideration would need to be given to the boundary issues such as the treatment of bus, rail and road radial commuter routes (such as those to/from Bray, Drogheda and Naas) and how these would be dealt with between the current responsible organisations and the office of directly elected mayor.

The current position is one where transport investment is determined centrally, taking account of national priorities. Regard would have to be had to the issue of how to deal with the Greater Dublin Area outside Dublin, and the funding of projects of national interest in the Dublin area would need to be provided for.

The question of where overall national policy responsibility for infrastructure such as the M50, Port Tunnel and the Inter-City Rail Stations would rest and the relationship between the office of the directly elected mayor and central Government and national agency oversight responsibilities would need careful consideration to ensure that neither the national nor the Dublin operation of the infrastructure would be compromised.

The Forum considers that the principle of subsidiarity will require powers to be delegated downwards to the local authorities and area committees where those powers relate to strictly local issues. Furthermore, the four Dublin Local Authorities will retain appropriately delegated responsibility at a strategic or executive level for the functions listed above at A in line with the principle of subsidiarity.

The Forum members believe that the legislation should require the office of Directly Elected Mayor to specifically delegate to local level the executive roles in making decisions relating only to local level and particularly Dublin's urban towns and villages. In addition, the chairs of the 4 Dublin local authorities should have a clear representational role to represent the Directly Elected Mayor at local events.

The local area committees should have clearly defined powers to deal with exclusively local issues and there should be more transparency about those powers and assigned budgets. Local area boundaries should be streamlined to reflect local urban towns and villages within Dublin.

In addition the Directly Elected Mayor should ensure that Dublin plays a more direct role in liaising with the EU and seeking appropriate regional funds.

In considering this element of the Forum's proposal, regard should be had to the level of subsidiarity which already exists in relation to the development and rollout of national and local service provision. For example, the structures of the education system are such that national policy is the responsibility of the Minister for Education and Skills while responsibility for the day to day management and operation of education institutions already lies at local level with boards of management and other such local bodies.

Similarly, there is already an existing mechanism for local representative engagement with the HSE. A Regional Health Forum within each of the HSE's four administrative regions includes representatives from the city and county councils within that area. Each Forum's function is to make representations to the Health Service Executive in regard to the range and operation of health and personal social services provided within its functional area. This essentially means that their purpose is confined to operational matters around delivery of health and personal social services and not health policy or strategy. Re-configuring the regional health fora as a mechanism for the office of directly elected mayor to input into national health policy would not be a possibility under current arrangements. However, taking into account the policy and accountability framework proposed, the proposal for a strategic role in regard to national health policy for the office of directly elected mayor in relation to health would appear to conflict with current and future proposed statutory health accountability structures.

Further consideration would also need to be given to other elements of the proposals in relation to health and Emergency Services, as these do not conform with existing Health legislation and the governance framework established under that legislation. The proposals in regard to the functions of the office of directly elected mayor would also not conform with the Health Reform Programme as set out in the Strategic Framework document for the reform of the Health Services "Future Health".

Advantages and disadvantages that would arise as a result of the implementation of the proposed arrangements

In terms of advantages Dublin would have a strong, clear, accountable leader who would be in a position to drive change for the city having won a mandate from the people and in respect of whom there would be considerably more accountability. In addition, there would be more coherent decision making about functions directly relating to the Dublin region.

Furthermore, elected Councillors will have a stronger role in holding an executive to account in relation to decisions which affect the city where currently elected Councillors have little or no role. Equally Councillors would have a more robust role in terms of shaping strategic policy and equally at an operational level in terms of local executive decisions for the local electoral area / urban village.

The Local Government Reform Act 2014 provides for the strengthening of governance and accountability in local government, with particular emphasis on rebalancing powers between the executive and the elected council, with much greater powers granted to the elected council to direct policy, oversee implementation, and actively review the actions of local authority management.

This is in addition to the substantial changes being introduced in relation to accountability, including monthly management reporting, earlier presentation of policy papers, the appointment of chief executives in local authorities, new provisions for the role and remit of Strategic Policy Committees and the establishment of a National Oversight and Audit Commission. These new arrangements will apply irrespective of whether or not an office of directly elected mayor is established.

The Forum envisages that there will be cost savings and efficiencies by consolidating the executive decision making which currently is across a number of national agencies, government departments and local authorities.

Potential disadvantages include the fact that significant power would be consolidated in one elected person and their appointed team with the risk that poor decisions could be made. There is also a potential risk that additional costs might arise by the creation of the office of the Directly Elected Mayor. However it is felt that each of these disadvantages are surmountable.

It is recognised that current arrangements for the co-ordination of practical planning matters across the Dublin local authorities could be improved and in this regard the office of directly elected mayor model would provide a clear mandate and accountability mechanism to ensure that co-ordination is progressed.

