



# **MINISTRY OF LOCAL GOVERNMENT**

**DRAFT**

***WHITE PAPER***

***ON***

***LOCAL GOVERNMENT REFORM, 2009***

**“EMBRACING-ALL”**

*Local Government Reform in the context of the Vision 2020 charge towards sustainable local communities, robust participative democracy and Regional Planning and Development.*

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## **FOREWORD**

The Draft White Paper on Local Government Reform signals an important pathway towards modernization and transformation of the Local Government system in Trinidad. Today, the Government of the Republic of Trinidad and Tobago (GORTT) recognizes that the environment in which we operate is characterized by rapid and continuous change and this has provided the impetus for transforming and modernizing our local communities to become resilient in such turbulent environment. As such, we embrace the diverse opportunities presented by the challenges to respond creatively in developing and establishing institutional structures, systems and processes at the Local Government level that can facilitate more effective quality service delivery, viable sustainable communities and balanced regional development.

We at the Ministry of Local Government are guided by the Vision 2020 charge of promoting good governance, which espouses principles such as accountability, transparency, participation and predictability. It is against this backdrop that while committed to building robust institutional structures and sustainable local communities that empowering all citizens to participate in the decision making processes remains as one of our primary objectives.

While we took cognizance of International best practices. These include the Agenda 21 benchmark for integrated and participatory strategic planning for the development of sustainable communities as well as the Aberdeen Agenda emerging from the Commonwealth Local Government Forum (CLGF), Scotland, 2005 which subscribed to good practices for local democracy and good governance such as accountability, transparency, equitable service delivery and continuous capacity development. Moreover, ample recognition was given to the Auckland Accord emerging from the CLGF in New Zealand, 2007 which emphasized the need for promoting development through local leadership. We were mindful of the need to ensure adaptability to the environmental realities of Trinidad and Tobago. In this context, after extensive consultations with the various stakeholders in the public domain, the targeted key focal areas of the Local Government Reform Programme which emerged are Municipal Management, Economic Development, Social Services, Environmental Management and Resilient Communities.

This White Paper on Local Government Reform in Trinidad and Tobago highlights some of the measures and programmes we would implement to realize our Local Government Reform policy objectives. They include:

- A new Local Government Legislation that would introduce an Executive Council System and mechanisms for greater citizen engagement and participation in the decision making process
- The rationalization of Local Government and Central Administrative boundaries through the reduction of the number of Local Government Bodies, physical alterations to existing boundaries and the creation of Central Administrative Districts
- Corporate Restructuring of the Ministry of Local Government and Municipal Corporations
- Human Resource Development and Institutional Restructuring
- Local Area Regional Planning and Development
- Information Communication Technology and Communications
- Waste Resource Management
- Disaster Preparedness and Management
- Municipal/Community Policing
- The development and establishment of standards and monitoring and evaluation mechanisms.

I take this opportunity to thank each and every one who participated in this Local Government Reform and Decentralization process. Your contributions have assisted in developing a policy framework that will be one of the pillars in the creation of a new and reformed Local Government system that will advance the charge towards developed country status.

**Senator the Honourable Hazel Manning**

**Minister of Local Government**

## EXECUTIVE SUMMARY

The White Paper on Local Government Reform, 2009 prepared by the Ministry of Local Government, sets out a new vision of a reformed Local Government system. This policy is an agenda for change, mindful of the fact that the national goal espouses that the country must achieve developed-Country status by the year 2020. The policy also takes into consideration the articulated mission –“**to facilitate the transformation and modernization of local communities by empowering citizens to participate in the decision making process**”.

The document is divided into eight (8) sections or chapters. Section 1 provides an historical overview of Local Government Reform in Trinidad and Tobago. This part reviews pre-independence reform initiatives as well as post independence attempts and challenges especially at the implementation stage. It describes the current reform initiative and emphasizes the consultative approach to the process and the carefully throughout approach and strategies to ensure that we get it right this time which will guarantee greater success.

The second section provides some insights with respect to the inefficiency and ineffectiveness of the current Local Government system including the duplication of roles and responsibilities by other ministries and departments and inability to cope with the changing dynamics of the various municipalities. A range of roles and responsibilities are assigned to Local Government Bodies designed to avoid service delivery duplication, increase efficiency and effectiveness and prompt delivery as well as broaden service delivery coverage within communities.

Section 3, outlines the establishment of new political and management structures, which will reflect changes to both the role of the Ministry of Local Government and Municipal Corporations and their role in promoting sustainable development within the local communities

Section 4, reviews the existing Local Government Boundary system and proposes the modifications which are required to facilitate effective service delivery coordination among

government agencies, as well as promote balanced integrated regional and national development and planning.

The fifth section recommends the national administrative boundary divisions and coordinative mechanisms that could create or foster synergies in operations, administrative coordination and more effective and efficient resource mobilization and deployment among the various Central Government departments, State Enterprises and Local Government bodies.

Section six explores the legislative framework and provisions for the modernization, transformation and effective and efficient operation of the Local Government system. Noting that the legislative review at the local level is an integral component of the National Constitutional Reform Agenda but which current constitutional parliamentary strictures prevent implementation in the short term, several new structural and institutional arrangements are proposed. These include the establishment of a specified number of Local Government Bodies, the redefinition of the boundaries of the municipalities, the restructuring of the Municipal Corporations with the establishment of an Executive Council system, the re-engineering of the organizational structure of corporations, streamlining their roles as well as allowing for greater citizen participation and involvement in the Local Governance and Democratic process. Proposals are also made for new institutional arrangements in Human Resource Management with the employment of staff on contract as the preferred option. In addition, provisions are outlined for the forging of more harmonious relationships between management and the political directorate as well as promoting employee development, training and increase in productivity levels. Furthermore, Local Financing, Local Area and Regional Planning and Development, and Public Health issues are explored.

The seventh section summarizes the policy implementation plan and discusses the monitoring and evaluation mechanisms for the effective and efficient operation and delivery of the reformed system. This section points out that the greatest challenge of the reform process will be at the implementation stage and therefore careful and strategic evaluation is necessary to keep the programme on course. To this end, monitoring and evaluation mechanisms will be established to:

- determine performance indicators and targets for monitoring and reviewing policies;
- monitor the implementation of all policy activities of the implementation plan; and

- evaluate actual outcomes against performance indicators and targets
- A transition team is also recommended to advise on transition arrangements and manage and coordinate the transition process

The eighth section is the conclusion, which noted that Local Government Reform is being pursued throughout the globe with emphasis on decentralization, good governance, local democracy and citizen participation. However, it emphasized that while taking into consideration international best practices, the new system is tailored to the environmental realities of Trinidad and Tobago. Finally, it identifies some potential benefits such as more effective and efficient management of resources and prompt quality service delivery and posits that success would depend on the provision of the relevant resources, commitment and constant monitoring, evaluation and review of operations.

## **1.0 BACKGROUND**

### **1.1 Introduction**

Reform of the Local Government System is the pathway towards fulfillment of a covenant between the Government and the people to mutually work towards the improvement of the quality of life of citizens through the delivery of quality public services and amenities, which are compatible with local needs and expectations. This pronouncement is an integral component of a National Restructuring and Sustainable Development Strategy, Vision 2020 (achieving developed country status by year 2020). In this light, the goal of the Government of the Republic of Trinidad and Tobago is to develop Municipal Bodies that can operate within a decentralized framework, and are capable of directly discharging their responsibilities to the citizens.

The charge of the Local Government System in the Vision 2020 National Strategic Plan is to contribute to national development by focusing on regional development and the creation of sustainable communities.

Fundamentally, Local Government is about empowering people in communities to manage governmental affairs assigned to them, in accordance with accepted democratic principles. In Trinidad and Tobago, the roles of Local Government have been revisited quite often in the face of changing environmental conditions and the policy perspectives of successive administrations since Independence in 1962. After 1962, successive governments have commissioned reports on Local Government Reform and enunciated policy perspectives associated therewith. However, whether these attempts at Local Government Reform were successful or meaningful is not our primary concern, the intent at this juncture is to do it right and implement it finally.



