Local Government is not only one of the best examples of democracy in action but also has the potential to unite communities around a shared vision and mission of:

Better Quality Services
Better Communities
Stronger Councils
Foreword
This draft White Paper is the report on the recommendations from public consultations on Local Government Modernization and Transformation. This is another testimony of the People’s Partnership administration’s commitment to people-centred development, 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; and
- 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 burgesses. Moreover, it is about the lasting legacies and tangible improvements 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 security and the development of community capacity for peace, social cohesion and civil existence are critical. Finally, these will be complemented by modern organisational structures, systems, mechanisms and business processes to improve managerial efficiency and effectiveness.

I take this opportunity to thank everyone for their input/ participation in the development of this document.

Dr. the Honourable Surujrattan Rambachan
Minister of Local Government
### Acronyms and Abbreviations

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<thead>
<tr>
<th>Acronyms/Abbreviations</th>
<th>Meaning</th>
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<tbody>
<tr>
<td>CBO(s)</td>
<td>Community-Based Organisation(s)</td>
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<td>CEC</td>
<td>Certificate of Environmental Clearance</td>
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<td>CEO(s)</td>
<td>Chief Executive Officer(s)</td>
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<td>CEPEP</td>
<td>Community-Based Environmental Protection and Enhancement Programme</td>
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<td>CHOGM</td>
<td>Commonwealth Heads of Government Meeting</td>
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<td>CLGC</td>
<td>Commonwealth Local Government Conference</td>
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<td>CPO</td>
<td>Chief Personnel Officer</td>
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<td>CSO</td>
<td>Central Statistical Office</td>
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<td>DRR</td>
<td>Disaster Risk Reduction</td>
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<td>EAP</td>
<td>Employee Assistance Programme</td>
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<td>Economic Development Board</td>
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<td>EMA</td>
<td>Environmental Management Authority</td>
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<td>GORTT</td>
<td>Government of the Republic of Trinidad and Tobago</td>
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<td>ICT</td>
<td>Information Communication Technology</td>
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<td>LED</td>
<td>Local Economic Development</td>
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<td>MC</td>
<td>Municipal Corporation</td>
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<td>MCA</td>
<td>Municipal Corporations Act</td>
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<tr>
<td>MRC(s)</td>
<td>Municipal Regional Corporation(s)</td>
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<td>NALIS</td>
<td>National Library and Information System Authority</td>
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<td>NAR</td>
<td>National Alliance for Reconstruction</td>
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<td>NGO(s)</td>
<td>Non-Governmental Organisation(s)</td>
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<td>NIS</td>
<td>National Insurance Service</td>
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<td>ODPM</td>
<td>Office of Disaster Preparedness and Management</td>
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<td>PNM</td>
<td>People’s National Movement</td>
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<td>PP</td>
<td>People’s Partnership</td>
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<td>PPP</td>
<td>Public-Private Partnership</td>
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<td>PSC</td>
<td>Public Services Commission</td>
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<td>Regional Coordinating Committee</td>
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<td>Stakeholder Advisory Council</td>
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<td>Statutory Authorities Service Commission</td>
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<td>SRC</td>
<td>Salaries Review Commission</td>
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<td>TTALGA</td>
<td>Trinidad and Tobago Association of Local Government Authorities</td>
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<tr>
<td>THA</td>
<td>Tobago House of Assembly</td>
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<td>UNC</td>
<td>United National Congress</td>
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<tr>
<td>URP</td>
<td>Unemployment Relief Programme</td>
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<td>UTT</td>
<td>University of Trinidad and Tobago</td>
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<td>Acronyms/Abbreviations</td>
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<tr>
<td>UWI</td>
<td>University of the West Indies</td>
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<td>WASA</td>
<td>Water and Sewerage Authority</td>
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Executive Summary
This draft white paper is the report from the public consultations the Ministry of Local Government held throughout Trinidad based on the Policy on Local Government Transformation and Modernization which Cabinet agreed to in August 2012.

Cabinet by Minute 2214 dated 23 August, 2012 agreed inter alia to:
   a) “to the publication for public comment of the Policy Document on Local Government Transformation and Modernization”
   b) That on the basis of the consensual issues arising from the public consultations, a draft white paper be developed for the consideration of Cabinet and subsequent laying in Parliament.

The Ministry of Local Government held fourteen (14) Public Consultations, one in each of the Municipal Corporations.

These consultations started in early March 2013 and were completed in mid May, 2013.

From the attendance Register, over two thousand (2000) persons attended the consultations. The consultations were also carried live on radio. The public was invited by newspaper ads; miking and direct invitations.

The consultations were dynamic, lively and at all times the burgesses were afforded to voice their views and make recommendations.

The Policy on Local Government Transformation and Modernization has three (3) key deliverables which are:-
   – Better Quality Services
   – Better Communities
   – Stronger Councils

with a central theme of Devolution.

On Analysis the data presented identified the following strengths and weaknesses:-

Strengths and Weaknesses of the Current System
These strengths include:
   • Local infrastructure and services have been developed over the years and communities have been involved in a number of projects;
   • It brings government closer to the people;
   • Some burdens and responsibilities have been lifted from Central Government responsibility for managing affairs of the community and its development have been placed at the local level;
   • Citizens have gained greater access to public goods and services; and
   • Some level of employment relief has been created at the community level.
The main weaknesses identified are:

- The legislative framework is inflexible and does not facilitate change;
- Strict bureaucratic structure. As a result no political and administrative authority given to local authorities;
- Duplication of services;
- Lack of funding for State mandates and regulations;
- Inadequate human resource, accounting, auditing, fleet, asset, project and performance management systems;
- Non-existent quality control measures
- Lack of cohesion, planning and economic development at the local level;
- Conflicting goals between national and local needs for budgeting;
- Community participation and involvement are limited;
- No sustainability in the delivery and access to public goods and services at the local level;
- Officials tend to be part-time and turn over quickly, usually due to a lack of incentives to remain;
- Lack of vision and strategic thinking by Councils;
- Lack of passion by Councillors in fulfilling their mandates;
- Generally slow rates of implementation;
- Non-existence of LED programmes to facilitate self sufficiency;
- Constant conflict and lack of trust between Council and Administrative Staff; and
- Inertia in dealing with customer complaints.

Recommendations:-

2. Establishment of a fixed date for Local Government elections.
4. Life of Corporations shall be four (4) years.
5. Expanded number of Aldermen to include gender representatives and youths Male and Female.
6. The process for the establishment of Advisory Committees in the absence of Councils.
7. The role of the Minister of Local Government when Council is dissolved.
8. Formula for funding Local Government.
9. CEO’s shall be hired on contract.
10. Establishment of a Municipal Court.
11. Development of an Institute for training (in association with the University of the West Indies and Arthur Lok Jack School of Business) of Local Government officials and employees.
12. Right to recall and formula for recall of Councillors.
13. Classification of salaries, allowances for full time Councillors and Aldermen.
14. Name all Chairmen of Municipal Corporations as Mayors.

15. Mayors be elected by the popular vote from electors in the Municipal Corporations.


17. Basic qualifications of Mayors include leadership experience with a flair for strategic thinking and adding value. Aldermen should have specific skills in management, economics, finance and law.

18. Provide Pension Plans for representatives (Mayors, Councilors and Aldermen) with long standing service.

19. Include Code of Conduct for members of TTALGA.

20. TTALGA prepare monthly reports on their operations including financials to the Honourable Minister and the Permanent Secretary.

21. Standing Committees of the Municipal Council. These should include Public Health and the Environment, Social Services and Community Outreach, Sports Management, Spatial Planning and Economic Development, Finance, Audit and any other committees that the Council may deem necessary.

22. Responsibility for the maintenance of all public buildings and facilities, e.g. Schools, Health Centers.

23. The establishment a Local Disaster Fund to respond to relief initiatives.

24. Give the Minister of Local Government authority to appoint Litter Wardens.

25. Establishment of Local Economic Development Units (LED) within the Municipal Corporations led by an Economist/Management Specialist.

26. Procurement of a Human Resource Consultant to develop an effective organisational structure for each Corporation (guided by the proposal at Appendix V), and a plan of action for implementation.

27. Upgrade the job description and minimum qualifications for CEO as stated in Appendices VI.

28. Provision for a representative of TTALGA to form part of the interview panel for CEO and Deputy CEO.

29. Staff reports for CEO to be done by the Mayor with the Permanent Secretary as the countersigning officer.

30. Rotation of Chief Executive Officers and Senior Technical Staff be done intermittently as an anti-corruption tool.

31. Amend the Integrity in Public Life Act and other relevant legislation to include CEO and Deputy CEO filing with the Integrity Commission.
32. Appointment of a representative from the line ministry Tenders Committee be part of the CEO Tenders and Evaluation Committee.

33. Appointment of a representative from the line ministry Tenders Committee be part of the CEO tenders and evaluation committee. This person will report directly to the Permanent Secretary. This is an anti-corruption tool and gives greater transparency to the procurement process.

34. Amend the Ombudsman Act and other relevant legislation to establish the post of Deputy Ombudsman at the Office of the Ombudsman to handle grievances specific to Local government.

35. Municipal Corporations should be given increased authority to broaden their revenue collection base via rates, taxes, parking meter tickets, market fees, liquor licenses and other user fees to augment the subventions received from Central Government in their budgetary allocations.

36. Local Government Bodies should be given the authority to engage foreign donors to assist with revenue generation.

37. Expansion of the Regional Coordinating Committee to include all related agencies.

38. Provide support for the establishment and capacity building for Urban/ Village councils to operate as the organisation responsible for representing the needs of the people in the urban and residential communities.

39. Local Government Representatives should be assigned as Coordinators and liaise with communities to address social welfare issues.

40. Include Municipal Police under Police Service Commission.

41. Establish service agreements with contractors to ensure quality service delivery.

42. Development of compulsory three year Strategic Plans and Action Plans with emphasis on Local Economic Development, Infrastructure and other social issues.

43. Executive Councils should be established at the Local Government level in the long term.

44. Local boundary alignment - this would be another long term initiative.

45. Each Corporation to prepare a Municipal Disaster Management plan and to be updated every five years.

46. All Corporations should be obliged to publish, on their websites, their total allocations received, the amount they plan to budget for their respective projects and the amount given to each Councillor/Alderman at the beginning of each fiscal year.

47. Council’s agenda should be made public.

48. Implement the social dialogue process with Trade Unions to ensure decent work and other international labour standards and adhere to and for collaborations on other Union issues.
In conclusion, the most important critical success factor for Transformation and Modernization is the political will and this PP Government has demonstrated that they will deliver.

Chapter 1: Background

1.1 Introduction

In alignment with the Policy Framework for Sustainable Development and the Medium Term Policy Framework 2011-2014, the Government is taking steps towards developing a sustainable local government system in Trinidad and Tobago. According to Robert W. Flack, one of North Carolina’s City managers, “local government is the foundation of democracy, if it fails, democracy will fail.” It is with this underlying principle that the Government of the Republic of Trinidad and Tobago (GORTT) made a commitment to reforming the local government system in Trinidad and Tobago. Local Government should always remain a strategy by which local communities are empowered to take control of their development. The ultimate aim of Government is to transform local government services through the devolution of authority to ensure increased efficiency, responsiveness and impact in the delivery, accessibility and sustainability of public goods and services.

The process of making appropriate policy decisions on the institutional framework of Local Government in Trinidad is very important for all citizens of the country and every sector of society. As such, the Ministry of Local Government was mandated to initiate the process towards the reform of local government and develop a White Paper in 2012. This task included assessing whether existing forms of governance remain appropriate for meeting the changing demands of today’s citizens through wide public consultations and comprehensive research. These policy proposals are geared towards achieving Local Government transformation and modernisation.

Local Government Transformation and Modernisation will focus on the following core objectives:

- effecting planning through a participatory process with local communities in formulating vision, goals and strategies;
- allowing communities to take responsibility for their own development;
- bringing the various stakeholders together;
- facilitating and stimulating sustainable local economic development;
promoting fiscal devolution and providing a framework to retain revenue earned at the local level;
- delegating political and administrative authority to local authorities;
- implementing the tenets of good governance (openness, transparency, fairness, accountability and integrity);
- bringing government closer to the people, and thus enabling citizens to be better informed;
- modernisation and innovation;
- effective and efficient mobilization of local resources;
- building capacity; and
- growth and empowerment - responsibility for managing local affairs and for local sustainable development at the local level.

1.2 Historical Overview

1.2.1 A brief history of the system of Local Government in Trinidad and Tobago
The system of Local Government dates back to colonial times. As governments change, the governance structure and regulatory framework were transformed. Local Government went through a long process of transition that eventually saw the establishment of fourteen (14) Local Government Corporations which exist today.

1.2.2 Pre-Independence Rule
The first evidence of the existence of Local Government in Trinidad was seen with the establishment of the Royal Cabildo in St. Joseph in 1768 by Spanish colonists. The Cabildo exercised executive powers, performing a wide range of functions. The Cabildo appointed Chief Judges on the island who supervised markets and scavenged and repaired streets. They also controlled the police, the royal gaol, the admission of physicians and surgeons, and levied duties and taxes on ‘grog’ shops. The Cabildo’s operations were much broader in scope than the Municipal Corporations of today. The taxpayers elected the members of the Cabildo annually.

