

STATEMENT BY THE

HONOURABLE MINISTER OF LOCAL

GOVERNMENT

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ON THE INTRODUCTION OF

THE LOCAL GOVERNMENT BILL ,2009

IN THE HOUSE OF REPRESENTATIVES ,

MONDAY, 6 JULY 2009 .

Mr. Speaker, I rise to debate the Local Government Bill 2009 which was laid in this Honourable House on Friday 3rd July.

The Local Government Bill, 2009 is the Legal instrument we have developed to give effect to the policy prescriptions and the new institutional structures and arrangements for effective and efficient local Governance.

I therefore wish to thank the members of this Honourable House for affording me the

opportunity to explain the purpose of this Bill, to highlight its main provisions and to elaborate on some of the key provisions that are critical to the transformation and modernization of our Local Government system.

Mr Speaker, the main purpose of the Bill is to transform and modernize the Local government system in Trinidad. It is omnibus Legislation, which attempts to strike a balance between prescriptive and

enabling legislation. That is to say, between rigid provisions and those flexible enough to accommodate changing conditions and local needs and experimentation.

The Bill is also designed to eliminate the inefficiencies of the existing Municipal Corporations Act, 1990 as amended. These include:

- The lack of clarity of roles and responsibilities of Local Government Institutional Mechanisms.

- The duality in institutional responsibility for certain functions such as the Public Service Commission and the Statutory Authorities Service Commission being responsible for appointments to different Corporations.
- The addition of detailed provisions better suited to Bye-laws and Regulations

Mr. Speaker, the passage of this Bill is necessary to bring about the fundamental changes needed to improve the service

delivery to provide quality service delivery, to decentralized operations, to achieve good local governance and to facilitate local participatory democracy.

Mr. Speaker when the Bill is approved a number of programmes and plans will be implemented; these include.

- The demarcation of new boundaries for the local Government bodies.

- The provision for the Executive Council, comprising the Mayor or Chairman and six (6) Secretaries.
- The establishment of six (6) Functional Divisions and the clear definition of their roles and responsibilities.
- The establishment of seven (7) Central Administrative Districts.

- The implementation of a clear formula for funding whereby the Minister of Finance would consider certain factors in determining the sum to be included in the national estimates of revenues and expenditure for the service of a corporation in a financial year.

And keeping these criteria in mind, Mr Speaker, the Bill contains the following Parts.

Part (I) Preliminary.

This section essentially deals with the long and short titles of the Bill, which highlight the major aspects of the Bill and provide for the interpretation of certain terms.

Part (II) Provides for the establishment of Municipalities, Municipal Corporations and Municipal Councils.

It sets out inter alia, the constitution of these three entities, their composition, their

terms of office, their proceedings and responsibilities.

Part (III) Provides for the Functions of Municipal Corporations.

It outlines the responsibilities of the Municipal corporations and the role of the Minister of Local Government

Part (IV) Provides for the Executive Council.

It outlines the composition, the responsibilities and the powers entrusted on the Executive Council.

Part (V) Provides for Meetings and Proceedings of Councils.

This section contains the time frame for the first ordinary meeting of Council after an election. It details procedures for meetings, quorum and standing orders for the conduct of meetings.

Part (VI) Finance

This section provides for the establishment of a Corporation Fund, the application or use of the Fund, a formula for funding, where the Minister of Finance would consider

certain factors in the estimates of revenues and expenditure for the service of a Corporation in a financial year. It provides for financial rules and regulations. It also provides for the approval of work plans by the Ministers responsible for planning and for local government.

Part (VII) Staff and Related Matters

This Section provides for the appointment of a Chief Executive Officer as the Accounting Officer of the Corporation, and the appointment of Heads of Divisions,

other staff and the method of their appointment.

Part (VIII) Municipal Police Service.

This section establishes a Municipal police Service with officers of certain ranks to be appointed by the Police Service Commission in consultation with the Commissioner of Police. It also calls for the establishment of one central command structure and therefore the de-civilianization of the appointment process.

Part (IX) Association of Local Government Authorities

This section makes provision for the constitution, the role and management of the body known as the Trinidad and Tobago Association of Local Government Authorities

Part (X) Central Administrative Districts

This section provides for the division of the island of Trinidad into seven (7) Central Administrative Districts, the establishment of central administrative district

coordinating committees and the responsibilities of these coordinating committees.

Part (XI) Legal Proceedings

This section outlines procedures for the enforcement of powers, byelaws, regulations, penalties, and recovery of fines and litigation.

Part (XII) By-laws, Rules and Regulations.

This section provides for the making of by-laws by the Council and procedures for their enforcement.

Part (XIII) General Provisions

This section deals with general issues pertaining to notices, conditions of consent, execution of works on default of owners, and plans.