## **1.2 Historical Overview of Local Government Reform 1959-2003**

Prior to the achievement of independence in 1962, certain developments had laid the foundation for Local Government to play a relatively insignificant role in political, economic and social development. In 1959, the Exchequer and Audit Ordinance was enacted. This Ordinance drastically reduced the powers of the relatively autonomous municipalities with respect to control over personnel, the raising of revenue and their budget. In essence, it translated to an increase in Central Government control and supervision over the municipalities as it pertained to two main developments — government funding and restructuring of Local Government. The task of recommending policy prescriptions for the restructuring of Local Government in the post colonial era was given to the Sinanan Committee in 1965, by the PNM administration, led by, the Honourable Eric Williams, the then Prime Minister. The Sinanan Committee advocated greater decentralization and in particular the empowerment of communities to play a more meaningful role in the management of community assets.

The Committee also suggested a greater role and prominence for Local Government in the democratic and development process. However, Central Government emphasis on national development and socio-economic progress saw greater control and supervision over the affairs of Local Government as exemplified by a series of acts namely: Water and Sewerage Act in 1965; Statutory Authorities Act in 1966 and the Civil Service Act, 1966. This initiative was aimed at improving operational performance and bringing it to some perceived standard level. However, one of the most important elements of Local Government Reform after the Sinanan Report was the enactment of County Councils Act of 1967, which consolidated the executive position of the seven (7) county councils namely: St Patrick, Victoria, Nariva/Mayaro, St George, St Andrews/St David, Caroni and Tobago. This Act also re-defined their roles and functions.

Another attempt was made in 1974 with the appointment of the Hugh Wooding Constitution Commission to examine and make recommendations pertaining to Constitution Reform at both Central and Local Government levels. The Hugh Wooding Constitution Commission recommended some wide-ranging changes, which it thought would have given Local Government a more meaningful role in the national development process. Of noteworthy importance were: the expansion of Local Government's functional base through its

recommendation that Local Government Bodies be given authority for the maintenance of schools and specified public buildings; prevention of erosion by the sea, cleaning of beaches and providing facilities for fisheries; greater autonomy over the control of funds appropriated to local authorities annually by Parliament; and the extension of Local Government boundaries. However, the research data available revealed that only the boundaries extension recommendation was implemented.

Then, the enactment of the Tobago House of Assembly Act in 1980 and the subsequent establishment of the Tobago House of Assembly in 1982 laid a fundamental pillar upon which a local self-governing unit could play a more meaningful and responsible role in its own welfare, growth and development. The first chairman of the THA was the Honourable ANR Robinson. In 1983, the PNM Administration under the Honourable George Chambers made Local Government Reform a national policy issue by publishing for public information, discussion and comment, *A Draft Policy Paper on Community Development and Local Government Reform, 1983*. This paper gave a perspective on the then government's views of the role of Local Government. It advocated that Local Government Authorities be a partner in the national development process, through greater community involvement and participation in national policy making, community development and development planning. Two institutional mechanisms were recommended to accomplish this objective; one was an Area Advisory Committee and the other a National Advisory Committee. Unfortunately, before the policy perspectives of this reform document could have been fully ventilated and concretized into implementable programmes, the Chamber's Government was voted out of office in 1986.

The newly elected National Alliance for Reconstruction (NAR) administration was also victorious at the 1987 Local Government Elections. Two years later, the NAR proposed reform of the Local Government system in a draft policy paper—*The Decentralization Process, Regional Administration and Regional Development Proposals for Reform 1989-1990*. After public consultations, the NAR Government drafted a Municipal Corporations Bill, which consolidated all the available pieces of Local Government legislation. This Bill was debated and passed in Parliament in 1990. The *significance of Municipal Corporations Act, (MCA) 1990* was that it created corporate entities and also expanded Local Government functional base.

Further, the enactment of this piece of legislation created thirteen (13) regions, two (2) cities and three (3) boroughs with Chaguanas being the third and newest borough.

Amendments to the Municipal Corporations Act, 1990 were anticipated with the return of the PNM to national government in 1991 under the leadership of the Honourable Patrick Manning. The PNM had indicated that upon its return to national office it would reduce the number of regional corporations. The PNM won the 1992 Local Government elections against a pledge of greater autonomy for municipal corporations in the management of their affairs and greater community involvement in management of local affairs. One of the first things the PNM administration did was to reduce the number of regions from 13 to 9 by Act 8 of 1992. In terms of reform policies a great deal of emphasis was placed on accountability and the achievement of value for money expended.

Then in 1995, the United National Congress (UNC), led by the Honourable Basdeo Panday formed a coalition Government with the NAR.

At the end of 2003 many of the main provisions of the Municipal Corporations Act, 1990 as amended were not implemented. However, the position of Chief Executive Officer was classified in 1999 and appointments made and attempts were made to implement the interim staff establishment for the Municipal Police Service in Regional Corporations and the Borough of Chaguanas.

### **1.3 A Summary of the Reform Initiatives by Governments in the Past**

In summary, the post independence (1962) era was characterized by several attempts at Local Government Reform with each new government establishing committees and commissions of enquiries as precursors to reform. Ostensibly, most of these committees or commissions of enquiries produced reports, which focused on decentralizing power and authority from Central Government, the expansion of Local Government's functional base, greater financial autonomy, effective service delivery; and the encouragement of greater citizen participation and involvement in Local Government Affairs.

More so, in the 1962-1982 period, the over concentration on centrally planned socio-economic development resulted in less emphasis being placed on implementing Local Government Reform proposals in the face of reports and recommendations for expansion of Local Government functional base.

The 1983 and beyond period was characterized by a plethora of policy prescriptions by successive administrations recommending the enlisting of Local Government as an active partner in the development process. The reform process, however, has been slow and ineffective and therefore not results-driven.

#### **1.4 Government's Vision for Local Government Reform 2004 and Beyond**

The Government's current Local Government Reform Programme must be viewed within the context of the Municipal Corporations Act, 1990 and its attendant amendment Act # 8 of 1992. The Municipal Corporations Act, 1990 consolidated all the existing laws governing Local Government Bodies and was envisioned as a catalyst for transforming the Local Government system into relatively autonomous, financially self-sufficient, efficient and effective corporate entities, providing quality services to burgesses within a participatory management framework. However, these goals had not materialized after more than fourteen years of operation under the Municipal Corporations Act, 1990. The Government has therefore recommended a revised process and new perspectives on Local Government Reform. In April, 2004 it established a Decentralization Unit in the Ministry of Local Government which was given the mandate of implementing the reform initiative.

In September of the same year, an Interministerial Transitional Task Force comprising representatives from various government ministries and key institutions such as trade unions was also appointed. Its task was to review and advise on functions and responsibilities to be decentralized to Local Government Bodies and co-ordinate and manage the Local Government Reform Transition Process.

The Government's Local Government Reform perspectives were outlined in the *Draft Policy Paper on Local Government Reform, 2004 Green Paper*. It articulated the strategy for the continued reform and modernization of Local Government. The Green Paper was subjected to widespread public consultations which entailed a two (2) day National Consultation and four (4) Regional Consultations held between August and September, 2004. During the Public Consultations more than one thousand persons attended, representing over thirty five (35) groups, organization and institutions including Community Based Organizations, Non-Governmental Organizations, Village Councils, Women's Groups, Religious Bodies, Trade Unions, Political Parties and the Business Sector.

A report compiled by the Decentralization Unit was submitted to Cabinet on the overwhelming consensual positions/issues arising out of the Public Consultations, commentaries, letters, E-mails and articles.

The Green Paper was laid before the Parliament of the Republic of Trinidad and Tobago in October 2004, before the Senate on October 22<sup>nd</sup>, 2004 and in the House of Representatives on October 29<sup>th</sup>, 2004.

The consensual positions or issues on the Green Paper arising from the Public Consultations, together with recommendations made by the Local Government Inter-Ministerial Transitional Task Force on functions and responsibilities to be decentralized were accepted by Cabinet. These recommendations were incorporated in a revised Green Paper, which was subsequently endorsed as a Draft White Paper on Local Government Reform, 2006. This document was laid in the House of Representatives on May 26<sup>th</sup>, 2006 and in the Senate on June 6<sup>th</sup>, 2006.

Cabinet in its endorsement of the Draft White Paper agreed to a programme of public exposition that was executed during the period August 9<sup>th</sup> to September 20<sup>th</sup>, 2006. One (1) internal consultation for employees of the Ministry of Local Government, a two (2) day National and five (5) Regional Consultations were held. These consultations were attended by approximately fifteen hundred (1500) persons. A series of Community Consultations were held in the various Municipalities in 2007 to engage members of the communities and villages in discussions and feedback on the Government's Local Government Reform policy proposals in the Draft White

Paper. Community consultations were held in approximately two hundred (200) communities and or villages throughout Trinidad.