When Trinidad was ceded to the British in 1797, the strong Royal Cabildo system was gradually eroded although local government was continued in the Municipalities of Port of Spain, San Fernando and Arima. The social movements of the 1930s forced the colonial power to broaden the base of local government by involving more citizens from rural areas, but only in an advisory capacity. It was not until 1952 that actual executive power was given to the County Councils (which were restructured and named Regional Corporations). In spite
of the promise by the People’s National Movement (PNM) in the People’s Charter of 1956 to increase the authority of local government, its defeat in the Federal Elections of 1958 and the Local Government Elections of 1959 caused the party to renege on its promises.

1.2.3 Post-Independence Rule (1962-May 23, 2010)

Trinidad and Tobago gained independence on 31 August 1962 and the first attempt at local government reform in the post-independent era was assigned to the Sinanan Committee in 1965 under the leadership of 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 processes, the decentralisation of key functions to Local Government bodies and empowering communities to play more meaningful roles in the management of their 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 municipalities were centralized, for example, the Water and Sewerage Act (1965) established the Water and Sewerage Authority (WASA) which was responsible for water sourcing and distribution. Additionally, the Statutory Authorities Act (1966) and the Civil Service Act (1966) became responsible for the human resource management functions of staff appointments, transfers and disciplines.

One of the notable changes that took place emanating from the Sinanan Committee’s recommendations was the enactment of the County Councils Act, 1967. This Act redefined the roles/functions as well as consolidated the executive positions of the seven County Councils: St. Patrick, Victoria, Nariva/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 to address the issue of Constitutional Reform, both at the local and central government levels. This Commission recommended the devolution of significant powers and authority to Local Government Authorities. These included responsibility for maintenance of schools, specified public buildings, cleaning of beaches, providing facilities for fisheries and greater autonomy to control funds appropriated by Parliament. The central government only implemented the recommendation to extend Local Government boundaries, which resulted in the division of County St. George into East and West in 1980.
A third attempt at reform of the local government system was undertaken with the enactment of the Tobago House of Assembly (THA) Act and subsequent operationalisation of the Assembly in 1982. This was due largely to the representations made by the Honourable Arthur N.R. Robinson, the then Tobago East Parliamentary Representative, for internal self-governance of the island. The THA was in essence a County Council with expanded functions and powers.

In 1983, there was a fourth attempt by the PNM administration, under the Honourable George Chambers: a Draft Policy Paper on Community Development and Local Government Reform was published for public comment. It articulated that Local Government Authorities would be a partner in the national development process, through enhanced participation in national policy making, community development and development planning. It also proposed a National and an Area Advisory Committee to accomplish these objectives. However, there were virtually no meaningful mechanisms to promote greater autonomy of Local Government Authorities in the management of their affairs.

With the ascension of the National Alliance for Reconstruction (NAR) to power, led by the Honourable A.N.R. Robinson, in 1986, and its capturing of the majority of Local Government Bodies in the 1987 Local Government Elections, there was the intention to undertake sweeping local government reform. Two years later, it produced a policy document – The Decentralisation Process, Regional Administration and Regional Development – Proposals for Reform 1989-1990. The document outlined fundamental changes in the institutional, structural, organisational, functional and operational framework of Local Government as well as its role in regional development and promised an enhanced local financial autonomy or revenue base. Indeed, its philosophical underpinnings were devolution of power, authority and responsibility. After public discussions thereon, a Bill was drafted, debated and passed in Parliament in 1990: The Municipal Corporations Act 21 of 1990 (MCA) and proclaimed in 1991.

The MCA consolidated all the available pieces of Local Government legislation, created two (2) cities, three (3) Boroughs (with Chaguanas being a new Borough) and thirteen regions. It also introduced the concept of corporate governance in Local Government, and significantly expanded Local Government’s functional base, including revenue raising and an enhanced role in the regional coordination of public service delivery. This attempt was the only one that was taken to its logical conclusion in the form of legislation to give effect to policy.
When the PNM returned to office in 1991 and with its success at the 1992 Local Government elections, the MCA was amended by Act No. 8 of 1992, which reduced the number of regions to nine (9) and excised some significant functions. In 1995, the United National Congress (UNC) led by the Honourable Basdeo Panday, in a coalition arrangement with the UNC/NAR, led by the Honourable A.N.R. Robinson, ousted the PNM from Office. No official policy document was ever published during the reign of the coalition up to 2001. The policy seemed to have been the implementation of the provisions of the MCA, 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. 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/ local roads, bridges, drains, homes for the 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.

Recognizing that communication plays a key role in the transfer of information and preparation for the 21st century, the PNM administration introduced mobile phone allowances and laptop computers for Local Government Councillors to assist them in the performance of their duties and responsibilities.

Nevertheless, significant developments occurred during this period. These included the employment of Chief Officers (except CEOs) 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 Spatial plans, and the establishment of Disaster Management Units at Municipal Corporations with a Coordinating Unit at the Ministry.
1.3 Local Government (May 24, 2010 – 2013)

On May 24, 2010, Trinidad and Tobago saw its second coalition Government when the People’s Partnership (PP), led by the Honourable Kamla Persad-Bissessar, won the elections. The PP Government has the Transformation of Local Government high on its agenda and held Local Government elections on July 26, 2010, after seven (7) years of postponement under the PNM administration. The focus of the PP Government is to ensure Better Quality Services, Better Communities and Stronger Councils, as well as the devolution process must be ongoing. Under the current administration, government recognized the need for greater interaction, participation and effective representation between Councillors and Burgesses. Thus they were afforded the opportunity to have an office, equipped and paid for by the State. This process also addressed the issue of inaccessibility of Councillors since they now have specific hours, an office and staff for members of the public to interact with them.

Recognising that Councillors also travel long distances and in rough terrain to meet their electorate loans were provided to Councillors for the purchase of a vehicle with some tax exemptions. In addition, negotiations are also taking place with the University of Trinidad and Tobago (UTT) and the University of the West Indies (UWI) for a Degree Programme in Local Government, intended to further enhance the quality of representation that citizens have come to expect and demand.

The development of communities is crucial and the planning process requires a holistic approach to ensure sustainability. To ensure that Municipal Corporations are empowered to conduct the planning of their communities, Spatial Plans were developed for each Municipal Corporation. Additionally, Corporations now have a Corporate Secretary, an Engineer, a Chief Medical Officer and an Accountant. This step was to guarantee that the Corporations are equipped with competent staff. However, it is important that continuous training and regular collaboration and communication among all units within the Corporations be ongoing to ensure the effective and efficient operation of Corporations.

Some of the other major highlights include:

- Advisory Councils although established in the MCA are now being appointed, again fostering the link between the people and their representatives, Non-Governmental Organisations (NGOs) and Community-Based Organisations (CBOs);
• Cabinet approval for the construction of Municipal Halls in every district and utilising them for regular town meetings; and
• Training of local government representatives in management and leadership skills as well as skills related to the organisation of people and communities.

The PP Government is committed to the modernization and transformation of Local Government and will continue to promote and support the devolution process. Essentially, the focus of local government reform is to empower people within communities to manage their own affairs. The devolution process will be ongoing and will require incremental changes and implementation.
Chapter 2: Transformation and Modernisation of the Local Government System

Local Government Transformation and Modernisation is necessary for sustainable people-centered development which is grounded in poverty eradication, social justice and a diversified and knowledge-intensive economy. In the 2006 Local Government Draft White Paper, a statement was made which was given currency in the United Nations Development Programme (2011) evaluation report on Local Government 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 through the amenities which are compatible with local needs and expectations.”

In developing the policy prescription for advancing the local government transformation and modernization process, emphasis is being placed on strengthening local government capacity; promoting democratic governance, local economic development, sustainable cities; and fostering a sound infrastructure and eco-friendly environment. In any reform process, the legislative and regulatory governance framework must be addressed to ensure it impacts positively on the lives of citizens. It must fulfill the needs and aspirations of people in communities as well as guaranteeing their involvement in policy development, decision making and the operations of local government bodies.

The government’s 2010 Local Government Manifesto pointed to a manifestly fundamental paradigm shift in policy from the previous administration. This shift saw the move from general decentralisation to devolution which means the granting of substantial political and administrative authority to local authorities to operate relatively unfettered as they seek to build strong, prosperous and participatory communities as integral elements of good local governance and democracy.

It is a well-documented fact that when people are allowed to create a shared destiny, they work harder and smarter to achieve, protect and sustain it. A true sense of ownership is developed in individuals who are part of such a process resulting in prosperity. Peace and stability within the communities or nation is best promoted and served whenever people have the opportunity to participate in governance-related affairs. **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.

As stated in the People’s Partnership Local Government Manifesto 2010, “the objective of the reform will be to reinforce the commitment of the People’s Partnership to the decentralisation [devolution] of authority in order to facilitate more effective and responsive governance. This will also mean the qualitative broadening of Local Government as an institution to bring it closer to the people”. The core values which drive the Local Government reform agenda include:

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

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 the Ministry of Community Development, Housing, People and Social Development, Sports, Planning and Sustainable Development, Environment and Water Resources, National Security, Works and Infrastructure, etc.;
- Equitable financial resources to Municipalities;
- Adaptation of a more decentralised model for regional development planning;
- Collaborative government procedures;
- Regional coordination of the delivery of water, electricity, telecommunications and other basic services;
- Community-based security and rehabilitation arrangement;
- Expanded responsibilities and increased compensation for local government representatives and the establishment of a mechanism to ensure high performance and accountability.
- Local Economic Development;
- Effective Governance Structure both at the council and organizational levels.

2.1  **Strengths and Weaknesses of the Current System**

Over the years as the country moved from colonial rule to Independence and then subsequently to becoming a Republic, many attempts were made to implement a decentralisation/devolution strategy for Local Government. In evaluating the current system, the focus is mainly on central control and supervision which made the system very inefficient in many ways. It led to costly overlapping and duplication of activities between Central and Local Government. Steps need to be taken to expand the political and administrative authority and improve service provision at the local level in Trinidad.

The main purpose of Local Government is to improve delivery, accessibility and sustainability of public goods and services through the devolution of authority at the local level. This can only be effectively and efficiently achieved through the transformation and modernisation of the current system. One cannot move forward without learning from the experiences of the past. Although there are many flaws within the existing governance model, some strengths exist which the government intends to improve upon and build on. These strengths include:

- Local infrastructure and services have been developed over the years and communities have been involved in a number of projects;
- Communities have a contact or point person (Councillors and Chairmen) to whom they can voice their concerns;
- It brings government closer to the people;
- Some burdens and responsibilities have been lifted from Central Government, the responsibility for managing affairs and development have been placed at the local level;
- Citizens have gained greater access to public goods and services; and
- Some level of employment relief has been created at the community level.
However, with globalization, the changing demands of citizens and the new role of information communication and technology, change is required to ensure people-centered development. In the analysis of the current system through research and feedback from stakeholders, a number of weaknesses in the system were identified which the Government intends to transform. **Appendix II also offers some suggestions from the public to deal with these weaknesses.** The main weaknesses identified are:

- The legislative framework is inflexible and not adaptable to change;
- Strict bureaucratic structure; no political and administrative authority given to local authorities;
- duplication of services;
- Lack of funding for State mandates and regulations;
- Inadequate human resource, accounting, auditing, fleet, asset, project and performance management systems;
- Non-existent quality control measures
- Lack of cohesion, planning and economic development at the local level;
- Conflicting goals between national and local needs for budgeting;
- Lack of Information Communication Technology platform which hinders effective instantaneous communication;
- Community participation and involvement are limited;
- No sustainability in the delivery and access to public goods and services at the local level;
- Officials tend to be part-time and turn over quickly, usually due to a lack of incentives to remain;
- Inadequate training;
- Lack of vision and strategic thinking by councils;
- Lack of passion by Councillors in fulfilling their mandates;
- Very slow rates of implementation;
- Non-existence of LED programmes to facilitate self sufficiency;
- Constant conflict and lack of trust between Council and Administrative Staff; and
- Inertia in dealing with customer complaints.

### 2.2 Public Consultation and Emerging Issues

The needs of the people must be articulated, discussed and considered in order to create legislation which affects the citizenry of Trinidad and Tobago. This type of people participation must be promoted for citizens to truly engage in participatory democracy. It is imperative that citizens are given the opportunity to participate in
the decision-making process to help create the laws and regulations which govern them. As part of our initiative to promote participatory governance, the Ministry of Local Government embarked on public consultations in the fourteen (14) municipalities throughout Trinidad. The consultations were held between March and May 2013.

Approximately two thousand (2000) citizens from varying sectors participated; current and former local government representatives, community leaders, teachers, students, government employees and other members of civil society among others were in attendance. The Ministry engaged in this effort of inclusive decision making to solicit comments on the Policy Document, 15,000 copies of which was prepared and disseminated to encourage citizens to share new ideas on their vision for Better Communities, Quality Service and Stronger Councils. Members of the public were also invited to submit their contributions via email or mail. Many of the contributions highlighted the need for systemic change especially with regards to service delivery and communication. The details of the consultation are outlined in Appendix I.

