Policy on Local Government Transformation and Modernisation

Better Quality Services
Better Communities
Stronger Councils
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October 2012
I feel deeply honoured and privileged as the Prime Minister of the Republic of Trinidad and Tobago, to bring you a special message on this occasion to mark the publication of our Policy on Local Government Transformation and Modernisation for public comment.

The swift of changes in the global landscape towards decentralised governance geared to providing better services, creating vibrant communities, strengthening participatory democracy and building strong councils, challenge us to review our Local Government structures and systems. While decentralisation is the general trend, devolution, the granting of substantial political and administrative authority to local authorities to operate relatively unfettered, is gaining popularity.

From the outset therefore, let me state categorically that my administration is committed to devolving greater authority, power and responsibilities to Local Government bodies, as we seek to build strong, prosperous and participatory communities as integral elements of good governance and democracy. We believe our nation can become more prosperous, democratic, stable and self-assured, if all individuals, citizens, communities, groups and organisations are able to participate and contribute to the governance of the country. Local Government can indeed fulfill such ideals. That is why we pledge to enthrone Local Government in the Constitution of our Republic, as a salient component of our Constitution reform agenda, so that it can become a permanent feature of our governance structure.

We deliberately chose the devolution model of local governance, because Local Government works best when communities are given the authority to determine their development priorities, and are actively involved in programme development and execution. In this regard, central Government must eschew the tendency to exercise control from the centre, and allow Councils the freedom to carry out the responsibilities they were elected to perform within the framework of the law, the Constitution, and national guidelines. In other words, we are strongly advocating the new Local Government paradigm, which views Local Government as an active partner in the governance process, rather than a subordinate agent of central Government.

Broadly speaking, within the framework of our seven pillars for national sustainable development, Local Government fits snugly under the pillars of People-Centred Development, Good Governance and a More Diversified Economy.

Focusing our attention on people-centred development, we believe that only through Local Government can the specific development needs of each community be satisfied, not only in terms of infrastructure, but also in terms of all other human development needs. Thus, hand in hand with the devolution of authority to Local Government Authorities, must be the empowerment of communities and neighbourhoods to shape their destiny and participate in the management of local affairs. In this regard, our intention is to allow Local Government bodies to play a more meaningful role in delivering better services to communities and solving local problems.

Under the pillar of Good Governance, apart from the promotion of the core values of accountability, transparency, equity, value for money expended, social cohesion and local democratic leadership, appropriate governance structures and systems will be put in place to increase the speed and efficiency with which decisions are taken, and likewise, their execution. Furthermore, appropriate amendments will be undertaken to the Municipal Corporations Act (1990) as amended, as well as bye-laws and regulations to bring them in line with modern requirements. Equally important is the representational element, and therefore, it is suggested that Local Government representatives be made full-time, so that they can provide more effective representation. More importantly, we intend to address gender inequity and representational imbalance by having one representative for youth male, one for youth female and one for women and children.

With respect to the pillar of a more diversified economy, our view is that all sectors of our economy and all communities can contribute to economic development and more so, to the diversification of our economy. Therefore, locally-led economic development is one of our avowed goals. We are entrusting Local Government in promoting development in areas such as tourism, agriculture, manufacturing, arts, craft, entertainment and Information...
I also recognise the contributions and support of the Permanent Secretary, technocrats and staff of the Ministry of Local Government in the production of the document.

We value you, our esteemed public, for your input, ideas, suggestions and comments on this policy document, so that we can shape Local Government Transformation and Modernisation Policy in accordance with your aspirations. Let your voices be heard, but in an atmosphere of respect, tolerance, and decency. May God Bless us all.

THE HONOURABLE KAMLA PERSAD-BISSESSAR S.C.
Prime Minister
Republic of Trinidad and Tobago

FOREWORD

The publication of this policy document on Local Government Transformation and Modernisation for public comment is yet another testimony of the People’s Partnership administration’s commitment to people-centred development and the advancement of local democracy and good governance. The Government’s vision is to build strong local communities and promote locally-led economic development so that everyone can participate, contribute, and shape their own destiny, thereby attaining a level of prosperity and standard of living that they set for themselves.

The Government’s pillars for national sustainable development which are grounded in people-centred development, poverty eradication and social justice, and a diversified and knowledge-intensive economy, informed our five subsidiary pillars for Local Government reform, with people-centred development, good governance and accountability being the focal areas.

In developing our policy prescriptions for advancing the Local Government Transformation and Modernisation process, we took cognisance of global trends in decentralised governance. The salient common themes were:

- Promoting democratic local governance
- Strengthening local government capacity
- Promoting local economic development
- Promoting sustainable cities
- Sound infrastructure and environment

The key elements of these themes were analysed within the framework of the current Local Government environment. Based on this analysis of our framework, the critical issues to be addressed to transform and modernise our Local Government system are:

- The legislative and regulatory/governance framework
- Roles and responsibilities
- Structure and organisation
- Human resource and productivity
- Infrastructure and service delivery
- Management systems and business processes
- Community involvement and participation
- Regional planning and development
- Local Government boundary review
- Public health and environment
- Information Communication Technology (ICT)
- Municipal policing
- Disaster preparedness and management
- The role of the Trinidad and Tobago Association of Local Government Authorities (TTALGA).

As the Minister with responsibility for Local Government, my primary concern is the need to address these issues to impact positively on the lives of citizens and businesses. Moreover, it is about the lasting legacies and tangible improvement in the quality of life and standard of living. Therefore, the new Local Government paradigm that we are seeking to develop and establish must exhibit the ensuing core features. It must be people-centric, that is, fulfilling the needs and aspirations of people in communities, as well as guaranteeing their involvement in policy development, decision making and operations of Local Government bodies. Good Governance systems and structures need to be established to promote accountability, transparency, responsiveness, equity and value for money expended. A high premium should also be placed on embracing the use of Information Communication Technology so that citizens can access information and services online. Participatory planning and development must be institutionalised in order to pursue development in accordance with the views, aspirations and support of communities. It must be emphasised that Municipal Policing will significantly enhance public safety, security and the development of community capacity for peace, social cohesion and civil existence. Finally, these will be complemented by modern organisational structures, systems, mechanisms and business processes to improve managerial efficiency and effectiveness.

We are committed to conducting governance through consensus building and dialogue with you, the people, our most valued stakeholder. Therefore, your views, comments, suggestions and input are crucial and will be considered. These will be solicited through a process of public consultation to shape and influence the final policy output on this significant issue of Local Government Transformation and Modernisation.

I take this opportunity to thank my predecessor, the Honourable Chandresh Sharma, who laid the foundation with the development of a policy framework document. I also wish to convey most sincere gratitude to the Permanent Secretary and his team for their input in the production of this document.

DR. THE HONOURABLE SURUJRATTAN RAMBACHAN
Minister of Local Government
EXECUTIVE SUMMARY

This policy document on Local Government Transformation and Modernisation prepared by the Ministry of Local Government outlines Government’s policy proposals on the reform of the Local Government system. It was developed within the framework of the seven pillars for sustainable development grounded in people-centred development, as well as the five subsidiary pillars for Local Government reform centred on Good Governance. A key objective of Local Government reform is to devolve authority to Local Government to facilitate more effective and responsive governance as well as positioning Local Government as an institution to bring it closer to the people.

The document is divided into eight (8) chapters or sections, namely: (1) Background and Overview; (2) Evaluation of the Current System; (3) The Expectations of the Current Administration; (4) Bridging the Gap; (5) The Key Transformation and Modernisation Programmes; (6) Policy Implementation and Programme Evaluation and Monitoring; (7) The New Local Government Paradigm; and (8) Conclusion.

CHAPTER 1 provides a backdrop to the new wave of reform and the main objectives. This is followed by an analysis of reform efforts from Independence to the present day, which highlights the policy prescriptions of 1990 that were converted into legislation. It concludes that the opportunity is now being created for meaningful transformation and modernisation of the system through fresh policy perspectives from this administration.

CHAPTER 2 undertakes an evaluation of the current system. It commences with an overview of global trends in decentralised governance within the context of globalisation. The main observations are the common themes pertaining to Local Government Transformation and Modernisation, which are: Promoting democratic local governance; Strengthening local government capacity; Promoting local economic development; Promoting sustainable cities; and Sound infrastructure and environment. Subsequently, a number of surveys and reports on the current Local Government system in Trinidad and Tobago were explored and examined. In this regard, the MOR poll findings on the performance of the Local Government system (Wave 19, dated August 15, 2011) noted that more people were dissatisfied (41%) than satisfied (33%) with Local Government performance, although there was a positive improvement in satisfaction which stood at 20% in 2010. Based on an examination of these reports, a number of issues and challenges in critical areas were highlighted. These were Legislative Framework, Roles and Responsibilities, Structure and Organisation, Human Resource and Productivity, Infrastructure and Service Delivery, Financing Modality, Public Health and Environment, Community Involvement and Participation, Regional Planning and Development, Municipal Policing, Information Communication Technology, and Disaster Preparedness and Management, among others.

CHAPTER 3 explores the expectations of the current administration including vision, mission, core values and the policy context inclusive of central philosophy, policy directives and objectives. Quoting from the feature address of the Honourable Prime Minister, Kamla Persad Bissessar, at the Commonwealth Local Government Forum (CLGF) conference in Cardiff, Wales in March 2011, the vision formulated for this policy document is “a transformed and modernised Local Government system charged with local development, continuously innovative in ensuring the quality of life of all citizens in an equitable, transparent, accountable, democratic and sustainable manner”. The mission statement of the policy document also draws heavily on ideas from the Prime Minister’s speech. This mission statement is “to promote good local governance and democracy by providing the legislative, institutional, and other supporting systems and resources so that all citizens could contribute and participate in shaping their destiny and enjoy the best possible quality of life”. The core values identified include: effective representation, accountability, transparency, participation, equity, social cohesion and value for money expended. The policy context focuses on the five subsidiary pillars for Local Government within the framework of the seven pillars for national sustainable development. It then details the policy directives within the overarching directive of devolution of authority and resources, within national policy guidelines from central government ministries such as Community Development, Housing, Social Welfare, Sports, Planning and Environment etc. The main objectives of the key Local Government areas of focus are then identified.

CHAPTER 4, Bridging the Gap, focuses on the main strategies for transforming and modernising the Local Government system in relation to the main objectives to be addressed in the local areas. These include: legislative framework and governance; financing and economic development; participatory governance and direct citizen participation; municipal/regional planning and development; infrastructure and services; municipal management; public health and environmental management; community security and safety and building resilient communities.

CHAPTER 5 essentially summarises the key transformation and modernisation programmes consistent with the core areas or the broad areas of focus. It also outlines some of the main benefits and outcomes.

CHAPTER 6 outlines how the programme is to be implemented, inclusive of transitional arrangements, change-management issues and monitoring and evaluation mechanisms. The policy document estimates that the Local Government Transformation and Modernisation programme will take approximately two-and-a-half to three years to be fully implemented and three distinct phases are identified. The first phase (six months) entails public consultation on the policy document, the development of a White Paper and its laying before Parliament. The second phase (one year) will entail legislative development and the approval of new Local Government legislation and or amendments to the MCA, 1990, as amended, as well as a programme to implement those parts of the MCA which do not require amendments. The third and final phase (approximately one year and a half) essentially involves the development of a comprehensive implementation plan with the new/revised legislation and the projects associated therewith.

CHAPTER 7 discusses the main elements of the transformed and modernised Local Government system. The main features are:

- People centric – fulfilling the needs and aspirations of people in communities with a robust representative system
- Good governance systems and structures – with transparency, accountability, responsiveness, equity and social cohesion being core values
- Embracing of ICT in accessing information and core services
- Participatory planning and development buttressed by locally-led economic development
- Focus on public safety and security.

CHAPTER 8 the conclusion, posits that the policy prescriptions and programmes for Local Government Transformation and Modernisation will redound to the benefit of all in terms of greater responsiveness and demonstration of care, enhanced quality service delivery and coverage, balanced sustainable development, greater social cohesion and a greater sense of community self-worth and identity.
1.1 INTRODUCTION

The ultimate objective of this policy document on reform is to develop a sustainable Local Government system. This system should adequately service the delivery needs and aspirations and secure the democratic ideals of local communities. Further, it should empower people to adapt and cope with changing trends in order to improve their quality of life. In introducing this new wave of Local Government Transformation and Modernisation policy proposals, it is opportune to revisit a thought-provoking statement on Local Government Reform outlined in the 2006 Local Government Draft White Paper, and given currency in a recent United Nations Development Programme (2011) evaluation report on Local Government reform. It articulates that:

"Reform of the Local Government system is a pathway towards fulfillment of a covenant between government and the people to mutually work towards the improvement of the quality of life of the citizen through the delivery of public services and amenities, which are compatible with local needs and expectations".

Accordingly, a new covenant was forged with the people with the ascension of the People’s Partnership Government on May 24, 2010. This mandate was reinforced at the Local Government polls of July 26, 2010. Hence, there was need to chart a new pathway with respect to Local Government transformation and modernisation. In this context, the broad ideals, philosophy, principles, perspectives and main strategies for the reform of the system were outlined in the Government’s Local Government Manifesto, 2010.

In an attempt to commit to the Government’s pledge to reform the system and prepare for the task ahead, a Draft Policy Framework Document was developed by the Ministry of Local Government in April 2011, which Cabinet accepted in principle. Moreover, Cabinet mandated that this Draft policy document be developed further into a policy document for its approval and subsequent publication for public comment. The consensual comments arising will then subsequently shape the Government’s White Paper on Local Government Reform.

Significantly, the Draft Policy Framework document drawing from the policy prescriptions of the Government’s 2010 Local Government Manifesto pointed to a manifestly fundamental paradigm shift in policy from the previous administration. This shift is from general decentralisation to devolution (more meaningful power, authority and autonomy for Local Government bodies). This will be elaborated later under the section, “Policy Context”. It should be noted, however, that apart from greater autonomy in significant areas of local development and service delivery; greater emphasis was also placed on people-centered development, local leadership in development planning and control, broadening the local representational base and more effective representation and people participation in Local Government affairs, all geared to serving the people dutifully.

It is against this background that this policy document has been formulated. It seeks to articulate the Government’s philosophy, vision, principles, core strategies, plans and programmes for Local Government transformation and modernisation in Trinidad in particular.

1.2 OBJECTIVES

This policy document seeks to present the following policy proposals and areas of focus of the Government’s Local Government Transformation and Modernisation agenda for public scrutiny, feedback and building consensus on the way forward. It includes:

- A cursory historical overview of Local Government Reform from 1962-2010
- An analysis of the situation within the Local Government system inclusive of key features of global trends and the main developments and challenges of the current system
- The expectations of the current Administration including vision, mission and core values
The first attempt at Local Government reform in the post-independent (1962) era was assigned to the Sinanan Committee in 1965, by the PNM administration, led by the Honourable Dr. Eric Williams, the then Prime Minister. Its main recommendations were the need for a greater role and prominence of Local Government in the democratic and development process, the decentralisation of key functions from Government bodies and empowering communities to play more meaningful roles in the management of community assets.