In 2007, the Ministry of Local Government engaged the consultancy services of Trevor Hamilton and Associates of Jamaica through the assistance of United Nations Development Programme (UNDP). This was in accordance with a Technical Support Agreement signed on November 24<sup>th</sup>, 2006. The consultants were mandated to:

- report on the capacity of Local Government Bodies for enhanced functions and responsibilities
- outline functions and responsibilities to be decentralized to Local Government Bodies
- depict the organizational structure for Local Government Bodies consistent with the Executive Council model as well as a new structure for the Ministry of Local Government
- draft primary and secondary legislation to give effect to the Local Government Reform policy prescriptions and programme

Trevor Hamilton and Associates conducted several stakeholder sessions, organizational/institutional and documentary reviews during the period May 24, to July, 2007 and submitted its findings inclusive of a report on the mechanics of a Draft Local Government Reform Legislation. Trevor Hamilton and Associates (THA) also held a Stakeholders Workshop Consultation at Crowne Plaza on August 6-7, 2007 and made a presentation to the Honourable Prime Minister and his Cabinet on Wednesday 9<sup>th</sup> January, 2008.

A review of Trevor Hamilton and Associates reports undertaken by an Interministerial Policy Team concluded that some of the proposals for Local Government Reform were not in accordance with the Government's policy prescriptions outlined in the Draft White Paper. There was also a lack of clarity with respect to the roles and responsibilities of Local Government Bodies.

A Cabinet sub-committee chaired by the Honourable Prime Minister deliberated on the formal reports from Trevor Hamilton and Associates and the consensus was that there was need to

clarify the roles and responsibilities of Local Government Bodies before proceeding to issues such as the structure, organization and the Legislation. Cabinet accepted this position and authorized the publication of a Green Paper on Roles and Responsibilities of Local Government Bodies, 2008 in the context of Local Government Reform, for public comment.

During the period, June 11<sup>th</sup> to October 20<sup>th</sup>, 2008, one (1) internal consultation involving the staff of the Ministry of Local Government and fourteen (14) Regional Consultations throughout the Municipalities were undertaken. The attendance records indicated that three hundred (300) persons attended the Ministry's internal consultation. Seven thousand, one hundred and thirty seven (7,137) participants registered at the Regional Consultations but approximately eight thousand and five (8,005) actually attended. Therefore approximately eight thousand, three hundred and five (8,305) persons participated in these public consultations. They represented approximately two hundred and fifty (250) National, Regional and Community Based Organizations, Institutions and Associations including Women's Groups, Village and Community Councils, Sporting organizations, Civil Society Organizations, Political Parties, Government Ministries and Departments, State Enterprises, Municipal Corporations, Trade Unions, Religious Bodies, the Private Sector and other groups and organizations.

A Cabinet sub-committee chaired by the Honourable Prime Minister held extensive deliberations on a report on the public consultations on the Green Paper on Roles and Responsibilities with a Policy Team from the Ministry of Local Government. The emerging consensual roles and responsibilities of Local Government Bodies were recommended to Cabinet, which agreed to the roles and responsibilities adumbrated in the following chapter.

In the context of the above, the Honourable Patrick Manning, Prime Minister of Trinidad and Tobago has reiterated that Local Government Reform must be viewed as an integral part of Constitutional Reform and that the new model of Local Government must reflect the environmental realities of Trinidad and Tobago while adopting and adapting as far as practicable best practices in the region and elsewhere in the globe. In this new model, the institutional structures and organizational arrangements are designed to ensure that Local Government Bodies can contribute meaningfully to promoting Good Governance, Local Participatory Democracy, Balanced Regional Development and Sustainable Local Communities.

Consequently, although an executive council system is proposed, its roles and responsibilities were carefully considered allowing Local Government Bodies to execute a range of functions that are Community Based and which they can effectively carry out while at the same time recognizing the role of Central Government in a unitary state to develop national policy, ensuring that all citizens can access essential services , that national and international standards are maintained and basic human rights and other democratic principles are constitutionally guaranteed.

### **1.5. Purpose**

**Significantly, the purpose or aim of the Local Government Reform Programme is to contribute to the realization of vision 2020 by promoting meaningful decentralization of significant aspects of the local governance system to improve efficiency, while building sustainable communities within a participative local democratic framework.**



## **2.0 ROLES AND RESPONSIBILITIES OF LOCAL GOVERNMENT BODIES AND THE MINISTRY OF LOCAL GOVERNMENT**

### **Introduction**

The Government's Local Government Reform Programme was informed by a new vision of a reformed Local Government System in the 21<sup>st</sup> century and appropriate to the social and political diaspora of Trinidad and Tobago. **The reform vision therefore envisages "Sustainable Local Communities rooted in the principles of robust, participative democracy; embracing all"** In this regard, **the mission is to facilitate the transformation and modernization of local communities by empowering citizens to participate in the decision-making process.** This holistic approach to the business of Local Governance will benefit all citizens irrespective of race, ethnicity, gender, religion and social standing.

Recognizing that the current Local Government system is inefficient, ineffective and unable to cope with the changing dynamics of the various Municipalities and that responsibilities are duplicated by other ministries and departments, the roles and responsibilities assigned to Local Government Bodies are designed to avoid service delivery duplication, increase efficiency, effectiveness and prompt delivery as well as broaden service delivery coverage within communities. They were informed by the imperatives of vision 2020 Draft National Strategic Plan and the Agenda 21 and Action 21 frameworks. The Agenda 21 Framework is an international benchmark for integrated and participatory strategic planning for the development of sustainable communities and Action 21, the implementation plan for accomplishing same.

Ample focus was also given to the Aberdeen Agenda emerging from the Commonwealth Local Government Forum, (CLGF) Conference, Scotland, 2005, which recognized Commonwealth

principle on good practices for Local democracy and Good Governance. These include accountability, transparency, inclusiveness, equitable service delivery and continuous capacity development. The Auckland Accord of the CLGF Conference of 2007, which focused on delivering development through Local Leadership, was also considered. Some of the key elements of this Accord are:

- enhancing the legitimacy and integrity of local decisions
- more efficient use of local resources
- building social and community cohesion
- increasing the scope for innovation and creativity

Significantly, the core focal areas under this new paradigm are:

- Municipal Management
- Economic Development
- Social Services
- Environmental Management
- Resilient Communities

The following is a summary of the roles and responsibilities of the various institutional structures within the Local Government System:-

### **2.1 Local Government Bodies/Municipal Corporations:**

Provide and maintain services and implement projects consistent with Central Government policies so as to promote sustainable development in the following core areas and subsequent areas of responsibility:

- Municipal Management and Corporate Services

- Public Health and Environment
- Social Services and Community Outreach
- Facilities Maintenance and Physical Infrastructure
- Planning and Development
- Municipal Policing
- Finance to be attached to any portfolio at the discretion of the Mayor or Chairman

### **Areas of Responsibility**

- Maintenance of all public sector buildings not under the control of other state agencies
- Monitoring the execution of works by State Enterprises, Statutory Corporations and Public Sector Agencies, as prescribed
- Provision and maintenance of local recreational facilities, etc.
- Landscaping and beautification of communities
- Establishment and management of Burial Grounds, Crematoria and Cremation sites
- Ensuring the distribution of water in areas where there is no pipe borne supply
- Provision of community policing
- Waste management
- Management and control of insect vector and rodents
- Provision and management of public markets and abattoirs
- Promotion and preservation of environmental sanitation
- Promotion and, in special circumstances, undertaking local, cultural community events and sporting activities

- Monitor planning and development activities within the Municipalities
- Naming of streets and numbering of houses
- Disaster preparedness and management
- Issuing approvals for applications for full planning permission not requiring a CEC from the EMA for residential and small–building developments and additions of any type ,not exceeding 500 square metres and minor engineering operations as specified by schedule

## **2.2 The Ministry of Local Government**

- Advise the Cabinet on the charting of the strategic direction for Local Governance & Democracy
- Develop policy and standards consistent with National and International best practices
- Modernise Local Government structure and organisational systems to promote efficacy
- Facilitate and collaborate with other agencies to coordinate effective delivery of public goods and services
- Monitor, evaluate and review continuously the operations of Municipal Corporations
- Provide financial and technical support to Municipalities
- Review and approve annual operating and capital budgets
- Ensure compliance with accounting policies and procedures
- Participate in the evaluation of capital and infrastructure projects
- Monitor capital and other expenditure
- Conduct periodic audits and cost reviews
- Ensure the integrity of all business processes and the Accounting system

- Compile, process, interpret and disseminate financial and operational information to internal and external users
- Provide cash flow projections for capital and infrastructural projects
- Exercise oversight over and monitor state companies / enterprises under its purview in accordance with the Ministry of Finance project management policy guidelines
- Prepare regional and local area development plans /policies for the Municipalities ,in collaboration with the Municipal Corporations
- The Ministry of Local Government and all related ministries and Agencies must collaborate to ensure the effective coordination and delivery of public goods and services.