2.3 The Role of Trinidad and Tobago Association of Local Government Authorities (TTALGA)

The role of Trinidad and Tobago Association of Local Government Authorities (TTALGA) was incorporated under the Municipal Corporations Act 21 of 1990. The roles and function of TTALGA as incorporated by its constitution and bye-laws are, inter alia:

1. Representing the interests and lobbying as intermediaries between Central and Local Government i.e. forging partnerships;
2. Being the centre of a network of overlapping interrelationships of the organisation (NGOs, CBOs and the private sector) and government;
3. Monitoring developments in Local Government utilising the expertise of professional staff and conducting research partly to facilitate comparison with other countries; and
4. Facilitating training for local government representatives and staff.

According to the Honourable Prime Minister Kamla Persad-Bissessar in Cardiff 2011, there is to be a shift in the role Local Government should play in Trinidad and Tobago’s development. Local Government should provide leadership to energize people and organisations to provide benefits for all. As such, TTALGA has a key role in fulfilling the Prime Minister’s vision.
In 2010, with the changes arising from Local Government elections, the new executive embarked on a Strategic Plan which set out the direction for the development and growth of TTALGA (2011-2016). During the strategic planning process, TTALGA identified three (3) major goals which align with Government’s goals for local government reform, namely: Improved Communications; Better Representation; and Efficient and Effective Local Governance. These goals will not only be of benefit to the membership of TTALGA but by extension the entire country. It should not be effected by a few but by the collective wisdom of all.

TTALGA has an important role in training; monitoring and evaluating local government members as these members effectively execute the mandate to effectively represent their respective communities. It also has an important role in indentifying the needs of local government practitioners at the regional level. It seeks appropriate development programmes which would impact on the capacity and competence to successfully deliver quality service to the Burgesses and in turn that will bring economic and social benefits.

It is therefore suggested that TTALGA’s role be expanded to include the following:

- Improving communication and information sharing in and amongst Municipal Corporations;
- Drafting of a code of conduct and ethics for its members and the disciplining of Local Government Councillors through mechanisms that can be worked out with the Local Government Ombudsman. This new responsibility in itself would create a greater sense of respect and recognition not only from its membership but also from the Ministry of Local Government and also promote accountability and transparency leading to improved and efficient service delivery;
- Providing technical and professional advisory services to its members on issues of policy and regulatory framework for decentralization;
- Reporting to the Ministry of Local Government. Proper reporting is very important for assessing strengthens and weaknesses to inform plans for institutional advancement;
- Facilitating research and policy analysis for evidence based interventions and solutions;
- Ensuring quality assurance on the services and functions performed in Municipalities for conformity to required standards and timely delivery; and
- Ensuring the continuous institutional strengthening of TTALGA’s Secretariat and the Municipalities’ structure, resource mobilization and creation of partnerships and networks.
- Advice in policy formulation at both local and national level
Chapter 3

3.1 Organizational Structure

One of the critical areas to be addressed is that of the organisational structure for the Municipal Corporations. The current Local Government system has become inefficient, ineffective and is unable to meet the demands of the current environment in which we live. As the needs and expectations of communities change, so too Local Government must be able to meet their ever changing needs. As such, we need to develop a system that is robust and one that provides a holistic approach to the business of Local Governance that benefits all citizens irrespective of ethnicity, gender, religion and social standing.

The new structure must adequately meet the requirements for devolved operations, local democracy, and good governance. It must take into consideration important governance principles of accountability, transparency, all-inclusiveness, equity, value for money, quality service delivery, participatory democracy and responsiveness. The new structure must consider the need to establish new political and management structures, reflecting the new roles and responsibilities of the Ministry of Local Government and Municipal Corporations. It would necessitate greater involvement of the people’s representatives in the management of the affairs of Local Government. This new structure will facilitate greater speed and flexibility in decision-making, policy formulation, local economic development, spatial planning, quality service delivery and expanded service delivery within communities.

Consultants will be contracted to provide expert advice on a modern, relevant organizational structure; consideration will be given to the existing culture, advancement for current and future Local Government employees, other plans for reform and global trends. Appendix V contains a detailed proposal of the roles and responsibilities, within the Municipal Corporations. The proposal would be the platform for the Human Resource Consultant to work with on deciding a relevant and modern organizational structure for the Municipal Corporations. The revised structure would also have to consider the requirements of the (PAFD) - Planning and Facilitation of Development Bill 2013 which when proclaimed all MC shall be appointed Municipal Planning Authorities (see page 44).

The Ministry of Local Government will assume responsibility for national policy formulation and legislation which require Cabinet approval. Additionally, the remit will concentrate on adjudication of
disputes; coordinating; and monitoring and evaluation of the activities of Municipal Corporations. With devolution, there will be more timely delivery of services and construction and repair of infrastructure. It will promote good governance by employing anti-corruption strategies and creating spaces for citizens to participate in municipality development through open dialogue. Emphasis will be placed on accountability and transparency through Monitoring and Evaluation Units which will ensure that policies are adhered to. Additionally, the benefits will also include effective administration, and the creation of vibrant local economies.

In summary, this new structure will facilitate greater speed and flexibility in decision making, policy formulation, spatial planning, quality service delivery and expanded service delivery within communities. Consultants will be contracted to provide expert advice on a more modern, relevant organizational structure; consideration will be given to the existing culture, advancement for current and future Local Government employees, other plans for reform and global trends. Appendix V contains a detailed proposal of the roles and responsibilities of Municipal Corporations which will be used in developing Terms of Reference (TOR) for hiring an HR Consultant to develop a modern Organizational Chart for the Municipal Corporation. It is anticipated this (TOR) will be completed by the end of fiscal 2013 and Request For Proposals (RFP) would start at the beginning of fiscal 2014.
Chapter 4: Recommendations

1. Provision of constitutional protection for local government.
2. Establishment of a fixed date for Local Government elections.
4. Life of Corporations shall be four (4) years.
5. Expanded number of Aldermen to include gender representatives and youths Male and Female.
6. The process for the establishment of advisory committees in the absence of council.
7. The role of the Minister of Local Government when Council is dissolved.
8. Formula for funding Local Government.
9. CEO’s shall be hired on contract.
10. Establishment of a Municipal Court.
11. Development of an Institute for training (in association with the University of the West Indies and Arthur Lok Jack School of Business) for Local Government officials and employees.
12. Right to recall and formula for recall of Councillors.
13. Classification of salaries and allowances for full time Councillors and Aldermen.
14. Name all Chairmen of Municipal Corporations as Mayors.
15. Mayors be elected by the popular vote from electors in the Municipal Corporations.
17. Basic qualifications of Mayors include leadership experience with a flair for strategic thinking and adding value. Aldermen should have specific skills in management, economics, finance and law.
18. Provide Pension Plans for representatives (Mayors, Councilors and Aldermen) with long standing service.
19. Include Code of Conduct including a disciplinary committee for members of TTALGA; this allows for effective monitoring of their members.
20. TTALGA prepare monthly reports on their operations including financials to the Honourable Minister and the Permanent Secretary and submit policy statements for the local and national level.
21. Standing committee of the Municipal Council. These should include Public Health and the Environment, Social Services and Community Outreach, Sports Management, Spatial Planning and Economic Development, Finance, Audit and any other Committees that the Council may deem necessary and civil society organizations shall be given authority to sit in these Standing Committees.
22. Responsibility for the maintenance of all public buildings and facilities. e.g. schools, Health Centers.

23. The establishment a Local Disaster Fund to respond to relief initiatives.

24. Give the Minister of Local Government authority to appoint Litter Wardens.

25. Establishment of Local Economic Development Units (LED) within the Municipal Corporation led by an Economist. A stakeholder Advisory Council will be specially constituted to make a contribution for this unit. Local Economic Development is one of the most recent efforts to enhance the developmental role of Local Governments. LED is a critical avenue for empowering Local Governments to initiate and implement programmes aimed at uplifting household incomes and addressing poverty, LED is the process through which local government, the private sector and communities establish partnerships to mobilise, implement and manage locally and externally accessible resources to stimulate the economy of a given locality. LED recognises the competitive advantage of a given area. To date spatial development plans are one avenue in which the LED approach is being used.

26. Procurement of a Human Resource Consultant to develop an effective organisational structure for each Corporation (guided by the proposal at Appendix V), and a plan of action for implementation.

27. Upgrade the job description and minimum qualifications for CEO as stated in Appendices VI

28. Provision for a representative of TTALGA to form part of the interview panel for CEO and Deputy CEO.

29. Staff reports for CEO are done by the Mayor with the Permanent Secretary as the countersigning officer.

30. Rotation of Chief Executive officers and Senior Technical staff shall be done intermittently as an anti-corruption tool.

31. Amend the Integrity in Public Life Act and other relevant legislation to include CEO and Deputy CEO filing with the Integrity Commission.

32. Appointment of a representative from the line ministry Tenders Committee to be part of the CEO Tenders and Evaluation Committee. This person will report directly to the Permanent Secretary. This is an anti-corruption tool and gives greater transparency to the procurement process.

33. Amend the Ombudsman Act and other relevant legislation to establish the post of Deputy Ombudsman at the Office of the Ombudsman to handle grievances specific to Local government.

34. Municipal Corporations should be given increased authority to broaden their revenue collection base via rates, taxes, parking meter tickets, market fees, liquor licenses and other user fees to augment the subventions received from central Government in their budgetary allocations.

35. Establishment of LED fund to initiate and stimulate the PPP (Public Private Partnership) modality.
36. Local Government Bodies should be given the authority to engage foreign donors to assist with revenue generation.

37. Expansion of the Regional Coordinating Committee to include all related agencies.

38. Provide support for the establishment and capacity building for Urban/ Village councils to operate as the organisations responsible for representing the needs of the people in the urban and residential communities.

39. Local Government Representatives should be assigned as Coordinators to address social welfare issues.

40. Include Municipal Police under Police Service Commission.

41. Establish service agreements with contractors to ensure quality service delivery.

42. Development of compulsory three year Strategic Plans and Action Plans with emphasis on Local Economic Development, Infrastructure and Social issues.

43. Executive Councils should be established at Local Government level in the long term.

44. Local boundary alignment- this would be another long term initiative.

45. Each Corporation should prepare a Municipal Disaster Management Plan which must be updated every five years.

46. Council’s Agenda should be made public.

47. All Corporations should be obliged to publish, on their websites, their total allocations received, the amount they plan to budget for their respective projects and the amount given to each Councillor/Alderman at the beginning of each fiscal year.
Chapter 5: Conclusion

Worldwide, countries are facing the dilemma of changing trends in demographics, economic, environmental, technological and social factors that are forcing decision makers to rethink their approach to local government. Additionally, increasing demand for better quality infrastructure and services by the citizens are compounding the challenges in the local government system. The call is now for a more participatory and representative local government. The face of local government is changing, leading to one that grants substantial political and administrative authority to local authorities.

The GORTT is mindful of these trends and themes locally, regionally and globally. The Government’s pillars for national sustainable development which are grounded in people-centered development, poverty eradication and social justice, and a diversified and knowledge-intensive economy which informed the five (5) subsidiary pillars for Local Government reform is a testament to Government’s commitment to Local Government Transformation and Modernisation. The devolution model of local governance which will be the focus of the reform process will promote inclusive and sustainable development at the local level. In giving the Local Government system a greater role, it is envisioned that stronger, prosperous and participatory communities would be built and locally-led economic development promoted.

Devolution is the preferred method for reform of the Local Government system because it does not transfer authority to local bodies by simple arrangements based on Central Government’s desire. There is greater permanence of the surrender of authority which cannot be taken away through decisions made by different ruling parties. Devolution empowers people who can establish a great transformative force within their communities and the nation. It also gives communities greater authority and autonomy in the decision process encouraging an informed and participatory process. It allows for creative thinking and planning to raise funds which will promote a more business-like approach to community development.

With this Local Government Transformation and Modernisation Policy approach where Central Government will devolve greater authority, power and responsibility to Local Government Bodies, Municipalities will be 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;
• Facilitate and stimulate local economic development through employment generation and income-creation ventures, as well as coordination of sectoral development;
• Facilitate 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; and
• Contribute to community safety, security, peace and tranquility.

With this draft White Paper Report implementation is critical to the success and realisation of the proposed Vision. A Policy requires proper planning and participation and it is the responsibility of all of us to take ownership for our development. Accordingly, the Policy Document clearly outlines Government’s Implementation Plan in the short, medium to long-term timeframe to transform and modernise the local government system. The participation of all citizens is equally important in making the principles of local participatory democracy and good governance a reality in Trinidad and Tobago with the aim of ensuring Better Quality Services, Better Communities and Stronger Councils for all citizens.
Appendix I

Survey of the Public Consultations and Written Submissions

The contributions of the Public consultations and public submissions were all centered on the following:

Constitution Reform and Local Government

- There was a view that local government issues as it pertains to the Constitution should be included in the discussion on Constitution reform. Most persons felt that local government should be protected by being enshrined in the Constitution.
- A fixed election date for local government elections should be included in the Constitution.