Predictably, given the emphasis on national economic development driven by central Government, most of the recommendations of the Sinanan Committee were ignored. Consequently, certain functions and responsibilities under the control of the seven municipalities were centralised. For example, the Water and Sewerage Act, 1965, established the Water and Sewerage Authority (WASA) which was responsible for water sourcing and distribution, as well as the Statutory Authorities Act, 1966 and the Civil Service Act, 1966, which both became responsible for the human-resource-management function of staff appointment, transfer and discipline.

One of the notable changes that took place emanating from the Sinanan Committee’s recommendations was the enactment of the Local Government Councils Act, 1967 which redefined the roles/functions as well as consolidated the executive positions of the seven County Councils: St. Patrick, Victoria, Nativa/Mayaro, St. George, St. Andrew / St. David, Caroni and Tobago.

The second attempt at reform commenced in 1974 with the appointment of the Hugh Wooding Constitution Commission. This committee recommended the devolution of significant powers and authority to Local Government Authorities. These included responsibility for education, maintenance of schools, specified public buildings, cleaning of beaches, providing facilities for fisheries and greater autonomy over the control funds appropriated by Parliament. These major recommendations were ignored by the central Government except, as far as could be ascertained, a recommendation to extend Local Government boundaries, which resulted in the division of County St. George into East and West in 1980.

In 1980, a third attempt at reform of the Local Government system was undertaken with the enactment of the Tobago House of Assembly Act and subsequent operationalisation of the Assembly in 1982. However, this was due largely to the representations made by the Honourable A.N.R. Robinson, the then Tobago East Parliamentary Representative, for internal decentralisation for the development of the island. Nevertheless, the Tobago House of Assembly (THA) was in essence a County Council with expanded functions and powers.

In 1983, there was a fourth attempt by the then PNM administration, under the Honourable George Chambers, which published for public comment, a Draft Policy Paper on Community Development and Local Government Reform (1983). This paper suggested that the devolution model was a degree of ambivalence regarding the concept of decentralisation of key functions from Central Government bodies and empowerment of Local Government Authorities to Local Government Areas. The document outlined fresh policy proposals as will be elucidated during the reign of the coalition up to 2001. The policy seemed to have been the implementation of the provisions of the MCA, 1990, as amended. Significantly, however, the Tobago House of Assembly Act, 1996, accompanied by a Constitutional Amendment Act, was passed by Parliament which guaranteed the THA constitutional protection, which could only be altered by special majority. The next major attempt was under the PNM, led by the Honourable Patrick Manning, 2004-2010. During this period several policy documents were developed, accompanied by extensive consultations. These included a Green Paper (2004), a Draft White Paper (2006), a Green Paper on Roles and Responsibilities (2008), and a Draft White Paper (2009) there were also Draft Bills, the latest version being the Local Government Bill, 2010. Interestingly, there appeared to be a degree of ambivalence if not vacillation, in policy position as exemplified by the variance between the 2006 and 2009 White Papers. The former promised the decentralisation of significant functions from Central Government Ministries, extension of property tax collection to Municipal Corporations, and the introduction of an Executive Council system. The latter though retaining the Executive Council system, excised functions such as provision and maintenance of Secondary/ Lower Primary Schools, Old Age Homes and Aged and Child Care centres as well as the House Rate (property tax) administration and collection. In this regard, it can be suggested that the devolution model was not being pursued.

Nevertheless, significant developments occurred during this period. These included the employment of chief officers (CEO’s) on contract, the establishment of a Local Area and Regional Planning and Development Unit at the Ministry of Local Government to facilitate the development of Municipal development plans, and the establishment of Disaster Management Units at Municipal Corporations with a coordinating Unit at the Centre. Alarming, however, during this period, local democracy and people’s participation were undermined since Local Government Elections due in 2008 were postponed in the name of major reform which never transpired, and were not held for seven years until July 26, 2010, after the change in administration in May 2010.

The post-independence era has been characterised by successive Governments signaling intent to reform the system, committing resources through the establishment of committees and the publication of policy documents. However, up to 1990, the changes had been piecemeal and cosmetic. It may be fair to say that the main concern of central Government was control and supervision of Local Government rather than devolving meaningful responsibilities and authority with an appreciable freedom to act.

In 1990, the introduction of the MCA, 1990, seemed to have created the platform for the return of strong Local Government with empowered communities, providing meaningful public services and active engagement in development planning and control of development at the locality. However, this was short-lived and after 1992, there was by and large, a reversion to the familiar pattern of control from the Centre and slow and piecemeal changes to the system.

Under the new People’s Partnership Administration, an opportunity is created for meaningful transformation and modernisation of the system, with some fresh policy proposals as will be elucidated after an analysis of the current situation inclusive of global trends.
4. PROMOTING SUSTAINABLE CITIES

There is worldwide recognition that cities are integral and significant components of the Local Government landscape, and of their importance in promoting sustainable development. The tenets for promoting this concept were elaborated in the Melbourne Principles for Sustainable Cities adopted at the Local Government Session of the Earth Summit 2002, in Johannesburg, South Africa. The focus is on the requirements for the long-term economic, social and political viability of cities often challenged by slums, vagrancy, indiscriminate vending, crime, youth violence, high unemployment and inadequate parking space. The solutions can be found in ensuring the provision of access to the most basic universally-recognised entitlements of the individual, as exemplified by the right to clean air, food security, shelter, sanitation, and healthy habitat, and incorporating as far as is humanly and fiscally possible, strategies for promoting economic growth while conserving and renewing human, financial and natural resources, such as the use of renewable energy, appropriate built environment, developing viable business incubators and improvements through innovative strategies, programmes and technologies.

5. SOUND INFRASTRUCTURE AND ENVIRONMENT

It is clear that Local Government plays a pivotal role in the development, maintenance and preservation of the physical and social infrastructure and the promotion of sustainable and green environments. The quantity, quality and availability of such secondary and local roads, bridges, drains, recreational facilities and markets, as well as development planning and control of the environment, present formidable challenges to Local Government. Indeed, UNDP studies have shown that developing countries such as Trinidad and Tobago have failed to maintain and renew local infrastructure. In some cases, there has been a 70% deterioration rate. Naturally, the maintenance and renewal of infrastructure and environment are key elements in determining the quality of life and standard of living. Although the allocation of adequate financial and other resources are required to overcome these challenges, new and innovative approaches are necessary, such as balanced urban planning, sound management of financial and natural resources, such as the use of renewable energy, appropriate built environment, developing viable business incubators and improvements through innovative strategies, programmes and technologies.

2.1 GLOBAL TRENDS

The phenomenon of globalisation has resulted in the realisation that all systems, governmental, economic, social and technological are subsets, yet integral elements, of a wider global system. Moreover, the widespread development, growth and use of Information Communication Technology (ICT) has created the Global Village as it were, bringing real-time events, developments, information and changes to the comfort of our homes with accompanying joy or dissonance. In addition, there has been the spawning of International governmental, economic and social organisations that promote effective partnerships, cooperation and coordination of efforts to promote best/good practices, sharing of information and harnessing of resources in order to promote sustainable development in all spheres of human endeavour.

Local Government or Sub-national Government has not been left out of this phenomenon. Consequently, International and Regional Local Government Associations/Organisations such as the Commonwealth Local Government Forum (CLGF), the International Union of Local Government Authorities (IUL), the Caribbean Forum of Local Government Ministers (CFLGM), the Canadian International Development Agency (CIDA), the Federation of Canadian Municipalities (FCM) and the Caribbean Association of Local Government Authorities (CALGA) all have been suggesting effective frameworks for cross-national good local government and democracy. In this context, there are certain common threads or themes that have characterised Local Government reform or transformation and modernisation efforts worldwide. These are:

1. Promoting Democratic Local Governance
2. Strengthening Local Government Capacity
3. Promoting Local Economic Development
4. Promoting Sustainable Cities
5. Sound Infrastructure and Environment

1. PROMOTING DEMOCRATIC LOCAL GOVERNANCE

There is a strong support and widespread concurrence that the protection and preservation of people’s rights and freedom can be guaranteed by promoting decentralised governance. However, this must be buttressed by adhering to good governance principles and practices such as transparency, accountability, participation, local democratic leadership, social cohesion, equity, and value for money expended. Greater emphasis is also now placed on promoting gender equity, holding regular Local Government elections, and constitutional protection for Local Government.

2. STRENGTHENING LOCAL GOVERNMENT CAPACITY

The need to strengthen Local Government capacity is critical to ensuring the efficient and effective management of its resources, the delivery of quality services and coping with development and other environmental challenges. Consequently, a great deal of attention is devoted to developing the skills, competencies and knowledge through training and research in areas such as municipal management, leadership, project management, strategic planning, advocacy, development planning, etc. This is supported through an international network of knowledge and information sharing, skills importing and access to a database of expertise.

2.2 FINDINGS ON THE CURRENT LOCAL GOVERNMENT SYSTEM

In undertaking a critical evaluation of our Local Government system, a good point of reference is the findings of Market Opinion Research International (MORI) Caribbean Ltd. on the performance of Local Government. This institution has been conducting opinion surveys for the Government since 2003. The latest MORI poll on Local Government performance (Wave 19, dated August, 5 - 15, 2011) indicated that more people are satisfied (41%) than satisfied (33%) with Local Government. However, there was an improvement in satisfaction, which stood at 20% in 2010. Moreover, only 26% felt that the Government was doing a good job on Local Government reform, notwithstanding an improvement from 17% in 2010. Nevertheless, there was still a wide gap between the desirability of Local Government reform, which was positive and the perception of realisation thereof, which was negative. This suggested that lack of implementation of reform measures increased public cynicism or lack of confidence in the realisation of stated objectives.

At the national level, crime, law and order, vandalism, inflation, high food prices, unemployment/jobs, theft/hospital and roads, were viewed as the most important issues facing the country. However, when asked what improvements to facilities and services that were most needed in their neighbourhoods, the top five areas were: roads (38%), drainage (34%), facilities for young people (23%), policing (19%) and water supply (17%). This suggests that quality community infrastructure, recreational facilities and community safety and security are priority areas for Local Government to address.

**Table 2.1**

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<th>Type of Need</th>
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<tr>
<td>Roads</td>
<td>38%</td>
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<tr>
<td>Drainage</td>
<td>34%</td>
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<tr>
<td>Facilities for young people</td>
<td>23%</td>
</tr>
<tr>
<td>Policing</td>
<td>19%</td>
</tr>
<tr>
<td>Water supply</td>
<td>17%</td>
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Interestingly, 44% of those who had used or contacted their Local Government Bodies were satisfied with the treatment, which had improved by 18 percentage points since 2010. In this regard, there appears to be improvement in representation and quality of service delivery. Consequently, there is a need for further improvement. The provision of offices for Councillors within their electoral...
districts should facilitate more effective representation as it will allow greater access to Local Government Representatives so that people can air their concerns and seek remedies to their grievances.

2.3 CRITICAL ISSUES TO BE ADDRESSED

The MORI poll findings apart, there are a number of critical issues which need to be addressed in any transformation and modernisation agenda. These include:

• The Legislative and Regulatory/Governance Framework
• Roles and Responsibilities
• Structure and Organisation
• Human Resource and Productivity
• Infrastructure and Service Delivery
• Financing Modality
• Management Systems and Business Processes
• Community Involvement and Participation
• Regional Planning and Development
• Local Government Boundaries
• Public Health and Environment Information Communication Technology (ICT)
• Municipal Policing
• Disaster Preparedness and Management
• Roles of the Association of Local Government Authorities

2.3.1 THE LEGISLATIVE AND REGULATORY FRAMEWORK

The Local Government Legal and Regulatory Framework establishes the mechanisms for good governance, as it defines roles and responsibilities, as well as shapes the enabling structure and organisation of the system. It must eliminate ambiguity, avoid dual responsibilities and be devoid of too many details. In addition, it ought to create a balance between prescriptive and enabling legislation indicative of provisions that are flexible enough and adaptable to changing conditions and new developments.

The current MCA, 1990, as amended, though being a frame-breaking local government legislation is more than twenty years old. It does not clearly identify the roles of institutional stakeholders within the Local Government system. Further, it promotes the quality of agency effectiveness for certain Human Resource Management functions as is the case with the PSC for Regional Corporations and the Borough of Chaguana and SASC for City and Borough Corporations. In addition, there are some detailed provisions in the Act such as those for Markets and Slaughterhouses, which are better suited to regulations. It should be noted that the existing bye-laws in many instances, run counter to the provisions of the MCA. As such, amendments need to be undertaken to the legislative and regulatory framework and even new legislative provisions be made in accordance with modern requirements. A list of these amendments is outlined in the section on strategies for transformation and modernisation.

Crucially, in accordance with world trends, Local Government should be afforded Constitutional protection to ensure greater stability in local governance, as well as guaranteed grassroots participation in the governance of the country. Moreover, a representative salient role of Local Government ought to be broadened to promote gender equity, especially for women, whilst also ensuring adequate representation for the youth and children.

The Regional Corporations and the Borough of Chaguanas, in particular, did not have adequate functional departments in conformance with the Provisions of the MCA, 1990, as amended. For example, there were inadequacies in Engineering, Building Inspectorate, Planning, Municipal Policing, Public Health and Internal Auditing in particular. The modernisation of the structure and organisation is therefore of paramount importance to the delivery of quality services on a timely basis.

2.3.2 ROLES AND RESPONSIBILITIES

The assigned roles and responsibilities should be compatible with local capability, needs and conditions, and these roles and responsibilities must be clear, unambiguous and eliminate room for duplication. The MCA as amended, took away from Local Government certain responsibilities previously assigned to it and does not spell out the role of the Central Agency responsible for Local Government, which creates avenues for central decision-making that may not always be in the best interest of local communities.

Consequently, apart from clarity of institutional roles, new and emerging roles and responsibilities need to be assigned in legislation such as Disaster Preparedness and Management, and Municipal Planning and Development Control.

2.3.3 STRUCTURE AND ORGANISATION

The structure and organisation of Local Government should reflect clear functional divisions that promote effective coordination, devoid of procedural ambiguities, as well as show clear authority and reporting relationships. It must also be in line with modern Local Government organisational designs such as the Executive Council system, which separates the role of the Local Assembly from that of the political executive. In this context, a consultancy report (Aegis, June 2010) on the readiness of Local Government for delivery of exceptional services lamented that the structure and organisation were not fit for the purpose of delivering its mandate.