### **2.3 The Municipal Council**

- To make standing orders for the good governance of the Council
- To make bye-laws and regulations for the Good Governance of the Corporation
- To formulate broad strategies for implementation by the Executive Council in accordance with National Policies
- To review the operations of the Executive Council
- To debate matters pertinent to development of the Corporation
- To represent the interests & concerns of the burgesses/citizens within the municipality
- To bring the grievances & service delivery requests of the public to the attention of the relevant divisions of the Corporation
- To exercise oversight over the activities of the Corporation and its Executive Council
- To regulate the conduct of members

- To enquire into the operations of the Corporation
- To approve the budget of the Corporation for consideration by Central Government
- To question officials on matters pertaining to the operations of the Corporation
- To review reports on the operations and activities of the Corporation
- To seek redress on behalf of members of the public who present legitimate claims of mal-administration against the Corporation.

#### **2.4 The Executive Council**

- To determine the broad strategies for implementation consistent with Government Policy
- To approve the plans and programmes of the various divisions
- To formulate policy relating to the functions of the Corporation and consistent with Central Government Policy
- To allocate financial and other resources to the various departments
- To review the operations of the various departments / divisions to ensure compliance
- To coordinate the operations of the various departments and to rationalise the divisional operations
- To review bye-laws and other regulations for submission to Council
- To collectively exercise responsibility & accountability for the effective & efficient management of the Corporation
- To determine the appropriate division / department (Municipal Management and Corporate Services or Planning and Development) where Finance should be placed

In undertaking, the roles and responsibilities assigned to the Corporation, the Council, Executive Council and members of the Council must engage in regular interface with the community. The

Corporation would therefore develop appropriate mechanisms to ensure meaningful participation and involvement of the community in Local Government affairs. In addition, procedural operational manuals would be developed outlining:-

- The roles and responsibilities of the Council, Executive Council, Councillors/Aldermen
- The type of services to be delivered
- Service Delivery Standards
- The various departments/divisions and their roles and responsibilities
- Procedures for accessing delivery of services
- Monitoring and evaluation standards and mechanisms

## **3.0 THE STRUCTURE OF THE LOCAL GOVERNMENT SYSTEM**

### **Introduction**

One of the critical issues in the reformation of the system of Local Government is the extent to which the revision of the current structural arrangements can adequately meet the requirements for decentralized operations, local democracy and good governance. Moreover, the important governance principles of accountability, transparency, all-inclusiveness, equity, value for money expended, quality service delivery, participatory democracy and responsiveness are prime considerations in this restructuring exercise. In this context, the need for greater involvement of the people's representatives in the management of the affairs of Local Government Bodies ought to be balanced with democratic oversight structures. Likewise, the need for greater speed and efficiency in decision making and implementation ought to be matched by the observance of accountability and transparency. This structural revision therefore involves the establishment of new political and management structures, which will reflect changes to both the role of the Ministry of Local Government and Municipal Corporations and their role in promoting sustainable development within the local communities. However, ultimately the restructuring is necessary to strengthen the capacity of Local Government Bodies and facilitate greater speed and flexibility in decision making, policy formulation, regional planning, quality service delivery and expanded service delivery coverage within communities.

In this regard, e-government would be a new feature where e-Citizens will have easier access to services as well as more opportunities for involvement and engagement in the local democratic process thereby promoting good governance. The empowerment of citizens and by extension communities is being supported by Information and Communication Technologies (ICTs). ICT makes it possible for “enabling Local Government Bodies, State and other Agencies” to work



together to build sustainable communities and access information pertaining to core services such as waste resource management, disaster management, regional plans, community recreational facilities and other public health and social services. The ICT implementation Plan for Local Government has two main focal areas. The first, is citizen centric, providing electronic services to e-citizens, removing demographic limitations. In this context, the major challenge will be the removal of the digital divide, thereby allowing all citizens the available opportunities for participating in Local Governance. The second, is the creation of a robust network infrastructure and Information Technology Systems, which will facilitate the integration of information within the Municipalities, the Ministry of Local Government and State Agencies, allowing correlation of effort and information to improve decision making and policy formulation. As Trinidad and Tobago strives to achieve Vision 2020, mindful of the electronic-citizen, the ultimate goal and vision will be to create sustainable ICTs that empower citizens to participate seamlessly in the process of governance and to give birth to the era of electronic – citizens facilitated by a Electronic Government, thereby creating a “Virtual City, Town or Regional Hall” as it were within the residential domain of citizens/burgesses.

Within the framework of the Ministry of Local Government as the central institutional mechanism linking the Local Government Bodies and citizens and burgesses therein to the Cabinet and Parliament, the new organizational structure (depicted at *Appendix I*) for the Local Government Bodies illustrates the ensuing. At the apex, there is a Council, a Local Democratic Assembly with a Mayor, elected Councillors and nominated Aldermen. Accountable to this Local Democratic Assembly is an Executive Council comprising the Mayor/Chairman as head of the Executive Team and Secretaries who are assigned responsibility for any of the six portfolio Divisions identified hereunder. Each division is under the management of a manager or head of department, who is subject to the general direction and control of the secretary.

The Chief Executive Officer is the Accounting Officer of the Corporation.

The roles, responsibilities and functional units of the proposed divisions under the executive council are outlined as follows:-

### **3.1 Municipal Management and Corporate Services:**

Purpose: - to provide leadership and management support for effective co-ordination of quality service delivery.

#### **Roles & Responsibilities**

- Ensure that the directives, decisions and policies of the Executive Council are implemented.
- Coordinate and determine the activities of the various divisions of the Corporation.
- Recommend financial and other resources to be allocated to the various divisions
- Coordinate budget submissions from the various departments
- Implement performance management systems
- Promote capacity building initiatives in order to continuously improve quality service delivery
- Provide administrative and management support services for the effective functioning of the various divisions

#### **Functional Units**

- Accounts
- Human Resource
- Administrative services
- Legal Services
- Procurement Management
- Communication & Public Relations
- Information Communication Technology

### **3.2 Public Health and Environment**

Purpose: - to ensure a healthy, safe and sanitary environment thereby promoting community sustainability and well being, while enhancing the quality of life

#### Roles & Responsibilities

- Ensure that Public Health and Environment safety standards are observed in the maintenance of burial grounds, crematoria and cremation sites
- Ensure the distribution of water in areas where there is no pipe borne supply as prescribed
- Waste resource management
- Management and control of insect vector and rodents
- Provision and management of public markets and abattoirs
- Promotion and preservation of environmental sanitation
- Disaster preparedness and management
- Prevention of the spread of food borne diseases

#### Functional Units

- Waste Management
- Disaster Management
- Insect Vector, Rodent & Canine Control
- Institution Health & Safety
- Environment Sanitation & Litter

### **3.3 Social Services and Community Outreach**

Purpose: - to harmonise diversity and be the first responder to support persons in special circumstances

#### Roles & Responsibilities

- Promote and in special circumstances undertake local, cultural community events and sporting activities
- Disaster preparedness and management
- Cultural Services
- Grant support and awards
- Community art and festivities
- Civic sponsorship initiative
- Implementation of Government Social Policies
- Establish linkages with Social Development, Community Development and Sport Facilities Administration

#### Functional Units

- Administration of social facilities
- Community sports & cultural
- Promotion & coordination
- Community outreach
- Citizen Advisory Services

### **3.4 Facilities Maintenance and Physical Infrastructure**

Purpose: - to ensure provision and maintenance of high quality facilities and infrastructure.