The proposed land use planning role of the office of directly elected mayor could be beneficial if it were focused on issues across the Dublin local authorities where there are significant mutual interdependencies, for example:

- Progression of a joint Core Strategy/Housing Strategy – setting (within the Spatial and Economic Strategy context) the levels of housing to be catered for at the macro level, zoning/brownfield development requirements etc;
- Progression of a joint Retail Strategy – adopting an overall retail hierarchy for Dublin including an effective balance between the city centre and suburban centres;
- Preparation of the background for the Development Contribution Scheme (involving analysis of essential infrastructure requirements to underpin relevant development plans)– estimation of capital infrastructure requirements etc.

Consideration would also need to be given to the potential implications for the existing waste management planning functions of the 4 Dublin local authorities and the newly established Eastern & Midland Waste Management Planning Region (Dublin City is the Lead Authority for this Region). The waste management planning, including the provision of infrastructure and the regulation of waste collection and waste facility permitting, is currently an executive function, rather than a function reserved to the elected members.

Measures to maximise efficiency, effectiveness and accountability in local government in the Dublin Metropolitan area and avoidance of duplication or undue cost

It is important that there is visible, transparent delegation to local level of local executive decision making in the areas of function responsibility. In addition, the Forum believes that a clear transfer

and devolution of power from various national bodies and government departments to the office of Directly Elected Mayor is required.

There should then be consolidation of key staff at each level with voluntary redundancies or reassignment of staff. It is anticipated that this will produce a more efficient, effective and accountable system of local government with the office of the Directly Elected Mayor and his/her cabinet being held accountable to the Dublin Assembly on a monthly basis and such further meetings of Sub-Committees of the Dublin Assembly as are required.

The transfer of functions, staff, financial and other resources to the office of directly elected mayor from Government Departments and national bodies would be a major undertaking and can only be scoped fully when detailed work is undertaken once a more specific identification of the powers and functions of the office of directly elected mayor is made. Most of the organisations involved, and their infrastructure and services, are not organised on a geographic basis. A separation of functions, staff resources and costs between Dublin and national operations within each organisation would require detailed assessment.

Further consideration would need to be given to the impact of the transfer of functions that would be specific to Dublin, including the potential for duplication of activities and resource requirements at both central and office of directly elected mayor levels, and the potential for dilution of expertise and assets impinging on the ability of national bodies to fulfil their national remits.

The Forum does not anticipate that the establishment of a Dublin Assembly will incur much, if any additional cost. The Assembly members will be selected from among Councillors across the 4 Dublin local authorities and accordingly no additional salaries will be required and additional work associated with the role will be dealt with by means of an allowance. In general, the Assembly will sit in existing local authority chambers across the 4 Dublin local authorities.

Each year the budget of the Directly Elected Mayor will be required to be approved by a majority of the Councillors sitting on the Dublin Assembly.

In addition, on stated grounds, the Directly Elected Mayor can be removed from office (impeached) by a vote of at least 2/3 of the members of the Dublin Assembly and after allowing the mayor to appear before the Assembly.

The Dublin Assembly will consist of an equal number of Councillors (5 from each plus the Chair of each of the 4 Dublin Local Authorities) nominated by each of the 4 Dublin Local Authorities using the 'Group' election system (similar to the D'Hondt system which is designed to secure representation for independents and smaller parties).

The Dublin Assembly members will elect their own chairperson and such Sub-Committees as they consider appropriate including a Vetting Sub-Committee of 7 members the role of which will be to vet the Directly Elected Mayor's cabinet nominations.

The Mayor will be required to present his/her annual budget to the Assembly and must have it approved by majority vote.

The Mayor's cabinet nominations (entitled Directors) must be approved by a majority vote of the Dublin Assembly. Councillors appointed to the Mayor's cabinet will not be required to resign their Council seat but will be precluded from sitting on any of the Assembly Sub-Committees dealing with holding the Mayor to account.

All documentation of the Directly Elected Mayor and his/her cabinet will be subject to Freedom of Information. In addition, all such documentation will be available online through a secure portal to all Councillors in the 4 Dublin local authorities and will also be made available following any written request by any Councillor. All meetings between the office of Directly Elected Mayor or his /her cabinet officials and the Dublin Assembly shall be held in public, webcast and minuted. All Councillors of the 4 Local Authorities shall be entitled to raise a designated monthly number of specific questions in writing of the Directly Elected Mayor and Cabinet members to have those questions responded to in writing within a prescribed period.

Furthermore, the Directly Elected Mayor shall attend a formal sitting of each of the four Dublin local authorities at least once a year to report and answer questions.

The office of the Directly Elected Mayor will be required to report both to the Dublin Assembly and the Minister for Environment, Community and Local Government within one year of taking up office on further efficiencies that can be achieved in relation to the reorganisation that will have taken place.