With respect to the former, there has been a dearth of skills and competencies in Management, Engineering, Project Management, Customer Service and ICT. Although efforts have been made to strengthen the human-resource capacity through contract employment; an approved staff establishment, reclassified, to attract the right calibre of personnel and cadre of skilled workers is urgently required. This ought to provide support, enlightened leadership and professional guidance to implement the programmes approved by the political directorate.

2.3.4 HUMAN RESOURCE AND PRODUCTIVITY

The inadequacy of the human resource base and the accompanying issue of low productivity have been two of the most burning concerns in Local Government. In the case of the latter, the level of productivity has often been measured as lower than that of the Unemployment Relief Programme (URP) and the Community (Based) Enhancement, Protection and Environmental Programme (CEPFP). However, lack of appropriate tools, gears, training and supervision have been cited as some of the contributory factors.

Nevertheless, the implementation of performance-management mechanisms and systems with set standards and targets to be achieved, within specified timeframes, is critical to boosting productivity. This must be complemented by productivity incentive schemes, as well as accounting for non-performance along with appropriate penalties.

With the political directorate and the Regional Corporations to be the operational arm of Local Government for delivery of exceptional services, the lack of adequate maintenance of the rural communities. In addition, there are no documented service-delivery standards that incorporate minimum acceptable quality, response time, regularity, fairness and equality of treatment, etc.

2.3.5 INFRASTRUCTURE AND SERVICE DELIVERY

High-quality and community-wide physical and social infrastructure and access to services are at the heart of Local Government existence and justification. The results of the various MORI polls conducted over the past decade have attested to this view. The general consensus is that the local/community infrastructure (whether roads, bridges, drainage or recreational facilities) and the quality of service delivery have been poor and unsatisfactory. In fact, a United Nations Report in 2008 lamented the lack of adequate maintenance of the local physical infrastructure, especially in the rural communities. In addition, there are no documented service-delivery standards that incorporate minimum acceptable quality, response time, regularity, fairness and equality of treatment, etc.

It is clear that high-quality and adequate infrastructure and access to services, are critical to realising the objectives of the Government's sustainable development pillars of people-centred development, poverty eradication and social justice, and to promote business competitiveness in a globalised environment. However, the allocation of adequate financial resources to Local Government bodies is a key requirement to addressing this area of focus.

2.3.6 FINANCING MODALITY

The issues of methods of financing Local Government and the adequacy of such methods have been the most contentious matters in Local Government in relation to its viability as an autonomous, democratic governmental entity. One of the central issues is the absence of an objective, fair and transparent formula or mechanism to ensure the equitable distribution of nationally-earned revenue between central and Local Government. One that takes into consideration, inter alia, population size and density, social and infrastructural needs, service delivery responsibilities and development planning requirements. Such a formula would curtail if not eliminate the recurring claim of partisan bias or discrimination in funding, ostensibly by the Local Government bodies which are controlled by a political party or parties that differ from that or those at the centre. Nevertheless, the fact is that the aggregate Local Government annual budget is less than 4% of the national budget and the development programme less than 1%, notwithstanding the responsibilities assigned to Local Government bodies by the MCA, 1990, as amended.

An equally important and related issue is that the existing Local Government revenue base, (apart from the house rate before it was unceremoniously removed from Local Government by Property Tax Act of 2009), contributes less than 2% of total revenue. The current state of affairs is that Local Government bodies are virtually dependent on Central Government subvention for almost all of their entire funding, which severely limits their ability to plan meaningfully and respond with alacrity to local service delivery needs and development imperatives. Clearly, what is needed is a predictable, reliable and sustainable source of funding with a broadened local revenue base. The current administration is committed to addressing...
2.3.7 MANAGEMENT SYSTEMS AND BUSINESS PROCESSES

A modern organisation cannot survive and deliver on its mandate if it does not have a vision, mission and core values. Moreover, it must be grounded in sound business principles, practices and procedures as well as appropriate systems and techniques that are adaptable to changing environmental conditions. The current reality is that although all the municipalities have a strategic plan that outlines a mission, vision, core values and strategies, there are no sustained efforts to implement these strategic plans. A similar observation can be made with respect to the central ministry.

Consequently, strategies need to be developed to establish and maintain modern business systems and practices to improve management efficiency and quality service delivery.

2.3.8 COMMUNITY INVOLVEMENT AND PARTICIPATION

Building closer bonds with people and communities within the Local Government system and encouraging participation, involvement and engagement in local government affairs are essential to promoting healthy participatory local democracy. Voting at Local Government elections is not sufficient, which in any case hardly crosses 40% of the eligible electorate. People must be provided with avenues to participate in and provide feedback as well as suggestions in major decisions on budget formulation, policy formulation, development planning, project implementation and the management of community assets.

The MCA as amended, contains provisions to facilitate citizens’ participation in the decision-making and policy-making processes, such as the establishment of Advisory Councils at section 68 (7). Nevertheless, there has not been the widespread, constant and effective utilisation of this section. However, the sporadic use of town meetings has been a feature, as well as the widespread use of stakeholder consultations in developing the municipal plans of Municipal Corporations. The capacity of community stakeholder groups and civil society organisations ought to be more engaged in the Local Government development process, not only from the point of view of fostering community ownership, but also promoting social cohesion and more accountability to the people.

2.3.9 REGIONAL PLANNING AND DEVELOPMENT

Although the MCA as amended, had assigned to Local Government bodies a role in development planning and control in collaboration with the Minister responsible for planning, they performed no meaningful role, this especially of the Regional Corporations and the Borough of Chaguanas. Constrained by lack of institutional and human resource capacity, they were powerless to confront the development planning challenges such as the large size and diversity of regions, population increases, the proliferation of illegal structures and unplanned development. Consequently, very little could be done to curb flooding, landslips and potential housing collapse, as existing building codes were not enforced. In 2007, a Local Area and Regional Planning and Development Unit was established in the Ministry of Local Government. Its mandate was to facilitate the physical planning and development function at the Municipal Corporations’ level, as well as developing appropriate systems and the regulatory framework. The long-term aim was to install the capacity at the Municipal Corporations’ level, rationalise and streamline the development planning, and control institutional framework, role, functions and systems in the context of central-local relationships in the reform process.

Under the Leadership of the Manager of Regional Planning and in collaboration with Municipal Corporations, with the aid of consultants, fourteen Municipal Plans have been developed and approved, which are consistent with the National Policy Framework. Intensive training was undertaken in relation to these plans. In addition, investment plans have been developed and are currently being implemented.

Nevertheless, in keeping with the current Administration’s avowed policy of devolving more responsibility to municipalities in the planning and development control process, a National Planning Task Force (NPTF) has already reviewed the Planning and Facilitation of Development (PAFD) Bill. This Bill was approved by Cabinet and seeks, among other things, to outline the overarching framework for facilitating development planning and control, institutional stakeholder roles and responsibilities, the associated organisational structures, as well as the collaborative and coordinative relationships and processes among institutional stakeholders. This will be elaborated under the subtitles, “The Policy Context” and “Strategies for Transforming and Modernising the Local Government System”.

2.3.10 LOCAL GOVERNMENT BOUNDARIES

With the advent of the MCA 1990, Local Government boundaries were redefined with 13 regions being at the core of the change. These were reduced to 9 in 1992. Nevertheless, when the boundaries were redefined, consideration was given to the need to maintain natural communities and areas were re-zoned according to their demographic characteristics and development focus. In addition, active consideration was given to the need for better administrative coordination between Local and central Government in the delivery of services. Hence, the creation of Regional Coordinating Committees.

Today, the reality is that there is administrative confusion and misalignment in the context of service delivery. This is due to the use of different administrative boundaries by different government ministries and agencies. Communities are therefore geographically zoned, depending on the boundary demarcation application, with most Central Government agencies applying the old county or ward demarcation. The obvious outcomes include, lack of coordination in service delivery, duplication and difficulty in purposeful data sharing. Alarmingly, this has continued even though the United National Congress administration 1995-2000 mandated that all government ministries and agencies utilise the municipal boundaries as their administrative borders, demarcating the Local Government Areas. The Central Statistical Office (CSO) is the only agency that complied with this Cabinet decision.

In addition, the existing boundary demarcations need to be streamlined to eliminate the ambiguity of responsibility for service delivery in cases where a street, drain or waterfront separates two or more municipalities.

2.3.11 PUBLIC HEALTH AND ENVIRONMENT

Public Health and Environmental concerns constitute a significant component of Local Government remit. They are critical to the quality of life in communities, especially ensuring community wellness, controlling and curbing the spread of diseases and providing a healthy, clean, sanitary and safe environment. The importance of this area is demonstrated by the fact that more than 50% of recurrent expenditure in Municipal Corporations is on public health and environmental matters. These include solid-waste disposal, general sanitation, cleaning drains, insect vector control and inspection of premises. However, Local Government bodies and in particular, Regional Corporations, are beset with a number of challenges in this area, both institutional/organisational and in the management of human resources.

From an institutional perspective, the organisational structure at these corporations is underdeveloped and lacks the specialised divisions and sub-units, as well as the accompanying systems of a modern health department. Moreover, the human-resource capacity is woefully inadequate with some RCs and the CBC having just one or two Public Health Inspectors to execute the myriad of tasks. The institutional and human-resource capacity in municipal corporations needs to be strengthened.

With the current worldwide trend of thinking green and promoting sustainable environmental initiatives which focus on reducing, recycling and reusing of waste, a whole new set of opportunities and creative ways of treating waste have emerged. These will be explored under the theme, “Strategies for Transformation and Modernisation”.

2.3.12 INFORMATION COMMUNICATION TECHNOLOGY (ICT)

Revolutionary advances in information communication technology have impacted on the manner in which we conduct business in the political, economic and social spheres. Moreover, the pace and regularity with which 'age-old' funding issue, which will be explored and elaborated under policy context and strategies for transformation and modernisation.
which such advances have taken place, be it the internet, software applications and social networking such as Twitter, YouTube and Facebook, have rendered some traditional modes of communication obsolete. Municipal Corporations need to utilise these devices in the conduct of their business, including delivering services, communicating and obtaining feedback from the public, monitoring, evaluating and reviewing performance.

The Ministry of Local Government has developed an ICT policy and strategic plan. This plan aims to develop a robust ICT infrastructure and software system, as well as establish interconnectivity between the Ministry and the 14 MCs. However, the system is still rudimentary, especially at the MC level. Notwithstanding this, at the MLG computers have been procured, the server system has been upgraded, a website has been established and is routinely maintained. Further, a data centre has been established to, inter alia, deploy new ICT services to the MCs. However, there are some ongoing challenges. Notable among these are the MCs’ ICT infrastructure is weak and some websites are not routinely maintained. There is also limited human-resource capacity, as well as there appears to be limited support and buy-in for ICT initiatives. It should be noted, however, that there is limited financial support for ICT initiatives.

If MCs are to deliver quality services on a timely basis and encourage people’s participation and engagement in Local Government affairs, ICT has a very significant role to play. The policy and strategy to drive this is elaborated later in this document.

2.3.13 MUNICIPAL POLICING

The maintenance of law and order within communities and ensuring safety, security and peaceful existence, is a traditional function of Local Government within cities and boroughs. With the advent of the MCA 1990, municipal policing was extended to Regional Corporations. The Soogrim Committee Report of 1996 recommended an interim establishment of 14 officers; one Inspector, one Sergeant, two Corporals and ten Constables for each of the RCs and the CBC. Even though an attempt at implementation of this recommendation occurred in 2002/2003, currently, neither the RCs nor the CBC have attained the recommended interim complement. It should be noted that approximately eight officers are currently assigned to the CBC.

An analysis of this issue suggests that the complement of officers of various ranks required to effectively perform Municipal Policing functions at the RCs needs to be drastically increased. Further, the scope of their responsibilities should be broadened to include domestic violence, juvenile delinquency, drug detection and summary offences. However, there are a number of distracting issues associated with municipal policing which include, the classification of officers, allowances, tools, training, the absence of the appropriate regulations as mandated by the MCA and its relationship with the Central Police in crime-fighting initiatives.

Furthermore, the Central Police in crime-fighting initiatives.

The effectiveness of these units has been curtailed by challenges ranging from small staff complements in each MC (one Coordinator, two Field Officers and a Communications Technician) to inadequate and inappropriate office accommodation. However, efforts are currently underway to improve the capability and capacity of these units, as exemplified by training in the establishment of Community Emergency Response Teams (CERTs). It should be noted that at the end of this training initiative, close to 2000 CERT Volunteers would be trained and certified. Other associated programmes are currently being formulated and will be given more detailed consideration later in this document.

2.3.14 DISASTER PREPAREDNESS AND MANAGEMENT

In keeping with the international trend of enlisting local or sub-national governments to develop strategies to combat the impact of climate change and natural hazards on vulnerable communities, Disaster Management Units, headed by a Coordinator, were established in Municipal Corporations in 2008. The position of Chief Disaster Management Coordinator was also established at the Ministry. This ushered in a new era of disaster management in Trinidad with the movement to a more reliable, professional and sustainable emergency response mechanism at the local level. The Tobago House of Assembly (THA), through the establishment of its own disaster management office (TEMA) had already ensured that Tobago’s emergency management needs were being appropriately met.

The Disaster Management Units at MCs are expected to:

• Promote the Municipal Corporation’s administration with expert Disaster Risk Reduction advice
• Collaborate with other First Responders (TTFS, TTD, TTPS & NGOs) in providing local-level emergency response (hazards)
• Manage the operations of the Municipal Emergency Operations Centre (MEOC)
• Educate their communities on all phases of disaster management.

The role of the Trinidad and Tobago Association of Local Government Authorities (TTALGA, otherwise known as the Association of Local Government Corporations) as outlined in the MCA, is to promote the efficient management of Municipal Corporations, to communicate and confer with Government Corporations, and to provide representation on Government or Public Bodies. However, the scope of these roles should be expanded with emphasis placed on promoting development and strengthening its autonomy as a bi-partisan forum to protect and promote sustainable Local Government.

Currently, the Association is beset by little control over the recruitment of its staff, limited funding sources and interventions from the centre. Methods of addressing these issues will be explored as part of the transformation agenda.
CHAPTER 3
THE EXPECTATIONS OF THE CURRENT ADMINISTRATION

The purpose of this chapter is to present the current Administration’s views on the need for reform, as well as its policy prescriptions for transforming and modernising the Local Government system.