Part (XIV) Repel and Transitional Provisions

This section provides for the continuation and transfer of powers, rights, property and liabilities of former Corporations and other

transitional arrangements pertaining to the existing staff.

Mr. Speaker, I will now elaborate on some of the key innovative provisions of the Bill.

Mr Speaker, and members of this Honourable House the change of structure in the Municipal Corporation is indeed revolutionary. A good example is the Executive Council. In Part IV Clauses 28 to 33 The Executive Council is designed to ensure greater involvement of the locally

elected representatives in the management of the affairs of the corporation as well as greater speed and efficiency in service delivery.

The Executive Council is comprised of the Mayor and/or the Chairman and six (6) Secretaries. The Mayor and/or the Chairman heads the Executive Council and the six (6) Secretaries will be assigned responsibility to any one of the six (6) Divisions with Finance being assigned to anyone of these Divisions by the Mayor/Chairman.

These six (6) Secretaries may issue general directions to Divisional Heads on matters associated with their portfolios.

Mr. Speaker, The Council from which the Executive Council emanates is a separate body, over which the Mayor and/or the Chairman presides at Council Meetings, which allows for fusion of Political and Executive Authority, unity of purpose, greater discipline and more effective coordination of service

Mr Speaker, The Executive Council will be collectively responsible and accountable for the efficient and effective management of the Corporation. In this regard, it will determine the broad strategies for implementation consistent with government policy as well as the plans and programmes of the various Divisions.

Mr. Speaker, The Executive Council will be supported by The Chief Executive Officer who is the Accounting officer of the

Corporation and who will report to the Mayor.

Mr Speaker ,Since this body will now be staffed withfull-time politicians, some of the potential benefits to be derived are as follows

- Decisionmaking will be timely i.e. there will be on the spot decisionmaking

- Formulation of programmes will be more compatible with local needs and expectations
- More effective strategies will be devised for the implementation of programmes.
- More effective communications with community stakeholders will be used to attune to their concerns, needs, priorities and expectations to programmes and plans.

- The exercise of greater and more constant oversight over programme, plan and project implementation.
- More effective monitoring, evaluation and review of quality service delivery.

Mr Speaker, in matters pertaining to the establishment of the six (6) functional Divisions, the central guiding principle will be the need to establish new political and management staff structures which reflect

changes to both the role of the Ministry of Local Government and the Municipal Corporations, consistent with central government policies.

Consequently, in order for corporations to effectively promote sustainable development within their communities, the following core Divisions were deemed to be most appropriate:

1. The Division of Municipal Management and Corporate Services.

2. The Division of Public Health and Environment.
3. The Division of Social Services and Community Outreach.
4. The Division of Facilities Maintenance and Physical Infrastructure.
5. The Division of Planning and Development.

6. The Division of Municipal Policing.

Mr Speaker, with specific attention to Municipal Policing, found at Part (VIII) Clauses 65 to 78 the main aim is to adhere to the dictates of the national police service while expanding its role to include community policing.

A Cabinet Appointed Committee, chaired by the Ministry of Local Government and

consisting of representatives from the Ministry of National Security and the Association of Municipal Policing met for approximately eight (8) sessions to determine the recommendations put forward.

Therecommendations suggested call for a change in the commandstructure wherebythe Municipal police will fall under the central command structure of the Commissioner of Police andappointments

are to be made under the purview of the Police Service and in relation to the Police Service Act and not the SASC.

This change is expected to resolve existing anomalies associated with the Municipal Police pertaining to conditions of hiring, service training, discipline and career development.

However, while being assigned to a Municipal Corporation, the Municipal Police

Officers will be subject to the general directives of the Executive Council on matters of Policing associated with the functions of the Municipal Corporations including Community Policing

Mr Speaker, the Municipal police will be expected to play a significant role in creating and promoting safer, more secure and peaceful communities. This was one of the areas of concern by citizens within communities in Trinidad, identified by MORI

poll in 2008. In this context, citizens opined that peace, tranquilly, safety and security within neighbourhood were highly valued in terms of the quality of life in their communities.

Working in partnership with the Local representatives and community stakeholders, the Municipal police will, among other things:

- Implement strategies for reducing the incidence of robberies, gang violence,

drug use, domestic violence, and juvenile delinquency in communities.

- Foster the development of strategies in order to design and implement solutions for building safer communities and trust and confidence between the police and communities.
- Increase the cooperation between themunicipal 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.

- Facilitate the prevention of crime and infraction against the law in collaboration with the central police.