Regulatory Framework and Organizational Structure

- There should be a special Ombudsman for Local Government. This Ombudsman must have real authority.
- Preference should be given to persons with local government experience in the appointment to the Office of Ombudsman.
- Establishment of a grievance committee
- Sporting and cultural facilities should be under Local Government and we should examine the system to determine which services should be provided under Local Government.
- Elimination of the Ministry of Community Development and the Ministry of Local Government; either Community Development or Local Government should inform the decisions of the Council.
- We need to establish standardized criteria for determining when an area becomes a City/Borough. We should identify what each area needs with regards to development in order to attain City/Borough status and plan with this in mind.
- The establishment of a Local Prison System (Council Prison System) for petty offenders
- Municipal Corporations should have an Economist who will be in charge of the Local Economic Development Board. There should also be Planning and Internal Auditing Units.
- Local Tourism needs to be boosted.
• A Monitoring Board should be instituted instead of the Office of the Ombudsman.
• Municipal Corporations should be placed under a special Commission.
• There is a need for proper Human Resource and Finance Management.
• The Council should have the power to suggest that Chief Officers be fired for non-performance. Chief Officers should be accountable to the Council and not to the Ministry.
• There should be an increased use of information technology.
• Municipal Police powers should be strengthened and they should work alongside the Litter Prevention Wardens.
• Municipal Police should be brought under the ambit of the Police Service Commission.
• Municipal and State Police should be more involved in the community to address problems such as drug use.
• Litter Prevention Wardens should be recognised in the same manner as the Municipal Police.
• Security of tenure for Litter Prevention Wardens and provision of adequate supplies such as batons and hand cuffs
• The boundaries of Local Government areas should be reviewed.
• We need education on Local Government in schools and for the prospective Councillors.
• There should be a Local Government Court.
• We should develop a policy for vending.
• Chairmen and Mayors should be invited to sit in the Senate with no voting rights.
• Mayors’ and Deputy Mayors’ term should be four (4) years.
• Public servants should not be appointed as CEOs of local government bodies. CEOs should be recruited from the private sector (for impartiality and absence of political bias).
• All activities of a local nature and all short term employment should be the responsibility of local government, therefore, CEPEP and URP should fall under local government.
• Local functions should include the establishment and maintenance of agricultural access roads (in collaboration with the Ministry of Food Production), addressing praedial larceny and maintaining community centres etc.
• Institutionalized consultative mechanism for proactive role played by the relevant political actors (Mayor, Councillors, Alderman – i.e. the Council and local parliamentary representative) to meet and discuss short and medium term development goals.
- There should be a Facilities Manager assigned to recreational facilities. He/she must be knowledgeable and qualified (certified) by way of a degree from a recognized tertiary level institution. For example, in Sports Management. There should be staff to assist this Manager in managing the facilities.
- Each Corporation must establish a professionally-organized Information Unit which will offer guidance and advice to all those seeking assistance.
- There is the need to import all the provisions of the Public Health Ordinance into the Municipal Corporation Act.
- All Members of the Council should automatically be a part of the Regional Coordinating Committee.
- The Mayor should be elected and not selected. The Deputy Mayor should be elected from among the Councillors.
- Elected Aldermen and Councillors should come from the village councils and NGOs.
- Councillors should be full time and compensated accordingly.
- Councillors should be given powers to collaborate with state agencies especially in dealing with crises.
- Communities need better representation and greater access to Councillors.
- Local government needs to establish a system to monitor, measure and report on performance of Councillors.
- Shadow Councillors should be elected to assist Councillors.
- Communities should be divided into smaller units for easier management by Councillors.
- Staff in Councilors’ offices should be fulltime to allow for continuity.
- Cluster contiguous communities within each Municipality and create legislation for each cluster to elect a representative from clusters on Council are proposed. Councillors should have no political affiliation. The system should be de-politicised.
- Advisory Committees should consist of non-governmental and community-based organizations and not party supporters.
- Visits from local representatives every 2 months should be mandatory.
- The Office of Alderman should be abolished.
- The Mayor and Chairman should be Executive Officers.
- Corporations should not be placed under the Ministry of Local Government because Ministers have too much authority to control.
Human Resource and Productivity

- Chief Officers should not be contracted.
- Some participants felt that the CEO should not be a public officer because a contractual arrangement usually promotes greater productivity and accountability.
- There should be Traffic Wardens in all Municipal areas. The working hours of Traffic Wardens should be extended and they should work alongside the Municipal Police.
- Authority should be given to the Municipal Police and Litter Prevention Wardens to enforce the law and charge violators.
- In addressing the problem of the large overtime budget, we should have a 40-hour, 7-day week with workers scheduled to work for any 5 days during the week.
- Consideration should be given to retirement pensions for elected Councillors who have served a minimum of two terms of three (3) years each. This pension issue could be taken up with the Salaries Review Commission and the National Insurance Board since NIS contributions were not being deducted from the salaries of Councillors in the past.
- There should be continuous training for local government staff and the members of Council.
- Aldermen should have specialist skills.
- There should be health benefits for local government officials.
- City Police need to be provided with proper ammunition.

Infrastructure Management and Service Delivery

- Special arrangements should be made with the courts to allocate 2 days per month to deal with municipal matters exclusively.
- A Monitoring and Evaluation Unit should be established for quality control within the Municipal Corporations especially for contracted infrastructural development projects.
- Provisions need to be made within Local Government for persons with disabilities. For example, traffic lights with audible indicators; pavements and pavilions should be constructed to accommodate wheelchair users.
- We need proper building regulations and land use planning.
- Local Government should outsource service delivery thus promoting entrepreneurship in the community.
• Public spaces and buildings should be well maintained. More eco-friendly energy sources should be utilized.
• We need to establish pedestrian city centres and a University City.
• Disaster preparedness centres should be established within the community with supplies and equipment.
• Agricultural access roads should be under Local Government. Farmers need proper water supply, training and access roads.
• Facilities for young people to enhance their natural talents should be established and improved upon where they exist currently.
• The effects of global warming to the physical environment should be addressed.
• We should construct stadia to attract sports enthusiasts and athletes; all supplemental services provided to the visitors will generate income for the people of that community.
• Laws to address the deforestation/mining problem and to monitor lands should be under Local Government jurisdiction.
• There needs to be a reconciliation of the conflict with land usage: using agricultural land for housing.
• Maintenance of schools should be done by municipal corporations.
• Municipal Corporations should operate a shuttle service within the community which is free for senior citizens and the differently-able.
• A policy position should be made on dealing with orphan roads/areas to ensure the maintenance of infrastructure such as roads, drainage, playfields etc. in unplanned areas (e.g. private houses built on poorly-constructed roads) and planned (e.g. Housing Development Corporation houses built).
• The boundaries of the Municipal Corporations should be in uniformity with the boundaries of other Ministries, in order for agencies to cover the same area of works.
• Establish art galleries and museums to maintain history and culture in order to leave a legacy behind.
• Stiff penalties should be instituted legally by Councils for properties which are vacant and abandoned for over three (3) years. Registers of properties, name and addresses of owners (former and present), contact numbers and status regarding if domiciled locally or living abroad must be updated and computerized.
• An Office of Enforcement to regulate planning, a functioning Complaints Unit and an appellate quasi-judicial body to handle litigation should be introduced. The Complaints Unit should serve as a ‘one stop’
desk for the Burgesses to air complaints and request information on services. A response, but not necessarily a resolution, should be given within 48 hours.

- Municipal Corporations should develop to suit the population growth to avoid congestion.

**Management Systems and Financing**

- Consideration should be given to biennial budgeting (longer planning and execution).
- Where projects cannot be funded with Corporation resources exclusively, partnerships with other entities need to be pursued (public or private).
- Give Local Government bodies the responsibility of collecting 60% of a variable health surcharge for residents in their municipality (60% to remain in the Region and 40% goes to the Ministry of Finance and the Economy). The same should apply for fines collected from police charges.
- Budgets for Corporations should exhibit a realistic mix of income of Central Government transfers together with rates and fees levied by the Corporation and recurrent and capital expenditure.
- We need to examine the ratio for allocation between recurrent expenditure and development expenditure. Unspent balances should be given to civil society groups for execution of projects.
- Utilizing a participatory budgeting methodology such as gender-responsive budgeting should be implemented.
- We should revert to the old Municipal Corporations Act with regards to municipalities and increase the number of municipalities to 18 as it was before.
- Responsibility of managing particular sites should be clear especially when several ministries and bodies are involved.
- Agriculture and sports tourism as an income-generation medium especially for young people
- Income generation within the communities should off-set demands on Central Government. The business sector should be included on development committees and an Economic Development Board should be established.
- We need to establish a policy to address inequity of allocation of finances to Councillors. Councillors should be in charge of their budgets.
- Statistics should inform decisions on policy development.
- All Corporations should be obliged to publish, on their websites, their total allocations received, the amount they plan to budget for their respective projects and the amount given to each Councillor/Alderman at the beginning of each fiscal year. At the end of the fiscal year, a report should
be published on the website accounting for the money spent in each electoral district. They should submit information to the Central Statistical Office such as unemployment, health index, criminal offences and number of complaints.

- Under procedures and regulations, two persons should be authorized to sign cheques, not necessarily the CEO.
- Local Corporations should have a tax system for all businesses.
- The process of awarding contracts should be re-examined.
- A building authority and an Environmental Authority in the Regional Corporation should be established.

**Community Involvement and Participation**

- Consultations need to be done with individual groups in more intimate sessions.
- We should publish a bi-monthly newspaper to educate and inform the electorate of operations and workings of Local Government especially on the role of the Councillor.
- Village councils should be transformed for greater involvement.
- Establishment of a Community Council with an Alderman as head.
- Council’s agenda should be made public.
- There should be greater representation by women in local government.
- Television channels for local government
- Special space for descendants of the First Peoples
- Burgesses should be given the option to recall their Councillor.
- Past practitioners should be encouraged to serve at the Local Government level especially in the area of training of young persons.
- Those who are ‘on the ground’ in communities should be consulted for information on local government issues.
- More effective communication among the channels of the Regional Corporation needs to be encouraged.
- Encourage participatory democracy such as Constituency Consultations for new projects
- Member of civil society organization represent views in Parliament
- Capacity building for NGOs
- Employment initiatives
- Consultation and planning to actively address community problems such as unemployment and drug use
• Regular town meetings
• Public consultations should occur every year
• Collaboration with local school boards especially to deal with maintenance of schools

**Implementation of new legislation and Management of Change**

• Economic development officers should function within each corporation; a small planning unit should be established with a planning officer, a local economic development officer and a tourism/culture officer.
• There needs to be a divestment of planning expertise to regional corporations and organisation of institutional arrangements for implementing the plans. Community needs assessments ought to be more scientific; this can inform the budgets for each municipality.
• Community profiles are needed; inventories should be created to describe and give details of the demographics. Emergency plans and skills banks are also needed.
• Staff should be trained.
• Implementation/Enforcement of the Act is necessary.
• A critical path analysis needs to be undertaken. The constitutional, legislative and administrative change cannot be implemented simultaneously.
• The timeframe for implementation needs to be realistic.
• The current Act should clearly define the role, responsibility and purpose of the Central Government Department.
• The roles and responsibilities of the CEO or persons on contract should be clearly defined, inclusive of the conditions of employment and clear stipulation of job protection.
• Clearly state who should have power to employ and terminate the contracts of local government employees. The Council should be given the power and authority to hire the CEO and other Chief Officers.
• For positions mentioned, there must be some level of job security with possibility of a six (6) year contract duration and transferable contributory pension plan.
• Local government should avoid ‘empire building’. Money should be spent on the projects and development and not on the bureaucracy.
• TTALGA should assume the responsibility of policy formation for Local Government.
Appendix II

**Strategies to assist in Transformation and Modernisation**

The issues, challenges, strength and weaknesses within the local government system have been identified and explored in the previous chapter. The following outlines the key transformational strategies under ten (10) focal areas for implementation:

**Structure/ Legislative Framework and Governance**

In order to achieve reform, the legislative framework for governance would have to be restructured both at the political and managerial levels mindful of the expanded portfolio of Local Government bodies. One of the strategies to be implemented to achieve the goals and vision will include developing a realistic formula for allocating funds based on demographic and infrastructural needs. The establishment of adequate financial and accounting contractual systems and administrative and legal requirements for the collection of Property Tax/House Rate collection among other things is needed.

Additionally, Municipal Corporations will have to be provided with adequate staff. They will also have to develop institutional strengthening programmes at all levels of the organisation and work with the relevant authorities to place all Corporations under one Commission either the Public Services Commission (PSC), Statutory Authorities Services Commission (SASC) or a new authority. Consideration should also be given to the new and emerging roles and responsibilities of local government in the areas of Disaster Preparedness and Management and Municipal Planning and Development Control.

The structure and organisation of local government should reflect clear and functional divisions that promote effective coordination devoid of procedural ambiguities as well as reporting mechanisms and show clear authority. It must also be in line with modern Local Government organizational designs. The recommendations in chapter 4, Appendices III and IV provide more detail on the proposed legislative changes which will affect MCs.