It has already been established that the Current Administration’s long-term vision is to establish a devolved system of Local Government, with Local Authorities performing essential community-based functions. The execution of these functions will be driven by local democratic leadership, in a participative and consensual manner. This will be buttressed by partnerships with the Centre, in promoting economic development and enhancing the quality of life. This perspective was made clear by The Honourable Kamla Persad Bissessar, Prime Minister of Trinidad and Tobago, while addressing the Commonwealth Local Government Forum (CLGF) Conference in Cardiff, Wales, on March 15, 2011. In her capacity as Chair of CHOGM, she articulated:

“When people have the right to be masters of their destinies and to organise the affairs of their communities so as to experience the best quality of life is at the heart of our philosophy for local Government.”

Consequently, devolution, participatory democracy and subsidiarity are core principles that inform this philosophy. This new principle of subsidiarity advocates that in allocating responsibility for any task or function, authority should always be given to the lowest level at which it can be effectively performed and/or the level closest to persons impacted by it. This principle is now becoming widely used in international Local Government best practice.

In this regard, the vision, mission and core values within the context of Local Government transformation and modernisation are as follows:

3.1 VISION

A responsive Local Government system charged with localised development, continuously improving the quality of life of all citizens in an equitable, transparent, accountable, democratic and sustainable manner.

3.2 MISSION

To promote good local governance and democracy by providing the legislative, institutional and other support systems and resources so that all citizens can contribute and participate in shaping their destiny and enjoy the best possible quality of life.

3.3 CORE VALUES

The core values that drive the Local Government Reform Agenda include:

- Effective Representation
- Accountability
- Transparency
- Participation
- Consultation and Collaboration
- Equity
- All-inclusiveness
- Responsible Government
- Responsiveness
- Social Cohesion
- Value for Money Expended
- Quality Service Delivery
- Local Leadership in Development

3.4 THE POLICY CONTEXT

The policy framework for Local Government transformation and modernisation is informed by the Government’s strategy for sustainable development and its seven interconnected pillars, namely:

- People-Centred Development – we need everyone and all can contribute
- Poverty Eradication and Social Justice – preference for the poor and disadvantaged
- National and Personal Security – human security for peace and prosperity
- Information and Communication Technologies – connecting T&T and building the new economy
- A More Diversified, Knowledge-Intensive Economy – building on the native genius of our people
- Good Governance – people participation
- Foreign Policy – securing our world.

3.4.1 THE CENTRAL PHILOSOPHY

Under these two main pillars, the central philosophy driving the reform agenda was elaborated by the Honorable Prime Minister in Cardiff, Wales (March 2011). She articulated the following perspective:

“The belief that people have the right to be masters of their destinies and to organise the affairs of their communities so as to experience the best quality of life is at the heart of our philosophy for local Government”.

3.4.2 POLICY DIRECTIVES

The Government’s Manifesto, 2010 articulates, “genuine democracy requires effective representation, transparency, participation, accountability to change the lives of people in our communities and to alter their relationship with government”. As such, the main features of the Local Government transformation and modernisation agenda are:

- Devolution of authority and resources, within national policy guidelines, from central Government Ministries such as Community Development, Housing, Social Welfare, Sports, Planning, Environment etc.
- Equitable financial resources to regions and sectors
- Effective representation, transparency, consultation, participation, accountability to change the lives of people in our communities and to alter their relationship with government
- Devolution of authority and resources, within national policy guidelines, from central Government Ministries such as Community Development, Housing, Social Welfare, Sports, Planning, Environment etc.
- Equitable financial resources to regions

The full text of the Honourable Prime Minister’s feature address is outlined in Appendix IV.
3.4.3 POLICY OBJECTIVES
Given the policy directives, the following policy objectives are categorised in the ensuing sub-headings:

3.4.3.1 LEGISLATIVE FRAMEWORK AND GOVERNANCE
• Constitutional protection for Local Government as part of the Government’s Constitution Reform agenda
• Clarify the roles and responsibilities of main institutional stakeholders in the Local Government system
• Fixed date for Local Government elections
• Term limits for Local Government Office (Mayors/Chairmen)
• Broadened representation at the local level to include representation for youth (male and female) and women and children
• Consider the establishment of an Executive Council system
• Undertake appropriate amendments to the Municipal Corporations Act, 1990, as amended, and associated bye-laws and regulations
• Creation of full-time local government representatives.

3.4.3.2 FINANCING AND ECONOMIC DEVELOPMENT
• Establish mechanisms that will allow greater flexibility in expanding the local revenue base and promote more-realistic programme planning and budgeting
• Establish value-for-money and performance-budging mechanisms
• Establish an independent Economic Development Board (EDB) to inter alia, make recommendations for a fair and equitable distribution of national revenue among central Government, Tobago and Local Government bodies
• Establish mechanisms to prioritise and optimise capital and development programme expenditure
• Promote vibrant local economies and locally-led economic development
• Establish mechanisms to ensure greater financial accountability and due diligence.

3.4.3.3 PARTICIPATORY GOVERNANCE AND DIRECT CITIZEN PARTICIPATION
• Establish Civil Society Board voted by delegates of Civil Society Organisations at the local level
• Establish Stakeholder Advisory Councils (SAC) on specific sectors, as required
• The SACs to provide a vehicle for sector expertise to make a meaningful contribution to economic development and to foster commitment to implementation of specific strategies for development as well as be consulted by the Economic Development Board on matters related to relevant sectors
• Establish an internet portal, “E-View”, for people to express their views on development
• Establish Internet cafés in communities throughout the country and ensure that broadband service is available countrywide
• Communities to determine priorities with respect to projects, services and facilities and propose consensual solutions to eliminate challenges and participate in the implementation process.

3.4.3.4 MUNICIPAL/REGIONAL PLANNING AND DEVELOPMENT
• Assign to Local Government bodies greater power and authority to regulate, facilitate and control development planning and the built environment within municipalities
• Harmonise, standardise and update the small building codes to ensure uniformity of standards and more control of development
• Clarify and clearly demarcate the roles and responsibilities of Local Government bodies and other Institutional stakeholders in development planning and control of the development process
• Proactively pursue the Planning and Facilitation of Development Bill to eliminate ad hoc planning
• Realign Local Government boundaries so as to promote effective Municipal/Regional Planning and service-delivery coordination.

3.4.3.5 INFRASTRUCTURE AND SERVICES
• Ensure that adequate quality infrastructure is provided and maintained within communities
• Give priority to the provision of community infrastructure to neglected rural communities and inner cities to ensure balanced development, fair treatment and equitable distribution of resources
• Broaden the coverage of service delivery within communities
• Establish service delivery standards that meet national and international benchmarks
• Increase responsiveness to community infrastructural and service delivery needs and demands.

3.4.3.6 MUNICIPAL MANAGEMENT
• Provide adequate administrative and management support services and systems to ensure effective functioning of Municipal Corporations
• Establish mechanisms that will facilitate effective coordination of departmental activities
• Implement performance-management systems and standards
• Promote capacity-building initiatives to improve professional competencies, skills and quality service delivery
• Develop a robust ICT infrastructure and software systems that will improve communication, information dissemination, feedback, customer-friendly relations, quality service delivery and monitoring and evaluation of operations.

3.4.3.7 PUBLIC HEALTH AND ENVIRONMENTAL MANAGEMENT
• Promote and sustain a healthy, clean, sanitary, safe, serene and eco-friendly environment
• Encourage healthy lifestyles within communities
• Provide support structures and systems for the effective and efficient discharge of the Public Health responsibilities assigned to Local Government bodies
• Encourage and support innovative, creative and environmentally-friendly approaches to solid waste management
• Develop policies and programmes for effective public health and environmental management.

3.4.3.8 COMMUNITY SECURITY AND SAFETY
• Enhance the role of Local Government in community safety and security
• Expand the role of the Municipal Police in community crime-fighting initiatives
• Enlist the support of NGOs and other civil society organisations in fostering community security and social cohesion
• Bring the Municipal Police under the purview of the Police Service Commission.

3.4.3.9 BUILDING RESILIENT COMMUNITIES
• Expand and upgrade the Disaster Management capacity and capabilities in Municipal Corporations
• Establish a National Disaster Fund to support disaster management challenges at the local level
• Promote the development of innovative and creative ways and mechanisms for local communities to cope and respond to extreme events and sustainable development challenges.
4.1 STRATEGIES FOR TRANSFORMING AND MODERNISING THE LOCAL GOVERNMENT SYSTEM

The following principal strategies under the key local areas are outlined in the ensuing sub-headings:

4.1.1 LEGISLATIVE FRAMEWORK AND GOVERNANCE

- Outline the basic structure of Local Government and its overarching role in the governance of parts of the country in the policy document for constitution reform for public comment
- Make provisions in the emerging Constitution Reform Bill for the basic structure and overarching role of Local Government
- Identify simple amendments that could be made to the MCA, 1990, as amended, and submit same to Cabinet for consideration for Parliamentary approval
- Identify measures to strengthen the Local Government governance framework and incorporate revised or new legislation for consideration of Cabinet and Parliament
- Identify revisions and changes to the existing bye-laws and regulations and initiate the approval process after adoption by MCs
- Establish a citizens’ charter that defines the obligations and reporting relationship between the Local Government representatives, the people and civil society in respect of all services and responsibilities of Local Government
- Redefine the role of Local Government representatives by making them full-time, principal community advisors attending to all the community’s basic needs, finding remedies to people’s immediate needs and concerns, and channelling and championing their grievances to the appropriate agencies
- Provide councillors with office accommodation and secretarial support within their districts to enhance the quality of representation and citizen access to community services
- Redefine the role of the ministry with responsibility for Local Government to focus more on policy development, the setting of standards and monitoring, evaluation and review of MCs’ operations
- Identify the basic requirements for the full implementation of the MCA, 1990, as amended, and develop an implementation plan
- Establish a consultative mechanism among the relevant central agencies and TTALGA, with a view to review the terms and conditions for full-time local government representatives.

4.1.2 FINANCING AND ECONOMIC DEVELOPMENT

- Develop in consultation with the Ministries of Finance and Economy and Planning, a formula for funding Local Government that incorporates indices of population size and density, social and infrastructural service delivery requirements, development planning priorities and local revenue capacity
- Explore the expansion of the local revenue base and the restoration of the House rates collection and administration to Local Government bodies
- Lobby the recently-established Economic Development Board (EDB) to prioritise the development of a formula for the equitable distribution of national revenue among, central Government, Tobago House of Assembly and Local Government bodies
- Mandate MCs to embrace and adopt performance-budgeting principles
- Institute priority setting and programming techniques in the development and implementation of capital and development programmes
- Develop and monitor the implementation of investment plans
- Identify, develop and support consultation with Non-Governmental Organisations (NGOs) and International organisations for the establishment and operation of more regular town/community hall meetings as a forum for feedback, information and idea sharing, programming, planning and prioritising and accountability for Local Government affairs
- Engage civil society organisations in developing service delivery assessment mechanisms
- Engage civil society organisations in the management of community assets
- Partner with schools through the Ministry of Education to develop programmes for the promotion of democratic values and practices, thereby fostering civic pride and responsibility

4.1.4 MUNICIPAL/REGIONAL PLANNING AND DEVELOPMENT

Through the new Planning and Development of Land (Planning and Facilitation of Development) Bill/Legislation there will be provisions to:
- Make physical planning more accessible to local communities
- Render physical planning more responsive both to changing circumstances and policies of government
- Unify building and planning approvals into one process
- Create a one-stop shop mechanism for approval of major applications by a Development Control Committee made up of officers from other agencies with the power to grant approval for their area of jurisdiction
- Establish rules and procedures for enhancing roles for registered professionals in the planning and building approval process

4.1.5 PARTICIPATORY GOVERNANCE AND DIRECT CITIZEN PARTICIPATION

- Identify and develop mechanisms for the establishment and operation of Civil Society Boards (CSBs) and Stakeholder Advisory Councils (SACs)
- Engage Civil Society organisations in the development of terms of reference for CSBs and SACs
- Liaise and collaborate with the Ministry of Public Administration to develop a programme for the establishment of internet portals and cafes in communities throughout the country
- Develop mechanisms to maximise the use of existing provisions in the MCA, 1990, as amended, for community stakeholder participation on the affairs of MCs
- Encourage and support the hosting of more regular town/community hall meetings as a forum for feedback, information and idea sharing, programming, planning and prioritising and accountability for Local Government affairs
- Establish and implement a formula for funding Local Government that incorporates indices of population size and density, social and infrastructural service delivery requirements, development planning priorities and local revenue capacity
- Explore the expansion of the local revenue base and the restoration of the House rates collection and administration to Local Government bodies

Further strategies arising from this new legislation will include:
- The redesign and implementation of the organizational structure of Local Government bodies to facilitate this transformation
- Amendments to the Current MCA, 1990, as amended, to accommodate
- Strengthen enforcement and “stop development “mechanisms

Within the above framework, each Local Government body will be designated a Municipal Planning Authority. This planning authority will be responsible for the preparation of Local Area and Municipal development plans as well as planning and building approvals of a simple category of development as defined by law. A Chief Building Officer will be responsible for managing and overseeing the building approval function at the Local Government level. The Chief Building Officer will reside in the National Planning Authority which will have responsibility for national policy, as well as national codes and standards. Other new mechanisms to regulate planning and facilitation of development will include:
- An Office of Enforcement
- An appellate quasi-judicial body
- The use of third parties in the regulatory process
- The use of registered professionals

In the previous chapters, the issues and challenges within the Local Government system have been identified and explored. There has also been an analysis of the main strengths and weaknesses, which has facilitated the determination of the policy objectives for transforming and modernising the Local Government system. In this regard, the following key transformational strategies are proposed:

- Establish a citizens’ charter that defines the obligations and reporting relationship between the Local Government representatives, the people and civil society in respect of all services and responsibilities of Local Government
- Identify simple amendments that could be made to the MCA, 1990, as amended, and submit same to Cabinet for consideration for Parliamentary approval
- Provide councillors with office accommodation and secretarial support within their districts to enhance the quality of representation and citizen access to community services
- Redefine the role of the ministry with responsibility for Local Government to focus more on policy development, the setting of standards and monitoring, evaluation and review of MCs’ operations
- Identify the basic requirements for the full implementation of the MCA, 1990, as amended, and develop an implementation plan
- Establish a consultative mechanism among the relevant central agencies and TTALGA, with a view to review the terms and conditions for full-time local government representatives.

3D renderings of the new Siparia market currently under construction.
the new roles and responsibilities in spatial planning and development control, and / or incorporate new Local Government legislation
• Development of a plan of action for the adoption and immediate use of the Small Building Code
• The use of pilot projects in selected corporations to test the application of new provisions for the processing of simple applications
• The establishment of a boundary realignment inter-agency team to host workshops on harmonisation of administrative boundaries
• The examination of the development profile of the Borough of Chaguas in order to explore its elevation to city status.