#### Roles & Responsibilities

- Provision and management of public markets and abattoirs
- Monitor planning and development activities within the Municipalities
- Disaster preparedness and management
- Naming of streets and numbering of houses
- Maintenance of all public sector buildings not under the control of other state agencies
- Monitoring the execution of the development programme of state enterprises and statutory corporations as prescribed
- Provision and maintenance of Squares, Parks, Open Spaces and Local Recreational Facilities
- Landscaping and beautification of communities
- Establishment and management of burial grounds, crematoria and cremation sites
- Maintenance of Recreation Grounds working in collaboration with the Ministry of Sports and Youth Affairs

#### Functional Units

- Engineering & Surveying
- Building Inspection & Development Control
- Project Management Unit
- Facilities Management
- Monitoring and Evaluation of Special Purpose Enterprises

### **3.5 Planning and Development**

Purpose: - to create and build an environment for sustainable, and resilient communities.

#### **Roles & Responsibilities**

- Strategic Planning and developmental review at Regional and Local Levels
- Develop regional and local area plans for the Municipality in collaboration with the Ministry of Local Government
- Identify and promote activities pertaining to economic self sufficiency for individuals, groups and organizations
- Facilitate and encourage commercially viable options suitable to the developmental focus of the Municipality
- Issue building approvals
- Issue approvals for applications for full planning permission not requiring a CEC from the EMA for residential and small-building developments and additions of any type ,not exceeding 500 square metres and minor engineering operations as specified in the schedule

#### **Functional Units**

- Strategic Planning & Social Economic Research
- Physical Planning and Development (Building) Approvals Unit
- Market Access & Community Entrepreneurship Development

### **3.6 Municipal Policing**

Purpose- to ensure public safety, law and order by creating and maintaining a secure community environment of increased public safety, enhanced individual and community capacity for peace and civil existence; to improve the quality of life for those who live and work in the Municipality.

#### Roles and Responsibilities

- To facilitate the maintenance of law and order within the municipality
- To provide security at corporation meetings and ensure the safety and protection of members and individuals as well as the corporation's property and assets.
- To adequately enforce the Municipal bye laws and regulations
- To facilitate the prevention of crime and infraction against the law in collaboration with the Central Police
- To facilitate the regulation and control of local traffic within communities
- To establish, implement and supervise programmes to promote cooperative and productive relationships between the police and the public
- To deliver fair, impartial and effective policing to communities
- To implement strategies for reducing the incidence of robberies, gang violence, drug use, domestic violence, and juvenile delinquency in communities
- To foster the development of strategies in partnership with the community in order to design and implement solutions for building safer communities, trust and confidence between the police and communities
- To increase the cooperation between the municipal police and community members to determine and address the root causes of crime, decrease the number of recurring crimes and allocate policing resources to meet community policing needs
- To promote strategies and programmes for public safety and solving neighbourhood problems

- To carry out regular patrols' in order to reduce the incidence of infractions against the law/bye laws and regulations including vandalism and destruction of property as well as detect, arrest and charge offenders
- To facilitate the prosecution of offenders of the law in the courts
- To carry out investigations with a view to determining infractions against the law and charging offenders

#### Functional Units

- Administration and Community Policing
- Investigations and Support Services
- Operations and Traffic Duties
- Training and Development
- Information and Communication services

The Executive Council will determine to which division the important function of Finance would be assigned



## **4.0 BOUNDARY DEMARCATIION**

### **Introduction**

The issue of boundary demarcation of a country cannot be divorced from the question of the structure of government of the country. That is to say, the type of government system informs the nature of physical and spatial demarcation of a country. In Unitary States, such as ours, there are two tiers; Central Government for the whole country and Local Government for parts of the country. In the latter tier, the number and types of Local Government Bodies are determined by an Act of Parliament or the Legislature. In Federal States, there are three tiers, Federal Government for the whole country, State or Provincial Government for parts of the country with their own constitutions and Local Government under State or Provincial Government.

Regardless of the type of Government system, the central issue is how do we divide the country for governance purposes so as to ensure effective representation of all regions, territories, individuals, groups, ethnicities and communities as well as guarantee equitable distribution of goods and services, balanced regional development, quality service delivery coordination, resource mobilization and like.

In the context of the foregoing, one of the salient objectives of the Local Government Reform Programme is to review the existing Local Government boundaries with a view to facilitating effective service delivery coordination among government agencies, as well as integrated national and regional development planning. Apart from the need to create synergies in terms of effective management of resources, service delivery and administrative coordination and integrated development planning, the problem is compounded by the various Central Agencies utilizing the old county and ward boundaries or administrative districts instead of the Municipal boundaries.

#### **4.1 *Rationale for Boundary Review***

The challenges posed by the boundaries laid down by the Municipal Corporations Act No. 21 of 1990 and attendant amendment Act No. 8 of 1992 are manifested in two main ways. One is the lack of clear agency service delivery responsibility due to boundary jurisdiction ambiguities. Such is the case where a roadway is the boundary separating two Corporations and they haggle over who is responsible for solid waste collection on one side of the roadway. The other, is the use of different administrative boundaries by the various Government agencies. For example, the Central Statistical Office utilizes Municipal boundaries, the Ministry of Education operates the old County boundaries and the District Revenue Office of the Ministry of Finance, the ward boundaries. One of the problems posed by this hybrid is that data generated by one agency do not readily facilitate the operations of other agencies in terms of utilizing same for development planning, administrative and service delivery coordination within their respective administrative areas.

The central issue to be addressed is how do we effectively engage in the physical and spatial demarcation of the country for Local Government purposes and arrive at the number and type of Local Government Bodies that are appropriately suited to the socio- economic and demographic realities and sustainable development challenges of Trinidad. A related and equally pertinent issue is, how we divide the country for Central administrative purposes to ensure that local and central administrative districts boundaries are coterminous and promote service delivery and administrative coordination, resource mobilization and balanced regional planning and development.

In light of the foregoing, it is imperative that the boundary demarcations be reviewed and realigned. This is necessary to reflect changes in the natural geographical configuration, population growth, regional and urban migration trends, new settlement patterns and industrial and commercial activities. Moreover, the realignment of boundaries between Central Government and Local Government must be within the context of Vision 2020, which places emphasis on good governance as well as sound infrastructure and environment.

## **4.2 Proposals for Boundary Review**

- Reduction in the number of Local Government Bodies from 14 to 12 (ideally 7 Regions, 4 Cities & 1 Borough )
- Expansion of the boundaries of the Borough of Point Fortin to incorporate La Brea
- Expansion of the boundaries of the Borough of Arima to incorporate Wallerfield
- Expansion of the boundaries of the City of San Fernando to include Point -a –Pierre
- Expansion of the boundaries of the City of Port of Spain to include Westmoorings and parts of Laventille except Morvant
- The elevation of the Boroughs of Arima and Chaguanas to City status
- Realign all Local Boundaries generally to reflect natural geographical configurations and communities, regional and urban migration trends ,new settlement patterns ,population size and density ,emerging growth poles and the elimination of ambiguities in service delivery responsibilities in relation to geographical lines of demarcation

## **5.0 CENTRAL ADMINISTRATIVE DIVISIONS**

### **Introduction**

The need to create synergies between the various central Government departments and Agencies Administrative boundaries as well as those of Local Government Bodies was explored in the previous chapter. Two of the notable negative consequences of the use of different boundary systems by Government Agencies and Departments are continuous wastage of scarce resources and duplication of efforts. Apart from the benefit of more effective administrative coordination by the sharing of common administrative boundaries, two other salient issues that are likely to be positively alleviated are effective service delivery coordination and coordinated integrated development planning.

In the context of the foregoing, it is recognized that the existing Regional Coordinating committee at the municipal level has not been functioning effectively due in part to the lack of operational procedural rules and provisions to compel officials to provide the required support and therefore, need to be reviewed and strengthened. Consequently, the two critical issues to be addressed are the appropriate number of central geographic administrative divisions or districts to be established and the accompanying service delivery coordinating mechanism to be implemented.

### **5.1 Proposal**

The following is proposed to address these issues:

- The division of the country into seven Central Administrative Districts with all Central and Local Government Agencies operating within the geographic confines of a particular central district subscribing to its boundary demarcation as its administrative division.
- The establishment of a Central Administrative District Coordinating Agency in each Central Administrative District..