The Legislative Framework for governance must include:

- Provision of constitutional protection for Local Government as part of the Government’s Constitution reform agenda;
• Clarification of the roles and responsibilities of main institutional stakeholders in the Local Government system;
• Establishment of a fixed date for Local Government elections;
• Enactment of legislation to name all Chairmen of Local Government bodies as Mayors and Mayors be elected by the popular vote from electors in the Municipal Corporations;
• Broadening of representation for youth, women, children and minority groups issues;
• Creation of fulltime Councils;
• Amendment of the relevant sections of MCA 1990 to give effect to the reform process;
• Creation of the Post of Deputy Ombudsman within the Office of the Ombudsman with a responsibility for service quality grievances in Municipal Corporations;
• Establishment of a system that allows for the hearing of Local Government matters in a speedy and timely manner. It is suggested that in each Municipal Corporation, the existing court system can set aside one or two days a month (as deemed necessary) to hear and determine matters that relate to the enforcement, breach or implementation of the MCA (1990). This process may involve minor legislative change but can be implemented through discussion with the judiciary, similar to the operations of the Petty Civil courts;
• The Minister of Local Government shall be given authority to hire Litter Wardens;
• Rename certain detailed sections of the MCA, 1990 and create byelaws and regulations for its implementation (e.g. Hawkers, Pedlars and Hucksters to Itinerant Vendors, Market and Slaughter Houses to Markets and Abattoirs, see Appendix III);
• Reclassifying the functions of Chief Officers of the Corporation and include the role or position of an Economist; and
• Enact legislation to allow for local government bodies to form partnerships with the private sector in promoting capital development projects and revenue generating projects.

**Participatory Governance and Direct Citizen Participation**

Participatory governance and direct citizen participation are key in the strengthening capacity within and mobilizing civil society for social and political transformation. During the 2009 Commonwealth Heads of Government Meeting (CHOGM), Heads of Government established the Eminent Persons Group demonstrating their commitment to engaging civil society for future development of the Commonwealth. The Ministry of
Local Government is also committed to providing a platform for the voice of the people as we undertake policy formation.

Inclusive decision making dictates that people are involved in the democratic process which shapes the legislation that governs them. In order to build better communities and a better nation, stakeholders from all sectors should offer their perspectives and views for a more holistic examination of key problems and attempts at resolution. We recognise that Local Government is more closely linked to the people in communities than Central Government. With this in mind, we see Local Government as an institution which is appropriately poised to facilitate community capacity-building and strengthen collaboration between Legislators, Planners and other citizens.

We acknowledge that improving the systems for better service quality is one of the main elements of local government reform for this country. Burgesses in municipalities must have an effective system which receives records and resolves problems. There is often an assumption that authorities should be aware of problems so issues are not often articulated in the proper manner. Systemic problems also hinder timely resolution of problems. Lack of and/or improper stakeholder consultation can lead to development which is not well-matched to the needs of communities. A culture of participatory communication needs to be encouraged, one in which all stakeholders’ contributions and roles within the system are valued. Citizens like local government employees need to be involved in evaluating service systems with which they interact daily. All citizens should be involved in local development planning, implementation, evaluation, change and improvement.

In the spirit of participatory governance, we have included the main suggestions for reform, an accumulation of recommendations from public consultation and local government practitioners.

We hope to proceed with the following:

- The Corporations of Local Government shall collaborate with the Civil Society Board voted by delegates of civil society organisations at the local level. The Ministry of Planning and Sustainable Development is now responsible for the newly-established Civil Society Board. Local Government shall collaborate with this Board by providing a platform for civil society organisations in each municipality. An Alderman shall be responsible for ensuring cohesion and collaboration among these groups which would encourage greater involvement in the governance process. As a unified body, Civil Society will
be better equipped to engage in activity which fosters community development such as project execution and monitoring and development planning. Local Government shall facilitate capacity building within Civil Society by providing training, in project management, proposal writing, fund-sourcing and fundraising among other things.

**Civil Society organisations shall be given authority to sit on Standing Committees of Local Government bodies.** It is through this civil society platform that quarterly town meetings shall be held in every community. Town meetings should be well-publicised throughout the targeted and surrounding communities. The Councillor shall oversee the operations of civil society in his/her area. An administrative space shall be designated within community centres for civil society groups;

- The Ministry shall ensure that Stakeholder Advisory Councils (SACs) function properly for specific sectors as required. Functioning Stakeholder Advisory Councils will give sector experts the opportunity to contribute to economic development and the implementation of community and national development strategies. The SACs shall include experts from various fields based on the needs and development plan for the Municipality as well as for local government representatives and former Members of Parliament who wish to offer advice. SACs will be consulted for budgetary and other planning.

This will allow communities to determine priorities for projects, services and facilities and propose consensual solutions to eliminate challenges and participate in the implementation process. It will also provide a vehicle for sector experts to make a meaningful contribution to LED through the LED standing committees on matters related to relevant sectors;

- The Corporations shall establish information centres within community centres. These information centres will include an internet-service component among other facilities. The internet-service centre will give citizens the opportunity to access a portal which allows them to submit ideas for community development; and

- The Corporations shall partner with schools and civil society organisations to host monthly civics instruction. There should also be sessions on entrepreneurship and innovation to encourage children to learn to solve community problems using emerging technology.
Building Resilient Communities

Strengthening resilience in communities encompasses more than preparing them to deal with disasters. Resilient communities are societies which are able to endure and thrive in the face of economic, social and environmental change. Disaster management is still a very important element in resilience-building for communities. Regular updating of community profiles with information on population size and distribution, and needs such as water, food, transportation, is necessary in order to create response plans which promote healthy communities. The research should inform emergency response plans. Inclusive decision-making and information dissemination are vital because powerlessness with regards to decision-making leads to the self-perception of incapacitation in dealing with disaster.

People must be part of planning in order to understand their role in the management of change. Unemployment and underemployment are national problems; we must continue to explore methods of sustainable job and business creation that specifically address the needs of and utilise the resources of the respective communities.

We need to examine and determine more innovative approaches for dealing with problems like violent crime and drug use. We must promote innovation in developing response mechanisms for extreme events and sustainable development challenges. Ultimately, what we want is to create healthy communities which can bounce back from economic, social and environmental adversity.

- All Municipalities shall update their community profiles every five years and make the relevant adjustments to emergency and other response plans. This will be done in collaboration with the Central Statistical Office (CSO) and the Office of Disaster Preparedness and Management (ODPM). Citizens need to understand and be convinced of the importance of sharing information which will inform resilience plans. With participatory and improved communication between residents and local government, the process should not be arduous;
- Data which is collected for the community profiles and national plans should be the basis for a Municipal Disaster Management Plan. The plan must be developed after consultation with all stakeholders and updated every five years or after any significant change in the community. Local Government shall employ all media necessary to effectively communicate this plan to all residents of their municipalities and educate them about their role;
- Local Government, in collaboration with residents, shall expand and upgrade the Disaster Management capacity and capabilities in Municipalities through collaboration with the ODPM and other related
agencies. This must be done by assessing the Disaster Risk Reduction (DRR) and management needs, determining shortfalls and acquiring the necessary resources and expertise. A computerised asset management system is not only necessary for internal response but for assisting neighbouring municipalities. There needs to be information sharing among all disciplines such as health, spatial planning, agriculture, safety among other things;

- Local Disaster Funds need to be established with public/private collaboration to support disaster management challenges. The necessary systems need to be instituted for proper and timely disbursement of funds after disasters. Auditing and reporting must be done to ensure that public/private funds are well spent;

- We shall integrate DRR into our Social Studies curricula and also create programs for informal education on DRR. Education is necessary to strengthen institutions, to build resilience to hazards, to encourage community participation and volunteerism;

- We see diversification, innovation and entrepreneurship as ways in which we can plan for economic changes. The LED Standing Committee shall explore the use of business incubators in primary and secondary schools to encourage entrepreneurship. We will explore how the physical resources and the knowledge, skill and personality of the people can be used to create services and business opportunities to promote economic resilience; and

- Social change can be managed only through consultation with the people. We must engage in capacity building to strengthen social resilience. We need to educate residents about planning for and coping with social change. Civil Society groups such as neighbourhood watch groups should collaborate with schools, municipal and community police to address crime and drug use problems.

**Community Security and Safety**

Community Security and Safety is a key component that affects the quality of life of a nation. As such, it is imperative that Municipal Bodies, which function at the heart of the people, play an important role in the maintenance of law and order. Municipalities must be seen as an integral component in ensuring public safety, law and order and the protection of individuals as well as property and assets.

Municipal Police must be seen as the linkage between Central Police and the community. CBOs, youth groups, churches, *inter alia* must be engaged in combating lawlessness, corrupt activities and malfeasance. Municipal Policing Units should help foster and maintain a secure community environment of increased public safety,
mutual trust, enhanced individual and community capacity for peace and civil existence. In order to achieve this, the role of the Municipal Police must be expanded.

Some of the strategies for transformation and modernisation of the Municipal Policing System are to:

- 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 the community to collaborate, design and implement programmes for building safer communities, in order to reduce gang violence, praedial larceny, 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 recurring crimes, and allocate policing resources to meet community policing needs;
- enlist the support of Civil Society Organizations in fostering community security and social cohesion;
- encourage more collaboration between the Municipal Police and the Litter Wardens;
- develop mechanisms to ensure the effective implementation of the amended Dangerous Dogs Act;
- encourage more responsible ownership and protect the community against fatal attacks; and
- review terms and conditions of employment.

In order to achieve this transformation, a number of human resource issues need to be addressed. It is believed that recruitment, appointment, transfer and discipline of the Municipal Police should be transferred to the Ministry of National Security and Police Service Commission with a special Assistant Commissioner who has responsibility for Municipal Police. Policing should reside under one umbrella body thus ensuring equity across the service and better supervision of officers. It would also aid in better collaboration between the Central and Municipal Police in crime prevention, detection and prosecution initiatives.

**Public Health and Environmental Management**

As mandated by the existing MCA, No. 21 of 1990, the Municipal Corporations are responsible for the maintenance, control and enhancement of the physical environment as well as garbage collection, disposal and waste management. Over the last three years, Trinidad and Tobago has experienced significant growth in the generation of waste. Increasing population, industrial expansion, urbanization, changing lifestyles and increasing affluence are some of the main reasons for this increase. Inadequate infrastructure, a fragmented
legal framework and improper disposal of waste has led to a series of chronic environmental, public health and public safety issues. **More than fifty percent (50%) of the recurrent expenditure in the Municipal Corporations is now being spent on public health and environmental issues.**

It is imperative that the system of solid waste management be addressed and reformed to improve the quality of life of the population. The Municipal Solid Waste Management System in Trinidad must be modernized as part of a strategy to reform the delivery of services. The Municipal Corporations must provide a healthy, clean, safe, serene and eco-friendly environment for its burgesses to live, work and recreate thus encouraging healthy lifestyles within communities. The Corporation should be seen as the vehicle to encourage and support innovative, creative and environmentally-friendly approaches to solid waste management.

The Municipal Corporation should form the mechanism by which effective and efficient support structures and systems are discharged on matters that relate to public health responsibilities assigned to Local Government bodies.

Municipalities should continue to focus on, *inter alia*, the responsibilities of:

- Collection and disposal of garbage from public and private properties (See Beverage Container Bill);
- Development and maintenance of sanitary landfills;
- Provision of chemical treatment for insect, vector and rodent control as well as the fumigation of premises;
- Issuing of food badges and licenses for food premises;
- Removal of faecal waste from public and private property;
- Abatement of public nuisances in accordance with the Public Health Ordinance; and
- Distribution of truck-borne water in areas where there is no pipe-borne supply

Local Government bodies should be entrusted with the responsibility for the:

- Collection and disposal of garbage from approved gated communities and government housing;
- Development and implementation of public education programmes;
- Establishment of comprehensive recycling facilities at both a national and household level;
- Engagement of technical support from local, regional and international agencies on public health related issues to enhance professional capacity;
- Development of policies and programmes geared towards reducing the spread of communicable and food-borne diseases, and maintaining a sanitary environment;
- Strengthening of the Public Health organisational structure;
- Development of policies and programmes and environmental studies and surveys that promote an integrated waste management system;
- Identification, development and maintenance of adequate green and clean open spaces within communities inclusive of agricultural access roads, beaches and savannahs;
- Establishment of standards for the preservation and conservation of the environment;
- Partnering with the private sector and community groups in developing initiatives to promote clean air, eliminate slums, restore hillside vegetation, and other environmentally-friendly practices as well as the preservation and development of heritage sites;
- Supporting and encouraging of school-based projects focusing on environmental sustainability
- Expansion of the Litter Warden programme; and
- Provision of technical assistance to community-based organizations and non-governmental organizations willing to utilize the Green Fund.

New policies and programmes for effective public health and environmental management issues need to be developed. Municipal Corporations must keep abreast of global trends as it relates to thinking green and promoting sustainable environment initiatives. A review of the organisational structure and human resource capacity needs to be conducted. Many Corporations lack the specialised divisions and sub-units as well as the accompanying system of a modern health department, to meaningfully undertake this process. The Human Resource capacity is woefully inadequate at some Municipal Corporations. For example, the Chaguanas Borough Corporation having just one or two Public Health Inspectors to execute the myriad of projects. The compensation packages being offered are less attractive than that being offered by the Ministry of Health, therefore, some level of equity must be brought to the system to act as an incentive for persons to seek employment in this sector.

**Municipal Management**

Managing the operation and performance of Municipalities can be a complex and challenging task especially given limited human and financial resources. Good Municipal management and governance requires the coordination and delivery of services that reflect the social, economic, environmental and cultural needs of the
entire local community. To implement the system of Local Government which empowers the people in their respective communities, it is imperative that Municipalities have clear vision and strategic direction. For implementation to be successful, the system must be supported by effective and functioning human resource, accounting, legal, procurement, communications (with internal and external stakeholders), monitoring and evaluation and information communication technology services utilising modern management systems.