4.1.5 INFRASTRUCTURE AND SERVICES
• Undertake community-wide surveys of Infrastructure and services to determine needs, requirements and community demand ratios and resources requirements
• Develop mechanisms to identify infrastructure and service-demand priorities that serve as justification for adequate funding provision
• Maintaining an updated inventory of infrastructure and services in order to carry out effective maintenance and respond to pressing needs and priorities
• Partner with other state agencies, the community and the private sector to broaden the range of service-delivery coverage and expand the scope of community infrastructure
• Emphasise the expansion of infrastructure and services that are critical for the promotion of sustainable human development and such – health, recreational facilities and access to markets
• Establish mechanisms that enhance responsiveness to service-delivery demands and needs

4.1.6 MUNICIPAL MANAGEMENT
• Provide Municipal Corporations with the Administrative structure and staff establishment consistent with the provisions of the MCA, 1990, as amended
• Undertake assessment of MCs’ structure and staff establishment to determine desirable organisational redesign and staffing needs
• Re activate the reclassification exercise for Chief Officers of MCs other than the CEO, in collaboration with the CPO
• Establish monitoring and evaluation units in Municipal Corporations with GIS capability
• Adopt performance-management and budgeting systems and techniques
• Collaborate and liaise with the recognised majority trade unions to develop and implement productivity targets and productivity incentive schemes
• Initiate dialogue with the majority trade unions and employees to develop appropriate ways of celebrating achievements, as well as significant national and cultural festivals
• Consult with the recognised majority trade unions, with a view to ensuring that employees have the requisite tools and are provided with the necessary amenities on job sites and the work place in order to deliver timely, quality service
• Collaborate with international agencies to develop and establish performance standards and results-based management systems
• Develop appropriate training programmes and source scholarships in appropriate disciplines in collaboration with local and international tertiary institutions to improve the skills, competencies, technical and managerial capacity and capabilities of personnel
• Modernise human-resource systems and policies
• Develop and establish modern accounting, auditing, project management, fleet management and procurement systems
• Identify, acquire and install appropriate ICT infrastructure and software to improve efficiency in all operational areas and in particular, information flows, accountability and monitoring and evaluation of operations
• Develop information and communications management systems that contribute to well-informed and knowledgeable employees, as well as the public, in order for them to make wise decisions that add value to the organisation and improvements in the quality of life.

4.1.7 PUBLIC HEALTH AND ENVIRONMENTAL MANAGEMENT
• Develop mechanisms to ensure the public has access to appropriate and adequate health services
• Establish mechanisms for collaboration between the central and Municipal Police to promote the delivery of public health services
• Lobby the Ministry of National Security and the Ministry of Health for the effective implementation of the amended Dangerous Dogs Act, to encourage more responsible ownership design and implement programmes for building safer communities in areas, in order to reduce gang violence, robberies, drug use, domestic violence and juvenile delinquency
• Improve cooperation between the Municipal Police and community stakeholders, to determine and address the root cause of crime, decrease the number of reoccurring crimes, and allocate policing resources to meet community policing needs
• Lobby the Ministry of National Security and the Ministry of Legal Affairs to support placing the Municipal Police under the purview of the Police Service Commission
• Establish mechanisms for collaboration between the central and Municipal Police in crime prevention, detection and prosecution initiatives
• Develop mechanisms to ensure the effective implementation of the amended Dangerous Dogs Act, to encourage more responsible ownership and protect the community against fatal attacks.

4.1.8 COMMUNITY SECURITY AND SAFETY
• Expand the strength, tools and equipment, as well as develop appropriate regulations for the Municipal Police to play a meaningful role in community safety and security
• Develop mechanisms for the Municipal Police and community to collaborate, with international agencies to enhance professional capacity
• Develop policies and programmes that promote an integrated waste-management system
• Identify, develop and maintain adequate green and clean open spaces within communities
• Establish standards for the preservation and conservation of the environment
• Partner with the private sector and community groups in developing initiatives to promote clean air, eliminate slums, restore hillsides vegetation, and other environmentally-friendly practices, as well as the preservation and development of heritage sites
• Support and encourage school-based projects focusing on environmental sustainability
• Undertake environmental studies and surveys to develop better systems and methods of managing waste.

4.1.9 BUILDING RESILIENT COMMUNITIES
• Restructure the Disaster Management Units and strengthen the staff establishment at MCs to enable more-effective disaster response, recovery and reconstruction
• Collaborate with all Disaster Management institutional stakeholders to develop, coordinate and enforce mitigation and preparedness programmes
• Partner with the communities, NGOs, local and international agencies, to develop creative coping strategies to improve resilience in adapting to sustainable development challenges
• Develop and sustain public education programmes to create a more alert and responsible public on matters pertaining to Disaster Preparedness and Management.

3) Paved road at Dadas Settlement Trace; 2) Completed box drain at Moonen Trace; 1) 4 & 4 Created in progress at San Pedro Railway Road bridge.
Chapter 5

The Key Transformation and Modernisation Programmes

The main benefits and outcomes to be derived from the Local Government transformation and modernisation policy and associated programmes are:

- Improved responsiveness to community needs and demands
- More-transparent procurement
- Enhanced opportunities for community participation
- More effective Municipal Management, leading to higher performance and productivity
- Greater accountability and transparency in Local Government operations
- Resilient communities capable of responding creatively to extreme events/natural disasters and employing innovative strategies in recovering from sustaining such development challenges
- More secure, safe and peaceful communities
- Sanitary, clean, healthy, serene and aesthetically pleasant local environments
- Timely payment to contractors and suppliers resulting in services being delivered more promptly
- Greater accountability and transparency in Local Government operations

The main benefits and outcomes to be derived from the Local Government transformation and modernisation policy and associated programmes are:

- Enhanced good local governance and democracy
- Protection and institutionalisation of Local Government as a permanent feature of the country’s governance structure and system
- Well-structured and organised Municipal Corporations, staffed with professional and highly-skilled employees, to promote service excellence
- Balanced socio-economic regional (municipal) development and vibrant local economies
- Provision of basic physical and social infrastructure in an equitable and non-discriminatory manner
- More effective local initiative, entrepreneurship, experimentation, creativity and innovation
- Open and free expression of views by citizens/burgesses with more opportunities to participate and influence policy and decision making at the local level
- Easier access to information and services
- Greater social cohesion, inclusiveness and equal opportunity through the institutionalisation of Local Government as a partner in social, economic, political and technological development
- More-effective Municipal Management, leading to higher performance and productivity
- More-transparent procurement systems
- Improved responsiveness to community needs and demands, thereby promoting sustainable development
- Improvement in the quality of representation

A summary of the main Local Government transformation and modernisation programmes is listed hereunder:

- Constitutional Reform Agenda for incorporating Local Government in the Constitution of the Republic of Trinidad and Tobago
- Public consultations on the Local Government reform policy
- Reviewing the Local Government legislative framework inclusive of bye-laws and regulations
- Strengthening the representational and good governance systems for Local Government representatives
- Full implementation of the MCA, 1990, as amended, as far as practicable, subject to appropriate amendments
- Defining and clarifying the roles and responsibilities of institutional stakeholders (e.g. between the Ministry with responsibility for Local Government, and Municipal Corporations)
- Local Government boundary realignment (in respect of clarifying and rationalising institutional service responsibilities and service-delivery coordination, and elevating Chaguaramas Borough to city status)
- Organisational restructuring, redesigning and development
- Reviewing human-resource policies and systems
- Capacity building and institutional strengthening at both the monthly and daily-paid levels
- Reviewing service delivery modalities and systems
- Establishing a robust Information Communication Technology (ITC) platform.
- Strengthening the regional coordination mechanisms
- Establishing mechanisms for sustained and effective participatory democracy
- Establishing mechanisms for strengthening the local revenue base, as well as equity in the allocation of national revenue among central Government, Tobago and Local Government bodies
- Strengthening and modernising accounting systems and practices with due regard to financial due diligence and best practice
- Establishment of Quality Management (QMS) and Result-Based Management Systems (RBMS) and standards and mechanisms for effective monitoring, evaluation and review
- Developing mechanisms to improve project management and boost productivity
- Development of the institutional, organisational and operational framework for the devolution of local area and regional planning and development to Municipal Corporations, consistent with the Planning and Facilitation of Development Bill (Act)
- Modernisation of waste-resource management systems
- Strengthening of Disaster Management structures and systems in Municipal Corporations
- Expansion of the role of the Municipal Police in community safety and security, and strengthening of its capacity and capability
- Strengthening Technical Cooperation and Partnership arrangements for promoting local democracy, good governance and local economic development with regional (CARICOM) and international Local Government bodies/agencies
- Establishing support structures for strengthening the Local Government Authorities Association
- Public/stakeholder awareness and sensitisation campaigns.

OUTCOMES

5.1 MAIN BENEFITS AND OUTCOMES

- Resilient communities capable of responding creatively to extreme events/natural disasters and employing innovative strategies in recovering from sustaining such development challenges
- More secure, safe and peaceful communities
- Sanitary, clean, healthy, serene and aesthetically pleasant local environments
- Timely payment to contractors and suppliers resulting in services being delivered more promptly
- Greater accountability and transparency in Local Government operations

POLICY ON LOCAL GOVERNMENT TRANSFORMATION AND MODERNISATION

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POLICY ON LOCAL GOVERNMENT TRANSFORMATION AND MODERNISATION
6.1 POLICY IMPLEMENTATION

In order to achieve the broad objectives and implement the strategies for the transformation and modernisation of the Local Government system, a detailed implementation plan will be formulated. Under the assumption that the entire programme will take approximately two-and-one-half (2 1/2) to three (3) years to be fully implemented, the plan will incorporate the following features:

- Specific or Identifiable Projects
- Priority Projects
- Objectives and Goals
- Strategies
- Main Activities
- Time Frames
- Responsibility Centres
- Risk and Contingency Measures
- Resources Required (including sources of funding and budget)
- Targets
- Change Management and Review Mechanisms.

6.2 TRANSITIONAL ARRANGEMENTS

In order to facilitate a seamless transition and minimise disruption to operations and service delivery, a transition team will be established to manage all change-management issues and challenges. This team will be responsible for advising on, managing and coordinating all transitional issues and challenges, including staff redeployment, in consultation with the recognised majority Trade Unions, streamlining the organisational structure, organisational redesign, establishing new operational systems and processes and other capacity-development issues. This transition period is expected to last no more than one year.

6.3 PERFORMANCE MONITORING AND EVALUATION

Effective and efficient implementation is critical if the policy objectives are to be realised and stated outcomes achieved. In this regard, two main mechanisms will be established:

- A Change Management Team i.e. a Steering Committee comprised of senior members of various stakeholders
- A Monitoring and Evaluation Unit i.e. the implementation/execution unit for the transformation and modernisation programme.

This dual mechanism will provide critical information to management on any changes in conditions, key indicators and assumptions associated with critical success outcomes, and the type of corrective or remedial action to be undertaken. Remedial or corrective action may include redesigning a project or aborting it. Critical activities will include, but will not be limited to:

1. Determining performance indicators and targets for monitoring and reviewing policies, projects and procedures.
2. Determining the monitoring and evaluation mechanisms or systems to be employed.
4. The utilisation of regular management audits.

The activities to be implemented in the short term (within one year) are outlined in Appendix III.
CHAPTER 7
THE NEW LOCAL GOVERNMENT PARADIGM

This new Local Government system is grounded in the five subsidiary pillars for Local Government transformation and modernisation elaborated in Chapter 1. It is people centric, i.e. it is geared towards fulfilling the needs and aspirations of people in communities, as well as their involvement in policy development, decision making, and operations of Local Government bodies. This policy also suggests a more robust representative system with the Local Government representatives more deeply involved in the management of the affairs of Local Government bodies and intimately engaged with communities, thereby ensuring greater responsiveness to their service delivery demands.

Whilst people-centred development will be a key feature, the establishment of Good Governance systems and structures must be emphasised. As such, operations and activities will be governed by good-governance principles of accountability, transparency, equity, all-inclusiveness, responsiveness, participation, value for money expended, and local leadership, in promoting sustainable development. This will create a governance culture where everyone can:

• Develop a sense of equity and fair treatment
• Cultivate a habit of respect and tolerance
• Develop a sense of trust that policies, decisions and operations are transparent and will redound to the benefit of all.

A local governance system that embraces the use of Information Communication Technology is also a critical goal. People in communities must be able to access information and core services such as waste resource management, disaster management, regional and local area plans, public health and community recreational facilities online. This citizen-centric approach to governance will develop e-citizens, through use of an online open forum, thus removing the digital divide and demographic limitations, and thereby fostering social cohesion and networking. It will also contribute to the development of well-informed and knowledgeable citizens capable of making informed and wise decisions on matters affecting their well-being, welfare and sustainable development imperatives. In addition, meetings of council will be taken to the communities from time to time, thereby demystifying the process of governance and providing opportunities for civil society to be part of the governance process.

Participatory planning and development will also be a key feature of the new council. Within the framework of the new Planning and Facilitation of Development Bill (PFDB) (Act), Local Government bodies will be planning authorities in their own right; a one-stop agency for both planning and building approval for simple developments as defined. This arrangement will reduce bureaucratic red tape and eliminate the protracted application process, thereby easing the current burden and hardship faced by citizens in going from one agency to the next, in attempting to procure the relevant approvals.

In addition to developing municipal/ regional development plans consistent with the national planning framework, each councillor in consultation with all stakeholders in the district, will develop and present local area plans for council’s approval. This will ensure that local development is pursued in accordance with the views, aspirations and support of constituents. Similarly, Local Government bodies will promote and support viable projects, in consultation with local stakeholders that generate income and provide sustainable employment in areas suitable to the development focus of the municipality be they tourism, agriculture, manufacturing, entertainment, arts, craft, culinary delights, services, etc.

In addition, Local Government Bodies will assume a more significant role in ensuring public safety, maintaining law and order, and securing the overall community environment. This will facilitate the enhancement of the community capacity for peace, social cohesion and civil existence, and thus contribute to improving the quality of life of those who live in, work and visit the municipality.

The above will be complemented by modern organisational structures, systems, mechanisms and business processes at both the council and administrative/managerial levels, to enhance efficiency and effectiveness, but adapted to the political, economic and social and environmental realities of Trinidad and Tobago.
There has been a groundswell of support, globally, for decentralised governance. Many experts and practitioners have espoused the view of the need for a greater role for local and sub-national government in the overall governance and sustainable development process in many countries. Indeed, this has led to fundamental changes in the structure of Local Government, with the Executive Council system gaining popularity. This is due to a consistent clarion call for the local elected representatives to play a more meaningful role in the day-to-day management of the affairs of Local Government corporations. These changes have led to a deepening of local participatory democracy as more systems and mechanisms have been established for people’s involvement in the local governance process.