## **5.2 Central Administrative District Coordinating Agency**

The Central Administrative District Coordinating Agency shall comprise representatives from all the main Central and Local Government Agencies, Statutory Corporations/ State Enterprises and Regional Community Based /Non Governmental Organizations within the CAD

and would undertake, inter alia, the following roles and responsibilities:

- coordinate the delivery of public services within the Central Administrative Districts (CADs)
- ensure the efficient and effective management of resources assigned to government agencies within the CADs
- monitor, evaluate and review the delivery of public services undertaken by the respective government agencies within the CADs
- ensures effective collaboration between Municipal Corporations and Departments and agencies of Central Government
- review the work plans and programmes of all government agencies operating within the CADs to eliminate duplication and maximize service delivery coverage.

The CAD coordinating agency shall report to the Minister with responsibility for Local Government who shall issue general operational and policy guidelines to regulate its activities

## **6.0 LEGISLATION**

### **Introduction**

The Municipal Corporations Act No. 21 of 1990 and its amendment No.8 of 1992 were intended to reform the system of Local Government in Trinidad. Although, it consolidated all the previous laws on Local Government, expanded its functional base ,strengthened provisions for local revenue raising and the establishment of a corporate structure ,operationalization was an onerous challenge. This challenge was in no small measure related to factors such as ambiguous provisions, no schedule of functions and responsibilities, lack of clarity of the main Local Government institutional mechanisms and their roles, duality in institutional responsibility for the same functions, detailed prescriptions better suited to bye-laws and regulations and rigid provisions that did not allow for changing environmental conditions and local circumstances.

The Government Legislative reform agenda is intended to correct these shortcomings but is also an integral component of the issue of Constitutional Reform which is currently the subject of public scrutiny with the publication for public comment, a draft document thereon. Suffice it to say, that provisions for the Constitutional recognition of Local Government as an integral element of the governance structure of the country are included. More importantly, it is a significant aspect of our overarching vision 2020 imperative of promoting good governance, which is the main remit of Local Government.

### **6.1 The key elements of the new Legislation**

The new Local Government Reform Legislation is an omnibus legislation designed to transform and modernize the Local Government system in Trinidad and Tobago. In this regard, it outlines

provisions for the establishment of a specified number of Local Government Bodies, the redefinition of the boundaries of the municipalities, the restructuring of the Municipal Corporations with the establishment of an Executive Council system, the re-engineering of the organizational structure of corporations, streamlining their roles as well as allowing for greater citizen participation and involvement in the Local Governance and Democratic process. The legislation also attempts to strike a balance between prescriptive and enabling Legislation. That is to say, outlining provisions which are specific and unambiguous and those that are organic or allowing for changing circumstances and environmental conditions. For example, in matters of the composition of the executive council, it specifies the number of departmental secretaries constituting the Executive Council but allows the Mayor /Chairman to choose Secretaries and advise on their appointment.

The following is a summary of the key legislative provisions:

- Constitution of Municipalities, Municipal Corporations and Municipal Councils
- The restructuring of Corporations with the inclusion of Council and Executive Council as two distinct bodies
- Mayor/Chairman presides at Council meetings and is also head of the Executive Council
- A Mayor/Chairman and Secretaries in charge of functional divisions constitute the Executive Council
- Six major departments specified
- Roles and Responsibilities of the Ministry, Local Government Bodies, Council and Executive Council specified
- Re-definition of Boundaries
- Chief Executive Officer as the Accounting Officer of the Corporation and Managers or Heads of Divisions accountable for administrative matters
- Annual report of council to include review of work plan

- Minister of Finance to consider certain factors in determining Parliamentary appropriations to Corporations
- One central command structure for the Municipal Police under the Commissioner of Police and expanding the jurisdiction of the Municipal Police to include Community Policing
- New functions such as Disaster preparedness and management, Landscaping and beautification and Waste Management
- Certain provisions of the Municipal Corporations Act,1990 as amended,1992 such as Markets and Slaughterhouses and Streets and Buildings to be treated as Bye -laws
- Repeal and transitional provisions

## **6.2 *Human Resource Issues***

Significantly, the issue of sourcing and managing quality human resource is a critical variable in the equation of efficiency and effectiveness in the Local Government system. This has been one of the main strictures of the system and is compounded by the existing untenable situation where two distinct agencies, the Public Service Commission (PSC) and the Statutory Authorities Service Commission (SASC) are performing the Human Resource Management functions of appointment, transfer, discipline and judicial review on behalf of Municipal Corporations. The former (PSC) exercises jurisdiction over the nine Regional Corporations and the Chaguanas Borough Corporation and the latter (SASC) the Cities and Boroughs.

Moreover, while the PSC is a Constitutional Authority, the SASC is not. This further complicates the simple consensual position of all stakeholders that there should be a single authority to undertake the human resource functions as specified. One group of stake holders (the Trade Unions in particular) expressed a preference for the existing Constitutional Authority. Another group (the local politicians and some practitioners) prefers a new and more flexible Authority. In this context, the Government would consider whether the SASC is the better option



in light of the strictures of the PSC or explore the more flexible and desirable option of employment, on contract.

However, the need for reforming and modernizing the current arrangements cannot be overstated. Changes in technology and the society in general, as they relate to quality of performance and the complexity and diversity of operations, make it an imperative for institutional strengthening and capacity building in Local Government Bodies, especially among elected officials and management. There is a need to clarify the relationships between the Chief Executive Officer and Mayor /Chairman to allow for harmonious existence. The role of Chief Executive Officers in the Executive Council system and the role of the Mayor/Chairman in the appointment of the Chief Executive Officers also need to be clearly identified and understood. In addition, a training policy would be developed that addresses employees development needs including the skills set ,competencies, knowledge base, technical capacity, attitude ,aptitude and behavior required to deliver quality service ,boost productivity, improve operational efficiency and effectiveness, accountability , transparency and responsiveness. Many of these issues would be addressed in the regulations that would be developed to operationize the Legislation.

Other human resource issues that would be addressed in the regulatory frameworks include;

- Eliminating the disparity in the human resource functions and practices between Cities/Boroughs and Regional Corporations
- Institutionalizing performance management utilizing National and International best practice methodologies
- Developing,implementing and evaluating training plans
- Developing appropriate employee assistance programmes
- The development of professional and ethical standards and code of conduct
- Establishing partnerships with tertiary institutions such as the University of the West Indies, the University of Trinidad and Tobago and international institutions such as the

United Nations Development Programme, the International Union of Local Government Authorities and the Commonwealth Local Government Forum.

### **6.3 Local Financing/Funding issues.**

Currently, the main sources of funding of Local Government Bodies are the Central Government subvention (deficit grant), Property tax (house rate) and user fees, with house rates collected only by the cities and boroughs. On aggregate, the subvention constitutes about 90% of Local Government total funding.

In this context, the Government recognizes that the issue of local government financing is a significant aspect of its local government reform agenda and that appropriate funding mechanisms and modern approaches to budgeting ought to be adopted. With respect to financing, this would require a fundamental shift in the existing traditional local financing model that was premised on the old age democratic principle that no taxation without representation meant that local government must collect property tax to ensure autonomy and predictability in income stream in order to facilitate forward planning. While there is no objection in principle to this perspective, it does not give sufficient recognition to the principle in taxation which posits that if the cost of collection is greater than the return, then one needs to reconsider its application. In this regard, an examination of the local property tax (House Rate) collection system revealed that that only the Port of Spain City Corporation collects an appreciable quantum, about 20% of its annual budget. The government is therefore proposing that a more efficient method of collecting property taxes is through a centralized Authority and is currently revising the existing property tax law and would create a new Revenue Authority to collect all taxes.

Significantly, an analysis of the property tax system revealed that even if property taxes were to be increased substantially, Local government Bodies would still be dependent on the central government subvention to fund their activities. The government is therefore proposing a new funding arrangement for Local Government Bodies with the establishment of a formula that would ensure predictability, greater equity and more appropriate to the service delivery and

development needs and requirements of each Local Government Body. A provision is therefore recommended in the Legislation that in considering the sum to be appropriated to a corporation by Parliament, the Minister of Finance would take into account factors such as;

- The size and density of the population;
- The physical and social infrastructure needs of the Municipality;
- The community service delivery coverage and needs;
- The estimates of property tax projected to be collected by the Revenue Authority within the municipality during the financial year;
- The sustainable development needs outlined in the development plans for the municipality.