Communities are the building block of Local Government and thus the consultative and participatory governance approach should be utilized for effective and efficient management of municipalities. The consultative and participatory approach is also critical in creating and maintaining sustainable development at the local level. In the reform and modernisation of the leadership and management of municipalities, the roles and functions undertaken on the direction of Central Government and those undertaken independently by Local Government will change and must be clearly identified and entered into law if necessary.

The main strategies for reform of the system as it relates to Municipal Management are to:

- Provide Municipal Corporations with the Administrative structure and staff establishment to consistent with the provisions of the MCA as amended;
- Develop a sustainable system to enhance the strategic and financial planning and introduce asset management in municipalities;
- Improve inventory and stores maintenance practices;
- Re-activate the re-classification exercise for Chief Officers of MCs, in collaboration with the Chief Personnel Officer (CPO), statutory authority or other umbrella body;
- Establish Monitoring and Evaluation Units in Municipal Corporations with the competent capabilities;
- Improve the skills, competencies, quality service delivery, technical and managerial capacity of personnel by developing appropriate training programmes after examining the structure and staff at the Corporations;
- Implement the social dialogue process with Trade Unions to ensure decent work and other international labour standards are adhere to and for collaborations on other Union issues;
- Develop avenues for coordination and participation of the community: mobilising relevant stakeholders including national and regional governments, international organisations and local NGOs and citizens;
- Mandate key decision makers from relevant government agencies to participate at Regional Coordinating Committee meetings;
- Facilitate the decentralisation of internal audit functions;
- Take steps to implement mechanisms for effective and efficient project management, fleet management, procurement, human resource, communications, accounting and auditing systems through modernization with appropriate Information Communication Technology (ICT);
- Strengthen and update project management systems where it exist and introduce and implement it where it does not;
- Develop mechanisms to enhance good governance such as transparency, accountability and integrity. Local Government should be accountable to the community it serves;
- Develop a method for Councillors to provide advice to residents in completing government forms; police protection; problems in education in schools; preparing recommendations and all other aspects of community services. Also, liaise with the agricultural communities to ensure that they have proper access roads and other services (the Councillor’s responsibility);
- Make all fourteen (14) MC management teams responsible for producing (i) reports at the beginning of each fiscal year (their total allocations received, planned expenditure for projects and the amount given to each Councillor/Alderman) and (ii) end of the fiscal year report to be published on the website or papers accounting for the money spent in each electoral district. The local decision making process should be open and transparent;
- Ensure the process of local decision-making reflects the social, economic, environmental and cultural needs of the entire community;
- Implement mechanisms to ensure the coordination of localised, temporary employment by making it the responsibility of local government. To facilitate this step, Workforce Centres would be created at the local level to act as a skills bank for the community. The Workforce Centres would supply a database to which labour can be drawn to facilitate local projects and will also serve as a Centre for skills training and personal career guidance and development for the citizens of the community. Local Government should have a responsibility to assist in addressing the unemployment issue in the country. As such, Community-based Environmental Protection and Environmental Protection and Enhancement Programme (CEPEP) and Unemployment Relief Programme (URP) being local activities would fall under local government and workers from these programmes will populate the skills bank for consideration in future projects in addition to their current function;
• Ensure that Managers liaise with the LED Standing Committee and the Civil Society Sanding Committee on a continuous basis to ensure the concerns and contributions emanating from these Boards are considered in the strategic planning process;
• Establish information Units in Municipal Corporations to provide relevant guidance, information and advice to the public; and
• Assume responsibility for social impact programmes e.g. food cards, disability grants etc. via relevant Ministries.

**Spatial Planning and Development**

In developing a pragmatic approach to transformation and modernization, it is imperative that we focus on a holistic approach for the built and natural environment. Citizens need an organized, properly-planned and well-resourced environment to thrive and build sustainable and resilient communities. Greater decentralized governance is needed to foster empowerment within municipalities for systematic change and harmonization with national development. Communities must be given the authority to determine their priorities as it relates to developmental matters and become actively involved in the planning and development process.

Key to the transformation and modernization process, is the development of the institutional organizational and operational framework for the *devolution of spatial planning to Municipal Corporations*. It is envisaged that spatial planning would be done in a more systematic manner consistent with aspects of the *proposed Planning and Facilitation of Development Bill* which includes, *inter alia*, the strengthening of enforcement mechanisms. Upon proclamation of the Act, once approved, **all Municipal Corporations shall be appointed as Municipal Planning Authorities**. This will result in a deeper and more immediate devolution of aspects of development planning and control to Municipal Corporations. The Municipal Planning Authorities will be responsible for the preparation of sub-national development plans as well as planning and building approvals of a simple category of development as defined by law.

Additionally, the advent of the Planning and Facilitation of Development Bill will result in a number of new systems to regulate planning and facilitation of development. These include:

• An Office of Enforcement;
• Special provisions for Local Government matter to be heard in Magistrate’s Court
• The use of registered professionals with established rules and procedures in the planning and building approval process;
• The redesign and implementation of the organizational structure of Local Government bodies to facilitate this transformation; and
• Amendments to the Municipal Corporations Act, 21 of 1990, as amended, to accommodate the full implications of the provisions of the eventual Planning and Facilitation of Development Act (Appendix IV page 67 refers).

Through the draft Planning and Facilitation of Development Bill/Legislation Physical Planning will become more accessible to local communities. The Act will provide for Municipal Corporations to become more responsive both to changing circumstances and policies of government as building and planning approvals will be merged into one process. It will create a one-stop shop for approval of major applications by a Development Control Committee comprised of officers from other agencies.

The following are some of the most significant views on local government boundaries which emerged during the public consultations on the Green Paper of 2004, and likewise in the consultations of 2013:

• The boundaries laid down by the Municipal Corporations Act No. 21 of 1990 as amended by Act #8 of 1992 have given rise to unjustifiable inconvenience to certain communities, impeding clear facilitation and coordination of service delivery, community integration, administrative coordination among government agencies as well as integrated national development planning.
• Community well-being and social integration, convenient and easy access to services are emerging as the most important factors in highlighting the need for the reformation of local government boundaries.
• Another look needs to be taken at the pre-1990 boundaries, especially in light of the fact that Ministry of Community Development, Health and other agencies of Government still use the county and ward system.

**Infrastructure and Services**

Basic infrastructure and services should be a right enjoyed by all citizens. Access to reliable, quality, equitable, affordable basic infrastructure and services are essential to the well-being and development of all citizens especially for the vulnerable groups. Communities should have access to infrastructure and services such as
water, education, health, food security, roads, transport networks, electricity, telecommunications, housing, environment protection (including sanitary and solid waste management) and emergency management. Additionally, through the provision of quality infrastructure and services, Municipalities can contribute to LED and collectively contribute to national economic development. Municipalities are also required to provide infrastructure and services that promote and support small and micro enterprises and large scale investors which will form the basis for increasing productivity, competitiveness, diversification and economic activities at the local level.

Infrastructure and Service Development requires increased coordination, management skills, sustainability and innovation by Municipalities. As Municipalities are empowered through the devolution model of local governance, they will be given the power to ensure the provision and maintenance of high-quality and adequate infrastructure and equitable access to services. The Government will expand the role and portfolio of local government bodies’ and the Regional Coordinating Committees to which the establishment is provided for under Part 15 of the MCA.

A holistic and integrated approach must be taken when addressing the infrastructure and service needs of local communities. The strategies adopted will be more effective with the support and participation of the local community. In keeping with Government’s mandate to provide high-quality and adequate infrastructure and equitable access to services, some of the strategies for transformation and modernisation that will be implemented are:

- Expansion and strengthening of the **Regional Coordinating Committees**, to include the executive arms of the State, including tourism, social services, education, the police service and other relevant agencies/ministries. The business/private sector should also have representation. Also, to ensure that Corporations undertake the provision social services under Section 232 of the MCA, 1990, the role of the Coordinating Committee will now include forming linkages with the social services delivery departments;
- Ensure that Local Government Councillors have a seat on the relevant School Boards in their district to ensure coordination as it relates to the maintenance of schools, infrastructure and other related issues;
- Regularly research innovations that are being used globally to improve local government service delivery. Priority must be given to exploring new ways of using technology, process management, performance incentives and other methods to improve service delivery;
• Establish service delivery standards to ensure national and international benchmarks are being met;
• Ensure balanced development, fair treatment and equitable distribution of resources by giving priority to the provision of proper infrastructure to neglected rural communities;
• Utilise the Monitoring and Evaluation Unit to ensure that adequate and quality infrastructure is provided and maintained within communities;
• Enhance the framework for the Local Government to be more responsive and effective by developing mechanisms for identifying infrastructure and service-demand and setting priorities. A baseline survey should to be conducted to determine the current needs, requirements and demands;
• Collaborate with the Ministry of Labour and Small and Micro Enterprise Development and other relevant Ministries to determine which steps will be taken to create avenues to promote and facilitate the expansion of the Small and Micro Enterprise Sector at the local level and also encourage large scale investors;
• Develop, implement and maintain an information system for infrastructure and services inventory. This will allow Corporations to better maintain and monitor their infrastructure and service development;
• Broaden the coverage of service delivery within communities to include inter alia gated communities, government housing projects, orphaned roads and agricultural access roads and drainage subject to relevant approval and in consultation and collaboration with the relevant Ministries and/or Organizations; and
• Promote domestic tourism development at the local level. Community museums, art galleries and halls of fame to be managed by the Municipal Corporation which will promote the local natural reserves, historical sites and indigenous culture.

Municipalities must lead in the development of their areas but adequate funding is required from Central Government. In the devolution of power and responsibility, Local Government will be provided with the necessary funding and other resources from Central Government to enable them to deliver quality services to the communities. One must be mindful of local government’s inability to meet the growing demands of communities alone, therefore, it is important for municipalities to work in partnership with civil society, Central Government and the private sector. The Public-Private Partnership (PPP) model which can aid in improving the local government social service delivery will be explored by leveraging the private sector. A local economic development finance initiative must be implemented to stimulate private sector investment.
Financing and Local Economic Development

To effectively implement the reform that is necessary within the Local Government structure, financing and economic development plays a key role. It is a widely held view that strong and vibrant local economies are essential to promoting national economic growth welfare and development. Utilising and mobilising local resources, knowledge and creativity can be used to develop sustainable and viable businesses also creating employment and generating income in key local sectors such as agriculture, manufacturing services, tourism, culture, entertainment etc. These objectives can be effectively achieved through building partnerships, pooling and sharing resources.

The issue of methods of financing Local Government and the efficiency of such methods is of critical importance. The central issue is the absence of an objective, fair and transparent formula or mechanism to ensure the equitable distribution of locally-earned revenue between Central and Local Government. The system for allocation must take into account, *inter alia*:

- population size and density;
- social and infrastructural needs;
- service delivery responsibilities; and
- development planning requirements.

This would assist in eliminating the claim of partisan bias or discrimination in funding to Local Government bodies which are dominated by one political party.

Another important issue is that Local Government only receives four percent (4%) of the national budget and the development programme receives less than one percent, which will now have to substantially increase to meet the new and increased roles and responsibilities of Local Government under the transformation process.

The existing Local Government revenue base, apart from the house tax which was unceremoniously removed from Local Government by the Property Tax Act of 2009, contributes less than two percent (2%) of total revenue. Consequently, Local Government bodies are totally dependent on Central Government for financing which severely limits their ability to plan meaningfully and respond with alacrity to local service delivery needs and development. To address this age old funding issue, there is the need to establish mechanisms that will allow greater flexibility in expanding the local revenue base through the promotion of more realistic programme planning and budgeting in a people centric environment.
National Budgetary Allocations should be increased to take into account the additional responsibilities as well as allowing Local Government bodies to keep all revenues raised by local collection of taxes whether through property taxes, parking metric tickets, market fees, liquor licenses and other similar rates and taxes. MCs will now have to:

- Establish value for money and performance and gender responsive budgeting mechanisms;
- Establish an independent Economic Development Standing Committee to, *inter alia*, make recommendations for equitable distribution of natural revenue between Central Government and Local Government bodies based on needs analyses;
- Establish mechanisms to prioritise capital and development programme expenditure/value for money;
- Establish mechanisms to ensure greater financial accountability and due diligence for example the setting up of a Monitoring and Evaluation Unit and an Audit Unit with the competent capabilities; and
- Promote vibrant local economies and locally-led economic development.