The above developments have somewhat placed Local Government as one of the central pillars of governance, as it is no longer seen as subordinate or peripheral, but as a partner in the governance of a country. Within this framework, it has been noted that in developed countries such as Great Britain, Canada, Australia and the United States of America and some developing countries in Latin America, Asia and Africa, as well as in the Commonwealth Caribbean, common themes of decentralised governance are:

- Promoting democratic local governance
- Strengthening Local Government capacity
- Promoting local economic development
- Facilitating and stimulate local economic development through employment generation and income-creation ventures, as well as coordination of sectoral development
- Facilitating poverty eradication and promote social justice through development projects that target the less fortunate, the underprivileged, indigenous people and vulnerable groups including women and children.
- Develop and implement sustainable physical, infrastructural and social programmes
- Promote a pristine, healthy, green and serene environment
- Contribute to community safety, security, peace and tranquillity.

We are of the firm view that apart from the need to properly structure, organise and resource Local Government institutions, institutional strengthening and capacity building are critical success factors and must be given top priority. Nevertheless, if there is to be sustainability and credibility to the principles of local participatory democracy and good governance, Local Government must be given constitutional protection, thereby making it a permanent feature of the covenant between Government and the people. We are committed to fulfilling this pledge.

In summary, our policy proposals for Local Government transformation and modernisation will certainly result in enhanced quality-service delivery coverage, balanced sustainable development, greater social cohesion and a greater sense of community self-worth and identity. These will further contribute to greater citizen satisfaction with the quality and quality of community physical and social infrastructure, thereby promoting local creativity, innovativeness and entrepreneurship.

In Trinidad and Tobago, similar sentiments have been expressed by some experts and practitioners, for a greater role for Local Government. Drawing on these common themes and within the ambit of the five subsidiary pillars for Local Government transformation and modernisation, we will develop and institute a Local Government system in Trinidad that is people centric, participatory, accountable, responsive, all-inclusive, productive, efficient, effective, adaptive and sustainable. Moreover, the Local Government institutions will be so structured, organised and resourced, to inter alia:

- Execute Local Government functions in an effective and efficient manner
- Mobilise all sectors of the community to solve community problems and satisfy local needs and demands
- Develop new and innovative ways of managing scarce resources to promote social equity
- Promote a pristine, healthy, green and serene environment
- Contribute to community safety, security, peace and tranquillity.

We are of the firm view that apart from the need to properly structure, organise and resource Local Government institutions, institutional strengthening and capacity building are critical success factors and must be given top priority. Nevertheless, if there is to be sustainability and credibility to the principles of local participatory democracy and good governance, Local Government must be given constitutional protection, thereby making it a permanent feature of the covenant between Government and the people. We are committed to fulfilling this pledge.

In summary, our policy proposals for Local Government transformation and modernisation will certainly result in enhanced quality-service delivery coverage, balanced sustainable development, greater social cohesion and a greater sense of community self-worth and identity. These will further contribute to greater citizen satisfaction with the quality and quality of community physical and social infrastructure, thereby promoting local creativity, innovativeness and entrepreneurship.

There is strong support from TTALGA and other stakeholders that appointment, on contract, will attract professional and competent personnel and result in more efficient and effective management of MCs. It will also allow the Council (MC) greater flexibility and speed in filling any vacant position in this Office thereby avoiding delays in appointment by the relevant Service Commission.

<table>
<thead>
<tr>
<th>PART I: DEFINITIONS</th>
<th>RECOMMENDED AMENDMENT</th>
<th>REMARKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Add Central Government Department</td>
<td>1.1 Delete reference to City Clerk and Town Clerk</td>
<td>1. There is overwhelming consensus that there is need to define the role of the Central Local Government Department/Ministry in order to avoid administrative confusion and the continuation of the Ministry of Local Government to undertake work that is the responsibility of MCs.</td>
</tr>
<tr>
<td>1. Chief Executive Officer (CEO).</td>
<td>Insert (c) any person who may be appointed, on contract, to perform the duties of CEO.</td>
<td>1.1 These positions are no longer necessary since they no longer exist.</td>
</tr>
<tr>
<td>1.2 Corporate Secretary.</td>
<td>1.2 Insert (C) any person who may be appointed, on contract, to perform the duties of Corporate Secretary.</td>
<td>1.2.1.1 Above applies.</td>
</tr>
<tr>
<td>1.3 Engineer.</td>
<td>1.3 Insert (e) any person appointed, on contract, to perform the duties of Engineer.</td>
<td>1.3. The above applies.</td>
</tr>
<tr>
<td>1.4 Treasurer.</td>
<td>1.4 Insert (c) any person appointed, on contract, to perform the duties of Treasurer.</td>
<td>1.4 The above applies</td>
</tr>
</tbody>
</table>
### PART OF ACT, AND AREA

<table>
<thead>
<tr>
<th>RECOMMENDED AMENDMENT</th>
<th>REMARKS</th>
</tr>
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<tbody>
<tr>
<td><strong>1.5 Officer.</strong></td>
<td>1.5 Add (c) any officer appointed on contract. This will give official recognition to officers, on contract, as holding public office.</td>
</tr>
<tr>
<td><strong>2. Commission</strong></td>
<td>2. Add after Statutory Authorities Act, or the Commission or Agency designated to perform similar functions performed by the SASC in respect of MCs. This will allow greater flexibility on the part of MCs in staff recruitment and avoid delays in the filling of vacancies and related human-resource matters.</td>
</tr>
<tr>
<td><strong>3. Corporate office.</strong></td>
<td>3. Delete or Chairman from (a) and or Vice-Chairman from (b). 3. There is a large body of consensus including TTALGA that all political heads of MC should be designated Mayor and their deputy, Deputy Mayor. This will mean that the reference to Mayor includes Chairman and Deputy Mayor includes Vice-Chairman should be deleted.</td>
</tr>
<tr>
<td><strong>4. Electoral district.</strong></td>
<td>4. Reference to the Elections and Boundaries Commission (Local Government) Act should include Tobago House of Assembly after Local Government. 4. There was an amendment Act around 1996 to include Tobago House of Assembly. See Act No. 40 of 1996.</td>
</tr>
<tr>
<td><strong>5. Salaries Review Commission (SRC)</strong></td>
<td>5. Include the SRC as the Commission established under section 141 of the Constitution. Cabinet Minute of February, 2012 agreed that the MCA 1990 be amended to bring LG Representatives under the Purview of the SRC.</td>
</tr>
</tbody>
</table>

### PART II: CONSTITUTION AND GOVERNMENT OF MUNICIPAL CORPORATIONS

<table>
<thead>
<tr>
<th>RECOMMENDED AMENDMENT</th>
<th>REMARKS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Section 12 re Alderman.</strong></td>
<td>1. After 12(6) add 12(7). In addition, in each Council three special Aldermen, one representing youth male, one youth female and one the other women and children,</td>
</tr>
<tr>
<td><strong>1. There is widespread consensus and a growing global trend that the views and concerns of young people and women should be represented in local democratic institutions.</strong></td>
<td></td>
</tr>
<tr>
<td>PART OF ACT, AND AREA</td>
<td>RECOMMENDED AMENDMENT</td>
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<tr>
<td><strong>PART IV: MEETINGS AND PROCEEDINGS OF THE COUNCIL OF A CORPORATION</strong></td>
<td></td>
</tr>
<tr>
<td>1. Section 62(1) – Meetings.</td>
<td>1. Delete the words as the Minister may approve.</td>
</tr>
<tr>
<td>2. Section 68(7) - Appointment of advisory committees of persons who are not members of council.</td>
<td>2. Amend to read and may by resolution of council defray expenses incurred in undertaking the work of such committees.</td>
</tr>
<tr>
<td>3. Section 69(1)</td>
<td>3. Add (e) Audit.</td>
</tr>
</tbody>
</table>

| **PART V: HOUSE RATE** | | |
| This part was deleted by virtue of the Property Tax Act of 2009 and there is currently a draft Municipal Corporations amendment Bill that contemplates reinserting this part with amendments as part of the reform of the property tax (Land and building taxes regime) inclusive of the valuation of Land Act and the role of the Commissioner of Valuations. | Amendments to this part will be subject to the passage of this Bill. |

| **PART VI: FINANCIAL PROVISIONS** | | |
| 1. Section 108. | 1. After 108(2) insert (3) so (3) becomes (4) et seq. The recommended wording for (3) is – The Minister of Finance in considering the budget estimates submitted by council and in making recommendations associated therewith for consideration of Cabinet and Parliamentary approval shall take into consideration, the municipality’s population size and density, infrastructure and service delivery responsibilities, its approved Municipal/Regional plan and associated investment plan and potential local revenue to be collected. |

1. These considerations can be deemed the establishment of an objective, fair and transparent formula for funding. | | |

1. There is overwhelming consensus that there should be an Audit committee of council. | | |

2. Wherever the term “Chief Technical Officer Works” appears, substitute it for the term “(Chief)”. | | |

| **PART VII: STREETS AND BUILDINGS** | | |
| 1. All or relevant sections. | 1. The relevant sections of this part will have to be amended in accordance with the provisions of the Planning and Development of Land Bill (Act), 2012 to be renamed “The Planning and Facilitation of Development Bill, (Act) 2012”. The Eighth Schedule of the MCA will also have to be amended. |
| | 2. Wherever the term “Chief Technical Officer Works” appears, substitute it for the term “(Chief)”. | | |

2. This amendment is required because this section as worded has been the subject of intense debate, since it seems to limit the use of surplus funds to the erection of buildings and the acquisition of lands or buildings for the purposes stated. |

2. This amendment is required because this section as worded has been the subject of intense debate, since it seems to limit the use of surplus funds to the erection of buildings and the acquisition of lands or buildings for the purposes stated. |

3. The consensus from past consultations and the view of the Local Government fraternity is that the Council as an elected body should be fully responsible for same. | | |

2. Amend to insert after the words “under the direction of the council towards” - the undertaking of capital development and infrastructure works - continue with the word and. | | |

3. Add after “no less than two officers”, one of which shall be the Chief Executive Officer (CEO) and delete with the approval of the Minister after the words “the council”. | | |

1. When this Bill is passed, each Municipal Corporation will be deemed a Local Planning Authority responsible for municipal development plans and granting planning and building approvals for simple developments as defined. There will also be a National Physical Planning Commission (NPPC) replacing the Town and Country Division, an Office of Enforcement, and a set of national codes and standards. | | |

2. When the MCA was passed in 1990, the Ministry of Local Government was part of the Ministry of Works, Infrastructure and
### Policy on Local Government Transformation and Modernisation

#### Part IX: Pedlars, Hawkers and Hucksters

<table>
<thead>
<tr>
<th>Part</th>
<th>Act and Area</th>
<th>Recommended Amendment</th>
<th>Remarks</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>This part should be changed to &quot;Itinerant Vendors&quot; and the sections amended accordingly.</td>
<td>Technical Officer, Ministry of Local Government&quot;</td>
<td>Decentralisation, hence the reason for the Chief Technical Officer works. The MLG has a Technical Officer and this post could be upgraded to Chief Technical Officer.</td>
</tr>
</tbody>
</table>

#### Part XII: Miscellaneous Functions

1. Section 232

<table>
<thead>
<tr>
<th>Part</th>
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<th>Remarks</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>1. The consideration of reininserting 232(ii) &amp; (k) of the MCA, 1990, which were deleted by MCA amendment No. 8 of 1992. (i) dealt with the maintenance, control and enhancement of the physical environment including monitoring water-courses, beaches and water front areas, swamps, forests, game sanctuaries, savannahs, parks and other open spaces; (k) provided for the development, construction, maintenance and repairs of passenger bus and taxi shelters and benches.</td>
<td>Technical Officer, Ministry of Local Government&quot;</td>
<td>The general view is that these names are archaic and need to reflect modern international trends.</td>
</tr>
</tbody>
</table>

1.1 Inserting "responsibility for disaster preparedness and management for Category One (1) local disasters and emergencies"

#### Part XIII: Association of Local Government Corporations

1. Section 233.

<table>
<thead>
<tr>
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<tbody>
<tr>
<td></td>
<td>1. On the request of the Trinidad and Tobago Association of Local Government Authorities (TTALGA) to amend this section to retain the name TTALGA.</td>
<td>Technical Officer, Ministry of Local Government&quot;</td>
<td>This represents the views of TTALGA.</td>
</tr>
</tbody>
</table>

### Part XV: Regional Coordinating Committees (RCCs)

2. Section 234.

<table>
<thead>
<tr>
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<tbody>
<tr>
<td></td>
<td>2. Section 234.</td>
<td>Technical Officer, Ministry of Local Government&quot;</td>
<td>This represents the views of TTALGA.</td>
</tr>
</tbody>
</table>

#### Part XVI: General Provisions

1. Section 269

<table>
<thead>
<tr>
<th>Part</th>
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<tbody>
<tr>
<td></td>
<td>1. At the end of the sentence add, &quot;In undertaking its responsibilities, the RCC will ensure that there is agreement/consensus on all sectoral agencies’ projects and programmes to be undertaken in such a manner that avoid duplication&quot;.</td>
<td>Technical Officer, Ministry of Local Government&quot;</td>
<td>1. Duplication seems to be one of the main problems in multi-sectoral projects and programmes, which exacerbates the challenges associated with service delivery coordination.</td>
</tr>
</tbody>
</table>

2. Section 253(1)

<table>
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<tr>
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<td></td>
<td>2. Insert a provision that representatives from other agencies are obligated to attend the meetings of the RCC or send a senior representative, who must be briefed accordingly.</td>
<td>Technical Officer, Ministry of Local Government&quot;</td>
<td>2. Non attendances of stakeholders’ representatives at the meetings of the RCC has been a constant complaint by RCCs’ chairman.</td>
</tr>
</tbody>
</table>

1. Duplication seems to be one of the main problems in multi-sectoral projects and programmes, which exacerbates the challenges associated with service delivery coordination. | Technical Officer, Ministry of Local Government" | 1. This was the view of the Local Government fraternity during previous public consultations. |
### APPENDIX II

**List of Areas for Constitutional Amendments and/or New or Revised Local Government Legislation**

<table>
<thead>
<tr>
<th>Area</th>
<th>Type of Amendment</th>
<th>Justification</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Enshrining Local Government in the Constitution</td>
<td>Constitutional.</td>
<td>To protect Local Government from being arbitrarily removed from the governance structure of the country and ensure its existence as a sub-national democratic institution partnering with central government in promoting sustainable development.</td>
<td>Constitutionally.</td>
</tr>
<tr>
<td>2. Establishing an Executive Council system in Local Government</td>
<td>Ordinary law (simple majority required).</td>
<td>To ensure that the locally-elected representatives have more control over the day-to-day management of corporations and to introduce full-time offices so that representatives can address more effectively and efficiently, the challenges of local sustainable development, and be more responsive to the needs, aspirations and service-delivery demands of citizen/burgesses/residents.</td>
<td>The executive council system is one of the growing trends in local governance and has always been part of the United States of America’s (USA) Local Government culture. It has been adopted in some European countries, such as Great Britain (England) (Local Government Act, 2000) and even here in Trinidad and Tobago (THA Act, 1996).</td>
</tr>
<tr>
<td>3. Part VII of the MCA, 1990, as amended (Market and Slaughter Houses).</td>
<td>Ordinary law.</td>
<td>The general consensual view was that this part was too detailed.</td>
<td>As far as can be recalled, during the reform process this part was converted into regulations and should be deleted and converted into regulations and be replaced with a simple provision that a council shall develop and maintain Public Markets and Slaughter Houses in accordance with Planning and other relevant legislation and regulations and may declare an area a public market or slaughterhouse in accordance with relevant laws and regulations.</td>
</tr>
<tr>
<td>4. Financial provisions for Local Government Bodies to be able to undertake investments with the approval of Minister of Finance; and that they should retain funds not spent at the end of the financial year without any commensurate offsetting of such funds in the ensuing year’s budget allocation. The same principle should apply to revenue raised locally in relation to Central Government subvention.</td>
<td>Ordinary law.</td>
<td>Local Government Bodies must develop an entrepreneurial spirit and culture, and contribute to economic development and income generation, as well as employment creation ventures. This will also boost their financial autonomy. In relation to retaining savings or (unspent balances) at the end of the fiscal year, as MCs have their own statutory corporation fund, they ought to be able to retain such savings without the need for any proportionate offsetting of monies.</td>
<td>All these issues are closely associated with enhancing the autonomy of MCs since financial autonomy reduces dependence on central government funding and encourages corporations to show initiative and creativity.</td>
</tr>
</tbody>
</table>

The table provides a summary of areas for constitutional amendments and/or new or revised local government legislation, along with the type of amendment, justification, and remarks. Each entry in the table details the purpose, background, and implications of the proposed changes.
4.1 The requirement that councils consult with major institutional and community stakeholders on their budget proposals before approval.