In order to promote more effective planning and budgeting the merits of a bloc vote system would be considered in relation to monthly releases. In addition, a modern financial and accounting regulatory regime would be established that incorporates the principles of performance budgeting and accountability, transparency and value for money expended.

#### **6.4 Other related Legislative Issues**

There are a number of pertinent Legislative Reform issues though not part of the main provisions of the Local Government Legislation yet related to the broad Local Government Reform programme. These include:

- Regional and Local Area Development planning and control
- Public Health
- Waste Management

With respect to regional and local area development planning and control, the critical issues are the role of local government in the planning and building approval processes and the model for building control. With respect to the former, it is proposed that consistent with the philosophy

guiding the recommendations of the Regional Development and Sustainable Communities Sub-Committee of Vision 2020, responsibility for preparation of Regional and Local Area Development plans/policies for Municipalities resides with the Minister responsible for Local Government, in collaboration with Municipal Corporations, with a high emphasis on participatory consultation. In the case of the latter, it is proposed that Municipal Corporations be responsible for issuing approvals for planning permission not requiring a CEC from the Environmental Management Authority (EMA) for residential and small-building developments and additions of any types, not exceeding 500 square metres and minor engineering operations as specified by schedule with oversight by the Ministry of Local Government.

A new arrangement is suggested involving the establishment of a Central Development (Building) Control Authority with regional offices in each Central Administrative District (CAD). This proposed authority will replace the Building Inspectorate and be responsible for inter alia:

- Preparation ,implementation and review of building codes and policy regarding private sector involvement in the approval and control of development
- Issuance of development permits for all “non-simple” applications for development approved by the Town and Country Planning Division
- Monitoring of development activities for compliance with approved plans
- Issuance of Completion Certificates for all categories of development
- Comprehensive monitoring and enforcement against perpetrators of unauthorized development to include referrals of enforcement matters from the Municipal Corporations ,TCPD and the EMA

In relation to Public Health, the current Legislative Framework consists of several pieces of legislation such as the Public Health Ordinance that assigns specific Public Health responsibilities to the Local Government Bodies and the Ministry of Health and the Legislation governing the Regional Health Authorities. What is required is a modern overarching Public Health Legislation that clearly demarcates the role of the three main Public Health Authorities

mentioned above as well as other major institutional stakeholders. However, in addition to Environmental Health issues, the suggested duties for Local Government emanating from discussions with Ministry of Health are:-

- Approval of Food Badges
- Approval for Food Premises in Cities and Boroughs until appropriate capacity is developed
- Approval of Building Plans (subject to Cabinet's deliberations)
- Management and control of stray animals, rodents and vectors (overgrown lots, derelicts)
- Management of Public Markets and Abattoirs (Meat inspections and certification by Ministry of Health)
- Waste Management and Disposal

In matters related to waste management, given the new thrust in integrated waste resource management with emphasis on reducing, recycling and reusing as well as environmental enhancement, protection and conservation, there is need for a modern overarching omnibus legislation that establishes a national framework for waste management with appropriate institutional structures and clearly defined roles and responsibilities for the various agencies involved in the process. This legislative development is currently being pursued jointly by the Ministries of Planning, Housing and the Environment and Local Government.

Finally, the new legislation would have to be accompanied by amendments to existing, as well as new and modern bye-laws and regulations to ensure consistency and conformity therewith.

## **7.0 POLICY IMPLEMENTATION AND PROGRAMME EVALUATION AND MONITORING**

### **Introduction**

In order to achieve the broad objectives, policy prescriptions and the targeted areas and goals of the Local Government Reform Programme, a detailed implementation plan would be formulated. Operating under the general assumption that the entire Local Government Reform Programme would take approximately three years to be fully implemented, the plan will include:

- Specific or Identifiable Projects
- Prioritization of Projects
- Objectives and Goals
- Strategies
- Activities
- Time Frames
- Responsibility Centers
- Resources required(including source of funding and budget)
- Targets
- Review Mechanisms

## **7.1 Policy Implementation**

In the context of the above, for each project, there will be a project brief, a project team and a team leader or champion. As far as practicable, each project team would comprise all relevant stakeholders.

As indicated above, the implementation of the Local Government Reform Programme would span a three year period and would be divided into three (3) phases.

Phase I consist of the identification and prioritization of the individual projects, identification and development of the implementation strategy and strategic plan of the overall programme. This will be undertaken within three months.

Phase II of this programme commences with the implementation of the individual projects starting with the legal framework for the Local Government Reform 2009, that is the legislation including the drafting, approval and application of the regulatory frameworks and bye-laws and other projects of the highest priority. These include inter alia: the development of the details of the new organization and structure of the Reformed Ministry of Local Government and the Municipal Corporations and the operationalization thereof, Capacity Building and Institutional Strengthening and the development of an establishment of monitoring and evaluation standards and mechanisms.

This phase also includes the monitoring of the implementation of the Reform processes; and preliminary evaluation of the implementation process. The projected duration of this phase is twelve to eighteen months.

Phase III will entail the continued implementation of the main Reform/Transformation projects with greater emphasis on the monitoring of the processes, comprehensive evaluation of the impact of the projects, the assessment of the achievement of stated goals and continuous review of the processes to facilitate adjustments and revision where necessary. This approach is likely to ensure the achievement reform / transformation goals/targets are met within the overall thirty-six month period.

## **7.2 Transitional Arrangements**

In order to ensure a seamless transition and minimize disruption, a Transition team would be established to manage all change management issues. This team would be responsible for advising on, managing and coordinating all transitional issues including the deployment of existing staff and the exercise of severance and other options in consultation with the employer and the respective majority recognized Trade Unions. The transition period is expected to be six (6) to nine (9) months

## **7.3 Performance Monitoring and Evaluation**

Although the Decentralization Unit (Local Government Reform Unit) of the Ministry of Local Government is assigned responsibility of managing the Local Government Reform process, additional transition mechanisms would be established. In this regard, a Project Management Board, which has already been appointed by Cabinet, will exercise general oversight and control over the implementation of the Local Government Reform Projects. The Project Management Board is under the chairmanship of the Minister of Local Government and comprises a wide cross section of key stakeholders including senior ministry officials, the recognized majority Trade Unions within the Local Government system, the Association of Village and Community Councils, Trinidad and Tobago Association of Local Government Authorities and the Private Sector. Project Team Leaders report to the Project Management Board on the performance of projects inclusive of constraints.

This monitoring and evaluation framework will provide critical information to management as to whether there have been changes in the conditions of key indicators/critical success factors and the type of corrective and remedial action to be taken inclusive of halting the project.

Some of the critical activities associated with the monitoring and evaluation would include:



- i) Determining performance indicators and targets for monitoring and reviewing the policies;
- ii) Monitoring the implementation of all policy activities of the plan; and
- iii) Evaluating actual outcomes against performance indicators and targets.

In addition to the above, regular management audits would be a salient feature of the monitoring and evaluation process in order to facilitate effective implementation.

## **8.0 CONCLUSION**

Global trends towards decentralized governance suggest that there is worldwide recognition that Local Government as sub-national government plays a critical role in the political, economic, social, technological and sustainable development processes. Consequently, there has been active focus on developing institutional mechanisms, strategies and cooperation frameworks for promoting good governance, local democracy and citizen participation. In this context, countries worldwide have embarked upon Local Government Reform initiatives to improve the capacity and capabilities of the Local Government system to deliver its mandate.

While there has been a general application of the principles of decentralized governance throughout the globe, different countries have developed reform programmes that are suited to their peculiar circumstances and local conditions. In countries such as Great Britain, the United States of America, Canada, Australia and New Zealand great emphasis is being placed on applying private sector principles in the management of Local Government Corporations, forging partnerships with civil society and direct election of Council Leadership. In other countries as Latin America, Asia, Africa and the Commonwealth Caribbean, the main focus seems to be decentralized governance through cooperation frameworks and greater involvement of civil society in the democratic and sustainable development process.