Mr Speaker, with respect to the Local Government Boundary review, the main objectives were:

- To re-align the boundaries to reflect changes in natural geographic configuration, population growth, regional and urban migration trends new settlements patterns and industrial and commercial activities.
- To determine the number and types of Local Government Bodies which are appropriately suited to the socio-economic and demographic realities and sustainable development challenges in Trinidad.

- To coordinate and standardize all the boundaries of Administrative Regions in Trinidad and Tobago for ease of data gathering, exchange of information, analysis and implementation of projects.

Mr Speaker some of the main provisions for boundary review are;

- The reduction in the number of Local Government Bodies from 14 to 12(ideally 7 regions, 4 cities and 1 borough)

- The expansion of the boundaries of Port of Spain, San Fernando, Arima and Point Fortin;

-Where the City of Port of Spain will expand to include Laventille and parts of Westmoorings.

-Where San Fernando will expand to include Pointe-a-Pierre.

-Where the Borough of Arima will expand to include Wallerfield .

And the Borough of Point Fortin will expand to include La Brea.

- The elevation of the Boroughs of Arima and Chaguanas to City status.

Mr Speaker, we expect that the new boundary alignments and the elevation of the Boroughs of Arima and Chaguanas would promote more efficient planning and service delivery, provide more equitable development and distribution of resources and develop and promote vibrant local economies.

Mr Speaker, there is also the need to establish Central Administrative Districts to create synergies between the various Central Government Divisions and Agencies and as well as those of Local Government. This institution is well documented in Part (X) Clauses 82 o 85

In addition, it is necessary to standardize all the boundaries of Administrative regions in Trinidad and Tobago in order to facilitate easier and more effective use and analysis

of data gathered by different agencies more effective information exchange and more effective Coordination in the implementation of Projects and the delivery of services.

Mr. Speaker, the research has shown us that there are are over forty two (42) Agencies falling over each other to accomplish the same task. For a simple beautification and clean up project that the Ministry of Local Government coordinated earlier this year we discovered that there were approximately

twenty (20) Agencies all working hard at the same task.

Mr Speaker, we propose to establish a central district Coordinating committee in each CAD, the main roles of which are;

- To coordinate the delivery of public services within the CAD.

- To ensure the efficient and effective management of resources assigned to government Agencies within the CAD.

- To monitor, evaluate and review the delivery of public services undertaken by the respective Public Agencies within the CAD.
- To obtain value for money spent.

Funding for Local Government Bodies has been one of the most contentious issues in Local Government over the years and has often evoked responses of political discrimination by those Corporations in

opposition to the Party in Control of Central Government.

While there is no merit to such claim especially in so far as the record of this PNM Administration would indicate, we believe that clearly identifiable, objective and relevant criteria for funding Local Government should bring an end to this acrimonious issue. In this regard, we are proposing the following formula for funding Local Government.

Part (VI) Clauses 43 to 59 consider the criteria for the sum to be included by the Minister of Finance in the National estimates of revenues and expenditure for the service of a corporation in a financial year. The Ministers responsible for Planning and for Local Government shall also take into consideration the following factors as they relate to the relevant Municipality and the functions and responsibilities of the Corporation

- The sustainable development needs as outlined in the Development plans of the Municipality
- The size and density of the population;
- The physical and social infrastructural needs of the area;
- The community services delivery coverage and needs;

- The level and nature of housing development, settlement patterns and commercial and industrial development; and
- The estimates of property tax projected to be collected by the Revenue Authority from within the Municipality during the Financial year.

Mr Speaker, It has taken us five years to arrive at these policy prescriptions, proposed institutional structures, management systems and operational arrangements transforming and modernization of our Local Government system.

The journey has been long, arduous and stressful at times. However, we stuck stoically to the task. Our faith, courage and motivation were driven by the firm

belief that the Local Government Reform programme was geared towards improving the quality of life, the standard of living and promoting the sustainable development of communities.

There were many Nay Sayers and doubting Thomases along the way. Once again Trinidad and Tobago is a trail blazer in matters pertaining to developing new and modern Local Governance institutions, structures and

system. We now have a model of Local Government different from the rest of the Caribbean. The Trinidad Model of Local Government. In fact, we have already been asked to share the idea by some local and regional Local Government Practitioners in Islands in CARICOM.

Mr Speaker, We are urging our colleagues on the opposite side as well as the rest of the Country to join us on this new pathway to Good Local

Governance and democracy, which is a component of vision 2020 as we advance to developed country status.

Our dreams, aspirations, needs and desires are all within our grasp. Again I appeal to those on the other side to join us and let us seize this once in a life time opportunity for promoting effective Governance, advancing grass root democracy and sustainable socio-economic progress in

I thank you Mr, Speaker and beg to move that the Local Government Bill, 2009 be sent to a Joint select committee of both Houses for Consideration