5. Legal Proceedings (Special Municipal Courts)

This will ensure that community stakeholders have an input in determining sustainable development and infrastructure and service delivery priorities.

In order to advance social justice, reduce the cost of litigation and promote justice on time, there is the need to grant magistrates the power to set aside special days and times as they deem fit to deal only with litigation and cases involving Municipal Corporations.

6. Planning and Development control

The full implications of the provisions of the eventual Planning and Facilitation of Development Act on the role, responsibilities, structure, organisation and operations of MCs in planning and development control, will have to be taken into account in any future revised legislation for Local Government.

This is an integral element of the Government's policy of people-centered development and participatory democracy.

The Planning and Facilitation of Development Bill is expected to be submitted to Parliament for debate and passage.

The MCs especially the Regional Corporations and the Borough of Chaguanas do not have an approved organisational structure and staff establishment consistent with the provisions of the MCA. Consequently, appointments and transfers continue to be undertaken by the Ministry of Local Government (MLG) in consultation with the Public Service Commission (PSC) which is a remnant of the old County Council system.

This will require consultation and concurrence of the judiciary.

There is a need to give the incentives of raising local revenue commensurate with the full implications of raising local revenue efficiency without any commensurate reduction in allocation above the projected sum to be raised locally.

This is an integral element of the Government’s policy of people-centered development and participatory democracy.

This exercise was already undertaken in 2007 and a proposal was sent to the PMCD, which submitted comments thereon. The Decentralisation Coordinator (DC) opined that some of the recommendations were not consistent with the provisions of the MCA and the intent of the reform in respect of attracting and retaining a core of professional Chief Officers. The process was abandoned in 2008 when the Government policy was to create an Executive Council system at MCs and a new set of organisational structures and staff establishment were designed which were accepted in principle by Cabinet. These documents should be available in files of the HR Unit or vault/storage area of the Ministry since the information was removed from the Decentralisation Unit in 2011.
### Policy on Local Government Transformation and Modernisation

<table>
<thead>
<tr>
<th>AREA OF FOCUS/ISSUE</th>
<th>ACTION TO BE UNDERTAKEN</th>
<th>JUSTIFICATION</th>
<th>RESPONSIBILITY CENTRE</th>
<th>TIME FRAME</th>
<th>RESOURCES</th>
<th>REMARKS</th>
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<tr>
<td>2. Classification of Chief Officers other than Chief Executive officer.</td>
<td>To undertake the classification (redesignation) of the Chief Officers’ positions of Engineer, Medical Officer of Health, Treasurer and Corporation Secretary.</td>
<td>Apart from the Position of CEO which was classified/ redesignated in 1999, these other Chief Officers’ positions have not been classified/classified despite draft classification being recommended by the CPO since 2005, hence the reason why performance of duties associated with these positions has been undertaken by contract personnel since 2007.</td>
<td>Chief Personnel Officer (CPO) in consultation with PS/HR unit of MLG. MCs and recognised majority union (PSA).</td>
<td>Four - six months</td>
<td>Provisions of sections 36-43 of MCA, 1990, as amended, job analyses, draft job specifications, market survey of similar positions in public and private sector, policy intent of MCA re these positions.</td>
<td>Draft classifications were done by the CPO since 2005 and sent to Ministry for comment. The comments of the Decentralisation Coordinator (DC) were sought and proffered. There were differences in perspectives, and despite several interventions by the DC, HR Division, which is responsible for liaising with the CPO, did not engage in constant and persistent follow-up on this matter.</td>
</tr>
<tr>
<td>3. Amendments to Bye-laws, Standing Orders, Rules and Regulations.</td>
<td>To undertake amendments and reviews to the Bye-laws, Standing Orders (SOs), Rules and Regulations of MCs and draft the appropriate documents (by-law, SOs, etc.) for approval of Cabinet (President)</td>
<td>Many parts of the Bye-laws, Standing Orders, and existing Rules and Regulations, are inconsistent with the Provisions of the MCA, 1990, as amended, and also need to be adjusted to contemporary realities and best/good practices in local governance.</td>
<td>Decentralisation/Legal Units in consultation with MCs and with the assistance of Legislative Draftsman (LD).</td>
<td>Three - six months</td>
<td>MCA, 1990, as amended, existing Bye-laws, Standing Orders, Rules and Regulations, contemporary literature on local Governance best/good practices, changes in MCs’ operational requirements and new and emerging policies in different operational areas.</td>
<td>This exercise had commenced in 2010 with the procuring (contracting) of the service of a Legislative Draftsman. The inception report was done but with the change in administration in May, 2010, the Legislative Draftsman indicated that until he received a directive in accordance with the new policy direction of the new administration, he would not be willing to proceed further. He was written to by the then PS, and provided with a copy of the draft policy framework document accepted in principle by Cabinet. However, the process has not yet restarted. The LD should be formally reengaged by the PS, or another LD procured. $90,000 was paid for work already undertaken.</td>
</tr>
<tr>
<td>4. Establishment of Internal Audit Unit in Regional Corporations (RCs) and the Chaguana Borough Corporation (CBC) and establishment of an Audit Committee in MCs.</td>
<td>To decentralise the Internal Audit function from MLG to RCs and CBC; establish internal audit units in these corporations and mandate the establishment of an Audit committee in MCs.</td>
<td>The ROs and CBC being legally incorporated bodies need to have their own internal audit units to aid management in the discharge of prudent financial management and facilitate the council in ensuring accountability, transparency and value for money expended. Currently this function is undertaken by the Ministry’s Internal Audit Unit, which is a remnant of the old County Council system and does not always ensure timely audits of these Corporations’ operations, due to the fact that its limited staff has to deal with ten Corporations in addition to the Ministry’s own internal audit requirements. Furthermore, all Councils should establish an Internal Audit Committee carrying out a role similar to the Public Accounts Committee in Parliament.</td>
<td>PSHM/Internal Audit in consultation with the Comptroller of Accounts, Auditor General, and MCs.</td>
<td>Three - eight months</td>
<td>MCA, 1990, as amended, Eachauch and Audit Act, document on role of Internal Audit, report on needs and requirements for Decentralisation of the Internal Audit to RCs and CBC.</td>
<td>A separate Internal Audit Unit in each Corporation was one of the provisions of the aborted Local Government Reform Bill, 2009/10, tabled in Parliament and overwhelmingly supported. The Internal Audit Unit staff of the MLG were decentralised to RCs and CBC around 1998 or thereabout, with the Auditor III remaining in the Ministry with about two or three officers, and exercising supervision of the audit staff decentralised to these corporations. This experiment seemed to have worked well and facilitated the efficient operations of these corporations but was aborted by the then PS of Works, Infrastructure and Local Government, when the Local Government ministry was merged with Works, apparently due to lack of understanding of the legal framework and structure of Local Government.</td>
</tr>
</tbody>
</table>
### POLICY ON LOCAL GOVERNMENT TRANSFORMATION AND MODERNISATION

#### AREA OF FOCUS/ISSUE

**5.** Direct payment of salaries and other allowances of monthly-paid staff of RCs and CBC.

**ACTION TO BE UNDERTAKEN**

To initiate action and take the necessary steps to ensure that the salaries and allowances of their monthly-paid officers are paid directly by the Accounting Units of these corporations.

**JUSTIFICATION**

The RCs and the CBC are the only corporations that do not prepare and pay directly the salaries and allowances of their monthly-paid officers. These are paid by MLG. Interestingly, these corporations have the organisational infrastructure of an accounting unit, which pays the wages of hundreds of daily-rated employees and the salaries and allowances of members of council.

**RESPONSIBILITY CENTRE**

PSIAE III in consultation and collaboration with the Comptroller of Accounts, Auditor General and MCs.

**TIME FRAME**

Three - four months

**RESOURCES**

MCA, 1990, as amended, Eachaquer and Audit Act, staff structure and establishment of the Ministry in relation to the functional staff structure and establishment of RCs and CBC. Needs analysis of staff, equipment and accounting systems and controls requirements; documentation of processes and the parties to be involved in the process such as the Comptroller of Accounts, Auditor General, CEOs and accounting and legal personnel of MCs.

**REMARKS**

Discussions should be initiated with the relevant parties, especially with the Comptroller of Accounts to establish a timetable and mechanism to decentralise the payment of salaries of monthly-paid officers of RCs and CBC. Ideally, an approved staff structure and establishment for these corporations would be the first step to a permanent solution to this issue.

#### AREA OF FOCUS/ISSUE

**6.** Decentralisation of functions of Personnel and Industrial Relations Department (PIRO II) (MLG) to RCs and CBC.

**ACTION TO BE UNDERTAKEN**

To identify functions performed by the personnel and Industrial Relations Department, MLG, such as approval of sick-leave bonus, extended sick leave, processing retirement benefits and no pay leave, which can be effectively performed by the RCs and CBC, and the organisational and systems requirement to ensure efficient and effective discharge of same.

**JUSTIFICATION**

These functions were performed by this department on behalf of the former County Councils and continue up to this day. However, the fact is that the RCs and the CBC have the basic system in place to perform these functions. The pension and leave records are maintained by these corporations and the data is sent to this section of the Ministry, checked, approved and then audited. In the case of retirement benefits the documents are prepared by the respective corporations, checked at the Ministry and then sent to the Comptroller of Accounts. Further, most corporations have at least one Personnel and Industrial Relations Officer heading this section and approving vacation leave, recruiting employees and deploying work crews etc.

**RESPONSIBILITY CENTRE**

PSHR unit in consultation with MCs including recognised majority Trade Union and perhaps the CPO and Comptroller of Accounts.

**TIME FRAME**

Three - six months

**RESOURCES**

Provisions of Section 45 of MCA, 1990, as amended, the existing collective agreement between Union, CPO and Corporations, Industrial relations Act; Report re Gap Analysis pertaining to HR organisational structure, staffing, and systems requirements at corporations to perform these functions. The establishment of a Human Resource Unit is required.