**Information Technology**

Information Communication Technology (ICT) gives us greater access to each other and to information which is required to make decisions for participatory governance. Emerging technologies facilitate modernisation and transformation of local government management systems. ICT utilises radio, television, internet, phone and other media to improve communication and other management systems. We are proposing the following changes and new measures:

- Local government shall establish an e-portal to receive and log complaints. The portal will also give citizens an opportunity to share ideas for community development;
- We shall establish Information Centres within community centres which will have Internet-service hubs. These will allow access to the local government e-portal, provide training in basic computer and smartphone applications especially for the elderly. They will also offer other services such as providing listings of organisations within the communities and their respective fields of interest or expertise along with local government projects and programmes, and guidance for accessing local and national social services;
- Each Councillor and Municipality will be required to create social media pages to interact with and share information with the burgesses. The Ministry of Local Government’s website will provide links to these which must be updated regularly.
• We shall schedule ten (10) minute spots on radio in the morning and afternoon to inform the public about local government and make announcements about events such as town meetings.
• We shall use the Parliament Station to air ‘shorts’ on local government history, other information on local government and community announcements.
• Smart phone applications to be developed to facilitate greater access to Councillors, opportunities to share ideas, submit complaints via picture messaging (mapping co-ordinates for location by authorities) to report improper refuge disposal and landslides among other things.
• All systems for accounting, auditing, asset management, complaint’s management shall be computerised.
### List of proposed Amendments to the Municipal Corporations Act (MCA) 1990, as Amended

<table>
<thead>
<tr>
<th>Part of Act and Area</th>
<th>Recommended Amendment</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Part I: Definitions</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Include Central Government Department</td>
<td>1. Add <em>Central Government Department</em> as the Ministry, department or agency responsible for developing policy guidelines, establishing standards and coordinating and monitoring the operations of Local Government Bodies</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>1.1 Chief Executive Officer (CEO)</td>
<td>1.1 Delete reference to <em>City Clerk</em> and <em>Town Clerk</em></td>
<td>1.1 These positions are no longer necessary since they no longer exist. Further discussions are needed with the PSC, SASC, Trade Unions and other stakeholders.</td>
</tr>
<tr>
<td>1.2 Corporation Secretary</td>
<td>1.2 Corporation Secretary shall be replaced with Corporate Secretary where Corporation Secretary is mentioned. Insert (c) <em>any person who may be appointed, to perform the duties of Corporate Secretary.</em></td>
<td>1.2.1.1 Above applies</td>
</tr>
<tr>
<td>1.3 Engineer</td>
<td>1.3 Insert (e) <em>any person appointed, to perform the duties of Engineer.</em></td>
<td>1.3 Above applies</td>
</tr>
<tr>
<td>1.4 Treasurer</td>
<td>1.4 Insert (c) <em>any person appointed, to perform the duties of Treasurer.</em></td>
<td>1.4 Above applies</td>
</tr>
<tr>
<td>1.5 Officer</td>
<td>1.5 Add (c) <em>any officer appointed on contract.</em> This will give official recognition to officers, on contract, as holding public office.</td>
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<tr>
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<td>Recommended Amendment</td>
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<tr>
<td>2. Commission</td>
<td>2. After Statutory Authorities Act, add <em>or the Commission or Agency designated to perform similar functions performed by the SASC in respect of MCs.</em></td>
<td>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>3. Corporate office</td>
<td>3. Delete <em>or Chairman</em> from (a) and <em>or Vice-Chairman</em> from (b).</td>
<td>3. There is a consensus among TTALGA and other agencies 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>4. Electoral district</td>
<td>4. Reference to the Elections and Boundaries Commission (Local Government) Act should include <em>Tobago House of Assembly after Local Government</em></td>
<td>4. There was an amendment Act around 1996 to include Tobago House of Assembly. See Act No. 40 of 1996.</td>
</tr>
<tr>
<td>5. Salaries Review Commission</td>
<td>5. Include the SRC as the Commission established under section 141 of the Constitution</td>
<td>Cabinet Minute of February, 2012 agreed that the MCA 1990 should be amended to bring Local Government Representatives under the Purview of the SRC.</td>
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<tr>
<th>Part II: Constitution and Government of Municipal Corporations</th>
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<tr>
<td>1. Section 12 re Alderman</td>
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<tr>
<td>1. After 12(6) add 12(7). Additionally, in each Council, three special Aldermen, one representing minority groups where possible, will be appointed by the Council after consultation and on the recommendation of the legitimate youth and women’s group or association operating within the municipality.</td>
</tr>
<tr>
<td>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. Also, recognition should be given to the indigenous people and/or special minority groups.</td>
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<tr>
<td>2. Section 17 re honoraria for Mayors, Aldermen and Councillors</td>
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<tr>
<td>Amend to read: <em>The salaries, allowances and other conditions of service of the Mayor, Deputy Mayor, Councillors, Aldermen and other prescribed office holders shall be determined by the SRC.</em></td>
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<td>To give effect to Cabinet’s decision of February 9, 2012</td>
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<tr>
<td>2.2 Section 22. Fine for not accepting office by making and subscribing to the declaration within five days after notice of election</td>
</tr>
<tr>
<td>Section 38 – 42</td>
</tr>
<tr>
<td>3. Section 39</td>
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<td>Part of Act and Area</td>
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</table>
| Part IV: Meetings and Proceedings of a Corporation | 1. Section 62(1) – Meetings | 1. Delete the words as *the Minister may approve*  
1. There is a belief that in the context of devolution and good local democracy, this should be deleted. If this is accepted, reference to the Minister in section 63(1) will be unnecessary. |
| | 2. Section 68(7) - Appointment of mandatory advisory committees of persons who are not members of Council. | 2. Amend to read *and may by resolution of council defray expenses incurred in undertaking the work of such committees.*  
2. It is a good practice and general principle that expenses incurred in undertaking the work of committees are defrayed. |
| | 3. Section 69(1) | 3. Add (e) *Audit*  
3. There is overwhelming consensus that there should be an Audit committee of Council |
<p>| 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. |</p>
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<tr>
<td>1. Section 108.</td>
<td>1. After 108(2) insert (3) so (3) becomes (4) et seq. The recommended wording for (3) is – <em>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.</em></td>
<td>1. These considerations can be deemed the establishment of an objective, fair and transparent formula for funding.</td>
</tr>
<tr>
<td>2. Section 112(2).</td>
<td>2. Amend to insert after the words <em>under the direction of the council towards</em> - the undertaking of capital development and infrastructure works - continue with the word <em>and.</em></td>
<td>2. This amendment is required because this section as worded has been the subject of intense debate. It seems to limit the use of surplus funds for the erection of buildings and the acquisition of lands or buildings for the purposes stated.</td>
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**Part VII: Streets and Buildings**

<p>| Section 149         | 1. Delete the words <em>Town and Country Planning</em> and substitute the words <em>Planning and Facilitation of Development</em> | 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. |</p>
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<td>In section 150(3)</td>
<td>2. Delete the words <em>any regulations made under section 21 of the Town and Country Planning</em> and substitute with the words <em>the Planning and Facilitation of Development</em></td>
<td>This part will have to be amended, subject to approval, in accordance with the provisions of the <em>Planning and Development of Land Bill (Act), 2012</em> to be renamed <em>The Planning and Facilitation of Development Bill, (Act) 2012</em>.</td>
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<tr>
<td>In section 153(2)</td>
<td>3. Delete the words <em>any applicable regulations made under section 21 of the Town and Country Planning</em> and substitute with the words <em>the Planning and Facilitation of Development</em></td>
<td>This part will have to be amended, subject to approval, in accordance with the provisions of the <em>Planning and Development of Land Bill (Act), 2012</em> to be renamed <em>The Planning and Facilitation of Development Bill, (Act) 2012</em>.</td>
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<tr>
<td>Sections 158 to 165 and 167</td>
<td>4. Repeal</td>
<td>This part will have to be repealed, subject to approval, in accordance with the provisions of the <em>Planning and Development of Land Bill (Act), 2012</em> to be renamed <em>The Planning and Facilitation of Development Bill, (Act) 2012</em>.</td>
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<td>Section 168</td>
<td>5. Repeal section 168 and substitute with the following section; Offence: <strong>168 Any person who in any municipality contravenes any of the provisions of the Part or of any Regulations made hereunder commits an offence and is, if no penalty is elsewhere prescribed, liable on summary conviction to a fine of one thousand dollars and, in the case of a continuing offence, to a further fine of one hundred dollars every day during which such offence continues after notice thereof from the Council.</strong></td>
<td>This part will have to be repealed, subject to approval, in accordance with the provisions of the <em>Planning and Development of Land Bill (Act), 2012</em> to be renamed <em>The Planning and Facilitation of Development Bill, (Act) 2012</em>.</td>
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<td>Sections 170, 171, 172,173(2) 175-182, 184, 185 and 186</td>
<td>6. Repeal</td>
<td>This part will have to be repealed, subject to approval, in accordance with the provisions of the <em>Planning and Development of Land Bill (Act), 2012</em> to be renamed <em>The Planning and Facilitation of Development Bill, (Act) 2012</em>.</td>
</tr>
<tr>
<td>Eighth Schedule</td>
<td>7. Delete</td>
<td>This part will have to be deleted, subject to approval, in accordance with the provisions of the <em>Planning and Development of Land Bill (Act), 2012</em> to be renamed <em>The Planning and Facilitation of Development Bill, (Act) 2012</em>.</td>
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<tr>
<td>Ninth Schedule</td>
<td>8. Delete form B</td>
<td>This part will have to be amended, subject to approval, in accordance with the provisions of the <em>Planning and Development of Land Bill (Act), 2012</em> to be renamed <em>The Planning and Facilitation of Development Bill, (Act) 2012</em>.</td>
</tr>
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<td>Part IX: Pedlars, Hawkers and Hucksters</td>
<td>2. Wherever the term <em>Chief Technical Officer Works</em> appears, substitute it for the term <em>Chief Technical Officer, Ministry of Local Government</em></td>
<td>2. When the MCA was passed in 1990, the portfolio of the Ministry of Local Government was under the Ministry of Works, Infrastructure and Decentralisation, hence the reason for the <em>Chief Technical Officer Works</em>. The Ministry of Local Government has a Technical Officer and this post could be upgraded to Chief Technical Officer.</td>
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<tr>
<td>Part XII: Miscellaneous Functions</td>
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<td>The general view is that these names are archaic and need to reflect modern international trends.</td>
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<tr>
<td>1. Section 232</td>
<td>1. The consideration of reinserting 232(i) &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>1. This is more in line with the current administration’s local government Manifesto (2010) pledge of devolving significant functions and responsibilities from Central Government Ministries responsible for the environment, agriculture, sports, etc.</td>
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<td></td>
<td>1.1 Inserting responsibility for disaster preparedness and management for Category One (1) local disasters and emergencies</td>
<td>1.1 Disaster Management Units have been established in MCs, but as far as can be ascertained, no Presidential Order was issued in conformance with Section 232(p) of the MCA, 1990, as amended.</td>
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Part XIII: Association of Local Government Corporations

| 1. Section 233       | 1. On the request of the Trinidad and Tobago Association of Local Government Authorities (TTALGA) to amend this section to retain the name TTALGA. To amend 233(2) to expand the scope of TTALGA’s functions to include: articulating the collective voice of the members, partnering with regional and international local government associations and bodies in promoting local sustainable development initiatives, and promoting the capacity development of Local Government and best (good) practices in local governance and local democracy. | This represents the views of TTALGA. |
| 2. Section 234       | 2. Amend Section 231(4) to allow the Association to hire its own staff. |  |

Part XV: Regional Coordinating Committees (RCCs)
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<tbody>
<tr>
<td>1. Section 253(1)</td>
<td>1. At the end of the sentence add, <em>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.</em></td>
<td>1. Duplication seems to be one of the main problems in multi-sector projects and programmes, which exacerbates the challenges associated with service delivery coordination.</td>
</tr>
<tr>
<td>2. Section 253(2)</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>2. Absenteeism of stakeholder representatives at the meetings of the RCC has been a constant complaint by RC’s Chairs.</td>
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<tr>
<th>Part Provisions</th>
<th>XVI:</th>
<th>General</th>
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<tr>
<td>1. Section 269</td>
<td>1. Amend to delete <em>or specific</em> before <em>directions.</em></td>
<td>1. This was the view of the Local Government fraternity during previous public consultations.</td>
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</table>
## Implementation schedule for Local Government Transformation and Modernisation activities to be implemented in the Short (< 1 year) and Medium Term (1 year - 3 years)