Our Local Government Reform Programme attempts to implement a new model of Local Government which recognizes the need for Locally Elected Representatives to play a more meaningful role in the management of Local Government affairs while at the same time maintaining accountability and transparency as well meaningful citizen involvement and participation in promoting the development of sustainable communities. Moreover, it places a high premium on participatory local area and regional development planning as essential in

building vibrant local economies critical to improving the standard of living and quality of life of citizens.

Finally, it views the Central Government as the legitimate authority for formulating national policy, with due consultation with the Local Government authorities, to ensure the maintenance of national standards, equity in public service delivery and national unity.

It is clearly understood that the Local Government Reform process can only be implemented after the necessary institutional strengthening and capacity building programmes are instituted in the Local Government Bodies as well the required resources provided. This Government pledges its commitment to making such resources available as economic circumstances dictate.

We firmly believe that the implementation of our Local Government Policy and Programme would result in tremendous benefits to citizens throughout the country including:

- More effective management of resources
- Expanded quality service delivery coverage
- Superior physical infrastructure
- Healthier and more sanitary communities
- Safe, secure, peaceful and resilient communities
- Community entrepreneurship and employment generation
- Increased opportunity for community engagement in decision making.

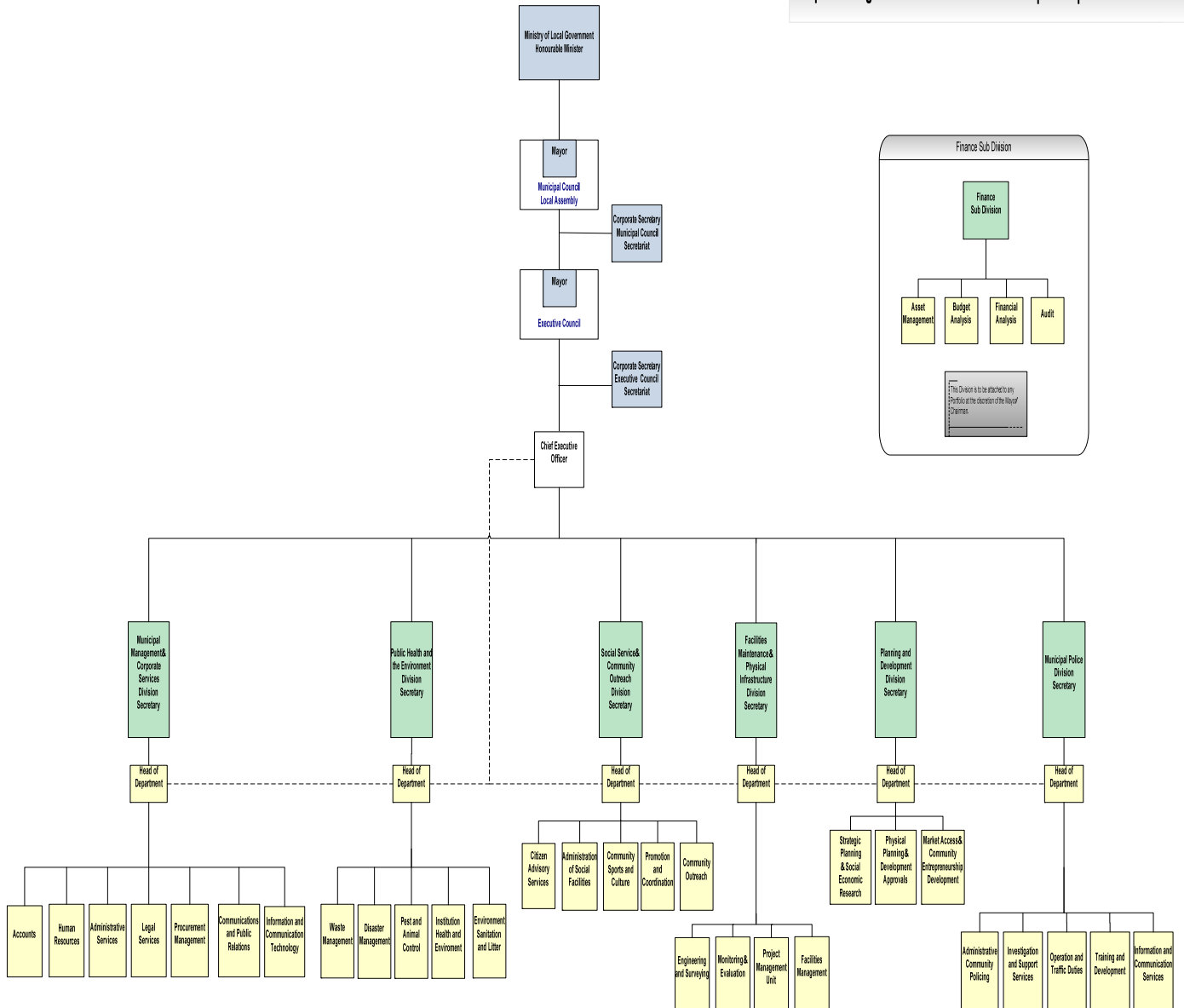
In summary, our Local Government Reform is geared towards ensuring balanced national development and socio- economic progress for all, thereby allowing Local Government to play a meaningful role in achieving the objectives of vision 2020 within the framework of the National Strategic Development and regional development plans.

# APPENDICES

## APPENDIX I

Proposed Organizational Structure – Municipal Corporations

Wednesday, June 24, 2009



## **APPENDIX II**

### **Functions and Responsibilities of the Councillor/Local Government Representative**

A Councillor or Local Government Representative in the Reformed Local Government system is expected to carry out the following roles and responsibilities:

- Participate actively in the formulation and scrutiny of the corporations' policies, budgets, projects, programmes, strategies and development plans;
- Represent effectively the interests of the electoral district/municipality for which the Councillor was elected and deals with constituents' enquiries and representations.
- Establish and maintain effective relationships with community boards, organizations, non-governmental organizations, public and private sector organizations;
- Participate constructively in the good governance of the municipality, as the overriding responsibility of a Councillor is to the whole local community;
- Champion the causes, which best relate to the interests and sustainability of the community and campaign for the improvement of the quality of life of the community in terms of equity, economy and the environment;
- Maintain high standards of behaviour and conduct in order not to bring the corporation into disrepute; and
- Help promote the municipality/corporation, by maintaining an active involvement and high profile with the community in all relevant issues.
- Accountable to the community for the delivery of services and all matters within the purview of the Corporation

## **APPENDIX III**

### **The Councillor/Local Government Representative Must Possess the Following Competencies**

- a working knowledge of the corporation's services, management arrangements, policies and practices, relationships and other factors, which impact on the community;
- ability to understand simple financial statements, programmes of work;
- a working knowledge of the corporation's functions, roles, powers/duties etc;
- ability to prepare reports;
- debating skills;
- basic knowledge of development planning, strategic planning, goal and objective setting;
- leadership qualities;
- in depth knowledge of the demographics and socio-economic problems of the electoral district/municipality;
- in depth knowledge of the community needs and aspirations; and
- a working knowledge of standing orders /standard parliamentary procedures.

## **APPENDIX IV**

### **SOME POTENTIAL BENEFITS OF THE DRAFT WHITE PAPER POLICY PRESCRIPTIONS**

#### **A. THE INTENDED BENEFICIARIES**

1. **Municipal Corporations:**

- Improved responsiveness to community needs and demands whilst promoting sustainable local development through effective and efficient Internal Systems and Processes.

2. **Local Government Representatives:**

- The Creation of Executive Mayors/Chairmen and Councils with greater control over Municipal policy and programmes for local and regional development;
- Improvement in the Quality of Representation.

3. **Citizens:**

- Greater Accessibility to a wider range of Public Services at the Local level;
- Greater citizen participation and involvement.

4. **Employees of Municipal Corporations and the Ministry:**

- The possible re-assignment of employees nearer to their homes;

5. **Ministry of Local Government:**

- The remit will concentrate on policy development, monitoring, planning, co-ordinating and auditing.

**B. INTERNAL IMPROVEMENTS**

- Municipal Corporations will have the necessary professional and skilled human resources to fulfill their mandates;
- Greater involvement of the Local Government representative in national policy planning and development;
- Greater accountability and transparency.

**C. EXTERNAL IMPROVEMENTS**

- Timely payments to contractors and suppliers resulting in services being delivered more promptly;
- Opportunities for community monitoring and evaluation of service delivery;
- Greater opportunity for the development of community entrepreneurship.