**REMARKS**

These are relatively simple functions to be performed by these corporations. All that is required is strengthening the institutional capacity, inclusive of human resource. This execution of these functions requires an internal audit capability since in the case of sick-leave bonus and retirement benefits in particular, auditing is required.
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<td>7. Creation and establishment of Human Resource Units in Corporations where there are none.</td>
<td>Identify those MCs where there are no HR units, undertake a needs analysis of requirements for establishing same, and design an appropriate organisational structure and staff establishment for same, for consideration by Cabinet and implementation thereafter.</td>
<td>The human-resource function is a critical function in any corporation re the effective deployment, placement, enhancing performance, and motivating employees re service excellence, etc. It must not be dependent on the whims and fancies of MLG as exemplified by the frequent movement of staff among corporations, sometimes without proper consultations with CEOs. The MLG's role should be confined to HR policies, standards, regulatory provisions, rendering advice and monitoring and evaluating adherence thereto, except where constitutional provision requires Ministerial inputs as in the case of the Prime Minister’s veto for appointments of CEOs (RCs).</td>
<td>PSHR in consultation with relevant MCs and PMCD.</td>
<td>Two – four months</td>
<td>Provisions of MCA: Needs analysis of institutional and other requirements; existing proposals and approvals to establish HR units in City and Borough Corporations, HR manuals.</td>
<td>Without an approved staff structure an establishment for RCs and CBC, there will be the need to identify what aspects of the HR function that these Corporations will perform independently, since unlike the cities and boroughs except Chaguanaas, they do not relate directly to the Public Service Commission, which was the intention of the MCA, 1990, as amended.</td>
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<tr>
<td>8. The issuing of Presidential or Ministerial Orders as required by certain sections of the MCA as amended.</td>
<td>To identify those sections of the MCA, 1990, as amended, that require the issue of a Presidential Order or Ministerial Order to ensure the proper discharge of a responsibility or function; and prepare draft Presidential Order for approval of cabinet and consequential Legal Notice.</td>
<td>There are several parts of the MCA as amended that require the issuing of a Presidential Order or Ministerial Order as necessary for a Corporation to legitimately/legally execute certain functions. Examples of these functions are: Sections 232(f), other public spaces as the President may from time to time by Order prescribe; 232(h) the maintenance of prescribed state property (buildings) as the Minister to whom responsibility for construction and maintenance of buildings is assigned may by Order determine etc. In fact the Penal Debe RC lost a case in the High Court pertaining to the occupation of a building due to the absence of an Order in accordance with 232(h).</td>
<td>PS/Legal Unit in collaboration with Ministry of Works and Infrastructure or Housing and other relevant Ministries.</td>
<td>Six months - one year</td>
<td>Relevant Cabinet Minute, availability of office space/accommodation at MCs.</td>
<td>This exercise is a tedious process and requires process championing.</td>
</tr>
<tr>
<td>9. One Planning Officer I to be attached to each Corporation.</td>
<td>Implementation of the decision of Cabinet to appoint one Planning Officer I per Corporation.</td>
<td>This is a decision of Cabinet that has not been fully implemented by MLG. It was based on a recommendation (interim measure) of the Soogrim Committee report (1996) on the implementation of the MCA, 1990, as amended.</td>
<td>PSHR in consultation with Director, Municipal Corporations Relations (DMCR) and CEOs.</td>
<td>Two weeks - one month</td>
<td>Relevant Cabinet Minute, availability of office space/accommodation at MCs.</td>
<td>This Minute was passed by Cabinet since around the mid 1990s or thereabout. The relevant Commissions should have been informed then that this position should be treated as an addition to the approved establishment of a corporation where such existed.</td>
</tr>
<tr>
<td>AREA OF FOCUS</td>
<td>ACTION TO BE UNDERTAKEN</td>
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<td>10.</td>
<td>The establishment of development planning units (Planning and Facilitation of Development Units) in MCs.</td>
<td>To identify the organisational, human resource and systems requirements for the establishment of such units in accordance with the Planning and Development of Land (Planning and Facilitation of Development) Bill.</td>
<td>PSM/Man Regional Planning and Sustainable Development, HR Unit in consultation with Ministry of Planning and Sustainable Development and MCs.</td>
<td>Four - nine months</td>
<td>Planning and Development of Land (Planning and Facilitation of Development) Bill; Gap analysis; institutional and capacity requirements at MCs.</td>
<td>The outcome of the Pilot project involving the Port of Spain City Corporation, the San Fernando City and Tunapuna/Piarco Regional Corporations should facilitate this process, subject to the provisions of the approved Planning and Facilitation of Development Act.</td>
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<tr>
<td>11.</td>
<td>Preparation for resumption of collection and administration of the House Rate.</td>
<td>To identify institutional/organisational Human Resource systems and other requirements for resumption of collection of House Rate by cities and boroughs and initiate establishment of same.</td>
<td>CEOs of the respective MCs in collaboration with PS, BIR and Valuation Division.</td>
<td>Three - five months</td>
<td>Proposed provisions of Draft amendment Bill to MCA; reinstitution of Part V of MCA; Needs analysis of requirements for commencement of collection and administration of House Rate; Note may have to be prepared for Cabinet when the Bill is passed into Law (becomes an Act).</td>
<td>The projection is that the resumption of collection will begin in January 2013.</td>
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<tr>
<td>12.</td>
<td>Vacancies in the interim organisational structure for Municipal Police in RCs and CBC.</td>
<td>Take the necessary steps to fill all vacancies in the interim establishment for the Municipal Police in the respective RCs and the CBC.</td>
<td>The Soogrim Committee report of 1996 had recommended an interim establishment of 14 Officers - one Inspector, one Sergeant, two Corporals and ten Constables for the RCs and CBC but none of these corporations have the full complement and in some cases less than six officers. This naturally negatively affects the efficient and effective discharge of the security, operational and related functions of these corporations.</td>
<td>Three - six months</td>
<td>Provisions of Part 111 of MCA, 1990, as amended; Procedures and itinerary of activities and resources for recruitment and training of police officers; Training Venue(s) etc.</td>
<td>This is a collaborative exercise among the various parties and the Ministry. The Ministry should play a leading role since it has the experience of a similar exercise in 2003. In the long run the policing and security needs of each corporation should be assessed in terms of population size and density, housing settlements and extent of rural and commercial development, crime statistics and challenges and other data such as juvenile delinquency and unemployment etc. should be considered. This will enable each corporation to match its police service establishment to its needs.</td>
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<tr>
<td>12.1</td>
<td>Municipal Police regulations</td>
<td>To submit the draft regulations for the Municipal Police for Cabinet’s consideration and subsequent Presidential confirmation.</td>
<td>This is a requirement of Sections 60 &amp; 61 of the MCA, 1990, as amended.</td>
<td>One - three months</td>
<td>Draft regulations/Policing Service regulations’ input/ comments from Commissioner of Police and respective Service Commissions.</td>
<td>Section 60 of the MCA provides for the application of the Police Service regulations made under the Police Service Act, mutatis mutandis. This was never done and the Municipal police had a court ruling in their favour in a litigation brought by the CPO pertaining to application of the same allowances and treatment as the Central Police. The case was appealed by the CPO and the regulations were deemed necessary.</td>
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</table>
PM’S ADDRESS TO COMMONWEALTH LOCAL GOVERNMENT CONFERENCE

Address by Honourable Kamla Persad Bissessar, Prime Minister of Trinidad and Tobago as Commonwealth Chair-in-office to Commonwealth Local Government Conference “Energising Local Economies: Partnerships for Prosperous Economies”

Date: Tuesday 15th March, 2011
Location: City Hall, Cardiff, UK

Rt Hon. Carwyn Jones, AM, The First Minister of Wales
Hon. Hazel Jenkins, Premier of the Northern Cape Province
Ministers of Local Government
Mayor Zenaide Moya-Flowers, CLGF Chairperson
Members of the CLGF Board
Secretaries General of the Commonwealth and the CLGF Councillors
Distinguished Ladies and Gentlemen

A very pleasant good day to one and all.

It is my great honour to be part of this Local Government Conference organised by the Commonwealth Local Government Forum, hosted by Cardiff City Council and supported by the Welsh Assembly Government.

I also take notice of and commend the work of the CLGF in terms of its support for local government in the Caribbean Region and as well its support for strengthening national and regional institutions such as CALGA and the Caribbean Forum of Local Government Ministers.

I also welcome the forthcoming Caribbean Local Economic Development Project. The programme as I understand it will be taken forward by the Federation of Canadian Municipalities and CLGF with regional partners, and will focus on strengthening local government’s role in local economic development.

As Prime Minister, I understand the importance of local government, having had first hand experience. I began my political career in local government as an Alderman in the Siparia County Council.

When we speak of local government, inevitably we speak of local democracy, of participation in local governance, of self-determination in the developmental affairs of a particular region.

This particular local government conference, while it is Commonwealth based, comes at a time when:
1) Our Commonwealth sister in New Zealand is recovering from the effects of a severe earthquake in Christchurch.
2) Japan, has been affected by the third largest earthquake on record, followed by the tragic effects of a tsunami and are now trying to cope with the fallout from the meltdown of the nuclear reactor.
3) All this whilst the world looks on in with great interest and anticipation at the evolving situation in the Mid-Eastern countries and in Northern Africa, where the demand for democratic practices and freedom to participate in the modes of governance are being demanded, and where people are prepared to die to achieve this.

Wherever people are alienated from the process by which the structures for their governance are determined and wherever they do not participate in the determination of those structures there is likely to be alienation, a loss of community energy and frustration leading to conflict.

The flight/flight syndrome becomes a real possibility.

When people are allowed to create a shared destiny, they work harder to achieve it and also to protect and sustain it.

A truer sense of ownership is developed in individuals who are part of such a process. It is then that prosperity becomes a real possibility. I believe that peace and stability whether at a community level or at the level of nations will best be promoted and served wherever people have the opportunity to participate in the affairs that relate to the way they are governed. In this regard, we must also develop a consensus based approach to the use of resources and in the determination of developmental strategies.

Local government fulfils this demand.

The autocratic driven styles of governance are inconsistent with the values of people living in a freedom driven democratic values based world.

It is my considered view that local government is not only one of the best examples of democracy in action but also it has the potential to unite communities around a shared vision and mission.

In this way, and through the opportunity it provides for consensus building communications, elevated to a national level, it serves as a model for peace among people.

It is for this reason in particular that local authorities must be given the material and human resources to effect community agreed programs of work.

The demise of local government in all parts of the world has had much to do with the indifference of Central Governments to the material and human resources to effect community agreed programs of work.

The belief that people have the right to be masters of their destinies was the basis for such unprecedented success.

I am of the firm belief that the philosophy of inclusion and partnership was the basis for such unprecedented success.

The belief that people have the right to be masters of their destinies and to organize the affairs of their communities so as to experience the best quality of life is at the heart of our Philosophy for Local Government.

We believe that what people create they appreciate, they protect and they grow.

We believe that one of the best ways to energize the creativity and commitment of a community is by inviting their participation in the way they are governed.

Ideas are not only the property of the elected leaders.
 Nation building requires vision and ideas, human and capital resources but it also requires, most of all, the hearts and minds of the people and their commitment to the vision. True nation building will ensure that the ethos and cultural consciousness that defines the local communities, and from which its energy and uniqueness are derived, will be preserved and enhanced through the process of wide participation in local governance. We actively promote collaboration with the local communities in the development of the vision for the specific communities. We must in addition invite the active participation of the people in the realization of the vision thereby creating commitment and ownership. In this way we will build a community of leaders who will demonstrate responsibility, servant centred leadership behaviours and a passion to inspire and empower others. Local Government representation would therefore mean the representation of the views and interests of all to ensure that there is consensus with respect to decision making. It is the will to implement such programmes that will make us a nation that is an exemplar to the world of utilizing diversity for our local and national advantage. We believe that there is a fundamental difference between government and governance. I wish to state categorically that while it is the role of government to arrange the structures and resources to ensure the peaceful progress of society and meet the basic needs of the citizens other utilitarian comforts, governance should also reflect how the people are mobilized to contribute and the values that underlie government and the quality of life derived thereof. We believe that the task of Local Government Corporations is more than just to provide goods and facilities important and vital as they may be. We believe that the task of Local Government is to provide leadership of locality to energize the people and other civic organizations so as to provide benefits for all. When you carefully examine the functions of local government authorities whether in the developed or underdeveloped Commonwealth the conclusion is inevitable as to the importance of the contribution of local government to both the standard of life and the standard of living. Can you imagine what life would be like if basic functions like garbage collection and disposal, maintenance of parks and recreation facilities, management of public health, regulation of traffic and the regulation of building codes amongst other functions are not efficiently administered.

Local Government is truly government for the people, of the people and by the people. In the more developed countries of the Commonwealth the scope of local government activities and the scale would necessarily differ compared to developing Commonwealth countries. We will all agree, however, that we cannot do without local government. The physical nearness of local government representatives to the problems of local communities and as well their ability to mobilize the local communities provide for faster responses and solutions, as well as building commitment. Sometimes this is not possible with the same efficiency at the level of central government.

Besides this, the prosperity of a community is not only measured by economics and material wealth but also by the spirit of the community, its resourcefulness, its camaraderie, its ability to recognize, celebrate and care for its members, and its sense of ownership.

This is local government in action.

This is the soul of local government.

It is for reasons like these that a more determined effort must be made to energize local government.

In my own country, I intend to achieve this by effecting the following:

• Giving Constitutional protection to Local Government
• Increasing the financial resources available to local government authorities, and even allowing some level of borrowing for special projects.
• Providing state financed offices for local government representatives so as to impact upon more effective representation
• Examining functions which are now managed by Central Government and delegating these to local government given the affinity of the function to local communities
• Creation of full time local government representatives
• Construction of town halls in every district and utilizing them for regular town meetings
• Increasing the involvement of NGOs in the work of the local authorities’ especially social service delivery
• Training of local representatives in management and leadership skills, as well as skills related to the organization of people and communities.
• Formulating national budgets with greater inputs from local communities thus creating a needs driven and needs fulfilment model of governance.

Local government must be assisted to fulfill a primary mandate which is people centred development. AND

• The election of three special representatives in each local authority, via, male and female youth representatives and a representative for women and children.

I am of the view that in my country these changes which will bring about a more empowered local government authority which will also be more responsive to current issues and create wider participation of young people in public governance.

Central Governments must not be wary of the power of local authorities.

In Westminster systems of government local authorities could be controlled by a different political party. This sometimes creates serious governance difficulties. It could derail the will of certain communities.

This is a real issue and one which the CLGF might wish to address during the course of these deliberations.

The theme of the Commonwealth celebrations this year is Women as Agents of Change. And I intend to encourage fellow leaders across the Commonwealth to actively promote greater participation of women in the affairs of all levels of government. The CLGF Board may want to emulate Australia and dedicate 2012 as the year of women in local government.

Participation in decision making by women at the local level is an important step in the empowerment of women, since there are so many issues which affect women that need to be addressed at the local level. Issues like housing, paediatric services at local health centers, school transport and daycare for young children. All of these and more though national in scope are also very much local government issues.

In the Commonwealth there is an immediate need to deal with the high percentage of women and girls who are not schooled especially since so much of the Commonwealth remains underdeveloped.

We now have global evidence that demonstrates that women with even the minimum of primary and secondary education have healthier children – because they have learnt about sanitation, nutrition, disease, and access to healthcare.

And we also know that educated women spend more of the household income to educate their children, with the hope of giving them a better future.

Yet, at present, across the Commonwealth and globally, some 54 per cent of girls do not have access to a primary education, and women account for two thirds of those who cannot read or write.

In many countries, significant numbers of women have never attended school: 67% of women in Pakistan, 55% in Malawi, over 50% in Bangladesh and Maldives, and 45 % in Tanzania.

I welcome the close working relationship between CLGF and the Commonwealth Secretariat. I note the strong commitment that the Commonwealth places on human rights and democracy and acknowledge the affirmation of CLGF’s Aberdeen Agenda: Commonwealth principles on good practice for local democracy and good governance by Commonwealth Heads of Government at their last meeting in Trinidad and Tobago in November 2009.

I take this opportunity to wish you all success and through these deliberations may we create more prosperous communities across the Commonwealth.

I thank you.

POLICY ON LOCAL GOVERNMENT TRANSFORMATION AND MODERNISATION

In my own country, I intend to achieve this by effecting the following:

• Formulating national budgets with greater inputs from local communities
• Training of local representatives in management and leadership skills, as well as skills related to the organization of people and communities.
• Creation of full time local government representatives
• Construction of town halls in every district and utilizing them for regular town meetings
• Increasing the involvement of NGOs in the work of the local authorities’ especially social service delivery
• Training of local representatives in management and leadership skills, as well as skills related to the organization of people and communities.
• Formulating national budgets with greater inputs from local communities thus creating a needs driven and needs fulfilment model of governance. Local government must be assisted to fulfill a primary mandate which is people centred development. AND

• The election of three special representatives in each local authority, via, male and female youth representatives and a representative for women and children.

I am of the view that in my country these changes which will bring about a more empowered local government authority which will also be more responsive to current issues and create wider participation of young people in public governance.

Central Governments must not be wary of the power of local authorities.

In Westminster systems of government local authorities could be controlled by a different political party. This sometimes creates serious governance difficulties. It could derail the will of certain communities.

This is a real issue and one which the CLGF might wish to address during the course of these deliberations.

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POLICY ON LOCAL GOVERNMENT TRANSFORMATION AND MODERNISATION
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