<table>
<thead>
<tr>
<th>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>Approved organisational structure and staff establishment consistent with provisions of MCA, 1990, as amended.</td>
<td>Design an organisational structure and staff establishment for the MCs, especially the Regional Corporations and the Borough of Chaguanas, consistent with the provisions of the MCA, 1990, as amended, for the consideration and approval by Cabinet and implementation thereafter.</td>
<td>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.</td>
<td>Deputy Permanent Secretaries in Consultation with Public Management Consulting Division (PMCD), Ministry of Public Administration</td>
<td>Three - six months</td>
<td>MCA, 1990; needs analysis of human-resource requirements for MCs; previous recommendations pertaining to organisational structure and staff establishment for MCs undertaken with the input of CEOs. Human-resource consultancy service could be procured to fast track the redesigning of the organisational structure and accompanying staff establishment.</td>
<td>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.</td>
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<td>Classification of Chief Officers other than Chief Executive officer</td>
<td>To undertake the classification (reclassification) of the Chief Officers’ positions of Engineer, Medical Officer of Health, Treasurer and Corporate Secretary.</td>
<td>Apart from the Position of CEO which was classified/reclassified in 1999, these other Chief Officers’ positions have not been classified/reclassified 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, the HR Division, which is responsible for liaising with the CPO, did not engage in constant and persistent follow-up on this matter.</td>
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<td>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 (bye-laws, 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>The inception report was done but with the change in administration in May, 2010, the Legislative Draftsman (LD) 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>
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<td>Establishment of Internal Audit Unit in Regional Corporations (RCs) and the Chaguanas 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 RCs 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>PS/HM/Internal Audit in consultation with the Comptroller of Accounts, Auditor General, and MCs.</td>
<td>Three - eight months</td>
<td>MCA, 1990, as amended, Exchequer 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</td>
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<tr>
<td>Direct payment of salaries and other allowances of monthly-paid staff of RCs and CBC.</td>
<td>To initiate action and take the necessary steps to ensure that the salaries and allowances of monthly-paid staff RCs and CBC are paid directly by the Accounting Units of these corporations.</td>
<td>The RCs and the CBC are the only corporations that do not prepare and pay directly the salaries and allowance 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.</td>
<td>PS/AE II/ in consultation and collaboration with the Comptroller of Accounts, Auditor general and MCs.</td>
<td>Three - four months</td>
<td>MCA, 1990, as amended, Exchequer 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 any necessary 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.</td>
<td>Discussions should be initiated with the relevant parties, especially with the Comptroller of Accounts to establish a timetable and mechanics 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.</td>
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<td>Decentralisation of functions of Personnel and Industrial Relations Department (PIRO II) (MLG) to RCs and CBC.</td>
<td>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.</td>
<td>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 a Personnel and Industrial Relations Officer 1 heading this section and approving vacation leave, recruiting employees and deploying work crews etc.</td>
<td>PS/HR unit in consultation with MCs including recognised majority Trade Union and perhaps the CPO and Comptroller of Accounts.</td>
<td>Three - six months</td>
<td>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.</td>
<td>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.</td>
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<td>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 input as in the case of the Prime Minister’s veto for appointments of CEOs (RCs).</td>
<td>PS/HR 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 Chaguanas, 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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<td>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 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>MCA, 1990, as amended; inventory of state buildings as identified; Survey re ownership and valuations may be necessary.</td>
<td>This exercise is a tedious process and requires process championing.</td>
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<th>Focus /Issue</th>
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<th>Justification</th>
<th>Responsibility Centre</th>
<th>Time Frame</th>
<th>Resources</th>
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<td>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</td>
<td>PS/HR 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</td>
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<td>The establishment of spatial planning 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>It is wise to commence this activity and make adjustments accordingly rather than wait until the Bill is passed and enacted into law.</td>
<td>PS/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/Act; 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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<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</td>
<td>The Government Policy is to revert to the House rate and Land and Building Taxes Systems that existed before the passage of the Property Tax Act, 2009. Appropriate draft Bills have been prepared to reinsert Part V of the MCA and other amendments to Valuation of Land</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</td>
<td>The projection is that the resumption of collection will begin in January 2013.</td>
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<td>of same.</td>
<td>Act, etc; and they may be laid in Parliament in due course.</td>
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<td>Law (becomes an Act).</td>
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<td>Municipal Police</td>
<td>Take the necessary steps to incorporate the establishment for the Municipal Police into that the Trinidad and Tobago Police as a special unit with responsibility for municipal Policing.</td>
<td></td>
<td>PS/HR Unit in collaboration with the Public Service Commission (PSC), the Commissioner of Police and RCs and CBC.</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. 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/scope of social and physical infrastructure. Industrial 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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Appendix V

**PROPOSED ORGANIZATIONAL STRUCTURE: MUNICIPAL CORPORATIONS**
Municipal Corporations shall comprise of the following divisions:

1. Municipal Management and Corporate Services Division

Roles and Responsibilities

a) Ensure that the directives, decisions and policies of the Executive Council are implemented;
b) Coordinate and determine the activities of the various divisions of the Corporation;
c) Recommend the financial and other resources to be allocated to the various divisions;
d) Coordinate budget submissions from the various departments;
e) Implement performance management systems;
f) Promote capacity building initiatives to continuously improve quality service delivery; and
g) Provide administrative and management support services for the effective functioning of the various divisions
2. Public Health and Environment Division

Roles and Responsibilities

a) Community Hygiene (excreta disposal)
b) Establishment and management of burial grounds, crematoria and cremation sites
c) Ensure the distribution of water in areas where there is no pipe borne supply as prescribed
d) Waste resource management / solid waste management / recycling
e) Management and control of insect vector and rodents
f) Provision and management of public markets and abattoirs
g) Inspect recreational facilities / equipment for public safety and sanitation
h) Promotion and preservation of environmental sanitation
i) Disaster preparedness and management
j) Prevention of the spread of food borne diseases
k) Health Education / Health Promotion
3. Social Services and Community Outreach Division

Roles and Responsibilities

a) Promote and in special circumstances undertake local, cultural community events and sporting activities;

b) Disaster preparedness and management;

c) Cultural services;

d) Grant support and awards;

e) Community art and festivities;

f) Civic sponsorship initiative;

g) Implementation of Government Social Policies;

h) Establish linkages with social development, community development and sport; and

i) Facilities and Social Services Administration.
4. Facilities Maintenance and Physical Infrastructure Division

Roles and Responsibilities

a) Provision and management of public markets and abattoirs;
b) Monitor planning and development activities within the Municipalities;
c) Disaster preparedness and management;
d) Naming of streets and numbering of houses;
e) Maintenance of all public sector buildings not under the control of other state agencies;
f) Monitoring the execution of the development programme of state enterprises and statutory corporations as prescribed;
g) Provision and maintenance of Squares, Parks, Open Spaces and local recreational facilities;
h) Landscaping and beautification of communities;
i) Establishment and management of burial grounds, crematoria and cremation sites; and
j) Maintenance with the Ministry of Sports and Youth Affairs.
5. Planning and Development Division

Roles and Responsibilities

a) Strategic planning and developmental review at Regional and Local Levels;
b) Develop regional and local area plans for the Municipalities;
c) Identify and promote activities pertaining to economic self sufficiency for individuals, groups and organizations;
d) Facilitate and encourage commercially viable options suitable to the developmental focus of the Municipality;
e) Responsibility of each Municipal Corporation via Physical Planning and Development (Building) Approvals Units for issuing approvals for applications for full planning permission not requiring a CEC from the EMA for residential and small building Development and additions of any type, not exceeding 500 square metres and minor engineering as specified by legislation; and
f) The issuing of development permits for the above mentioned simple applications category of development.
6. Monitoring and Evaluation Division

Roles and Responsibilities

- Participate in preparing the developmental plans and programmes associated with the economic and social development process;
- Develop and establish monitoring and evaluating standards, systems and mechanisms for all operational areas, programmes and projects;
- Develop and disseminate approved specifications, benchmarks and performance measurement instruments in all operational;
- Adopt, apply and continuously develop modern and effective concepts and tools for monitoring, evaluating and reviewing developmental plans, programmes and projects;
- Set the appropriate minimum acceptable performance measurements standards needed for monitoring and evaluation of developmental plans, programmes and projects;
- Develop for approval the policies and procedures which will guarantee effective monitoring, evaluating and reviewing of developmental plans, programmes and projects;
- Undertake periodic monitoring, evaluating and reviewing of plans, programmes and projects to ensure that goals and standards are met;
- Supervise the application of these policies and regularly update them;
- Contribute in identifying and prioritizing the recommendations for implementation of programme agendas in cooperation with the municipal corporations and governmental institutions;
- Carry out evaluation studies of the plans, programmes and projects which will help decision makers make the necessary alterations or changes during the implementation of these plans programmes and developmental projects; and
- Prepare progress reports on the various plans, programmes and projects.
CHIEF EXECUTIVE OFFICER, MUNICIPAL CORPORATIONS

PROPOSED JOB DESCRIPTION

KIND OF WORK

Highly responsible managerial and leadership and administrative work directing the statutory functions of a Municipal Corporation.

DISTINGUISHING FEATURES OF WORK

Under the direction of the Permanent Secretary and the council an employee in this class is responsible for planning, directing and organizing the statutory functions of a Municipal Corporation. Work involves ensuring that the business of the Corporation is carried out in accordance with the relevant legislation, bye-laws, regulations and resolutions of the Council; administration of the revenue collecting functions of the Corporations; advising the Council on Government policies and procedures and projects undertaken by the corporation. Work also includes attending meetings of the Council and its committees, and leading negotiations with recognized association. Work is performed independently with a considerable degree of initiative and independent judgement within the context the context of Ministerial policy and is reviewed through discussions and analysis of reports for achievement of strategic objectives.

EXAMPLES OF WORK

- Organizes, and co-ordinates the development and implementation of policy related to the Corporation’s long-term and short-term programmes and projects.
- Develops the Corporation’s strategic plan, conducts periodic reviews and submits recommendations for changes and modifications thereof in keeping with the mission of the Corporation.
- Liaises and collaborates with heads of divisions to ensure that all programmes and projects are conducted within agreed policies and strategies and that the projected delivery of the Corporation's client-services are efficiently administered.
EXAMPLES OF WORK con’t

- Monitors the implementation of the Corporation programmes and projects, including those funded by international agencies, and evaluates their effectiveness.
- Identifies the need for, initiates and ensures the effective completion of special studies and projects to meet the organization’s change objectives.
- Develops annual budgetary proposals through consultation with Divisional Heads and Heads of Missions ensuring consistency with the projections of the strategic Plan and Medium Term Policy Framework of the Corporation and makes recommendations to the Council.
- Reviews and analyses reports submitted by Divisional Heads as may be required by the Permanent Secretary and Council and recommends courses of action consistent with the policy and objectives of the Corporation.
- Develops policy for the evaluation and selection of consultants, negotiates terms and conditions, monitors the delivery of the services contracted and evaluates the ongoing and completed contracts.
- Serves on management committees representing the functional areas of the Corporation such as project management, Finance and human resource management.
- Attends all meetings of the council and any meetings of its Committees as may be required and ensures the preparation of minutes of meetings, this includes the responsibility of all correspondence on behalf of the corporation.
- Ensures that the business of the Corporation is carried out in accordance with the bye-laws and resolutions of the Council in accordance with existing rules and regulations governing the Public Service.
- Plans, directs and coordinates the work of a large group of professional, technical, clerical officers and daily rated employees engaged in carrying out the activities of the Corporation, by administering and coordinating and providing day to day administrative guidance.
- Ensures that the terms and conditions of employment of the officers and employees of the Corporation are carried out and that decisions of the Council relating to their work or conduct are conveyed to them, and that the duties of such officers and employees are duly performed.
- Prepares comprehensive annual reports on the administration of the Corporation for the preceding year, including a summary of the general state and condition of the Corporation, together with such observations as may be considered expedient or necessary and assists in the preparation of projects briefs.
EXAMPLES OF WORK con’t

- Manages and controls the Corporation’s finances under its various programmes including the Recurrent and Development Programmes as well as the assets of the Corporation.
- Supervises all sales carried by the Corporation for the recovery of any rates or changes due to the Corporation.
- Advises on measures to raise and retain revenue for the Corporation.
- As “Accounting Officer”, represents the Corporation at hearings of the Public Accounts Committee of Parliament.
- Provides professional advice to local government representatives in all areas of the functional operations of the Corporation which deal with the provision of services and amenities to the communities which they represent.
- Takes charge and maintains custody of and be responsible for the seal, characters, deeds records and documents of the Corporation.
- Takes responsibility for the agenda papers of all meetings of the council and its committees and for the issue of notices in connection therewith.
- Conducts meetings and negotiates with the majority recognized union and adjudicates on various Industrial Relations matters relating to Local Government.
- Serves as a member of the Regional Co-ordinating Committee and also as a member of several local committees e.g. Regional Health and other committees e.g. National Emergency Management Agency (NEMA), Environmental Management Committee.
- Performs related work as required.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES

- Extensive knowledge of the principles and practices of Public Administration and Modern Management Practices.
- Working knowledge of project management techniques.
- Extensive knowledge of the Municipal Corporation Act, and other related rules, regulations and procedures.
- Ability to conduct meeting and negotiations with persuasiveness and diplomacy.
- Extensive knowledge of local government practices and procedures.
- Ability to command the respect of employees and associates at all levels and to maintain high ethical standards in internal and external relationships.
- Extensive knowledge of contract procedures.
- Ability to analyze issues, make mature judgements and solve problems.
o Extensive knowledge of government’s accounting procedures and relevant financial regulations.

o Ability to plan, direct and coordinate the work of a large group of professional and technical staff engaged in the provision of local government amenities and services.

o Ability to control the routine financial operations of the council.

o Ability to negotiate and treat with representative associations.

o Ability to communicate ideas clearly and concisely both orally and in writing.

o Ability to establish and maintain effective working relationships with Local Government representatives and officials, professional and technical staff and the general public.

**MINIMUM EXPERIENCE AND TRAINING**

Atleast five (5) years experience at a senior managerial level and training as evidenced by the possession of a recognized professional qualifications or any equivalent combination of exposure and training.
Sources

- Commonwealth Local Government Handbook 2013/14 © publications United Kingdom (UK) Limited 2013
- Draft Planning and Facilitation of Development Bill, 2013
- Draft White Paper on Local Government Reform, 2006
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- History of Local Government in Trinidad and Tobago, the National Library and Information System Authority (NALIS) Website: www.nalis.gov.tt Local Government Manifesto ‘The Flagship of Human Development, 2010’
- Ministry of Local Government Website: www.localgov.gov.tt
- Municipal Corporations Act No. 21 of 1990
- Prosperity for all Manifesto of the People’s Partnership for a United People to Achieve Sustainable Development for Trinidad and Tobago (approved in Cabinet as the Policy Framework for Sustainable Development), 2010
- Trinidad and Tobago Association of Local Government Authorities’ (TTALGA) Strategic Plan 2011-2016, version 1.5, May 24th, 2012