



DEPARTMENT OF INFRASTRUCTURE

LOCAL AUTHORITY TRANSITION REVIEW

August 2018

LOCAL AUTHORITY TRANSITION REVIEW

1. BACKGROUND

1.1 The issue of local authorities and the role they play in the delivery of services to the people of the Isle of Man is one which is recognised throughout the Programme for Government document agreed by Tynwald.

1.2 In relation to the general activity of local authorities the following policy statement is relevant:

"We will work together with local authorities and other partners to deliver the right services in the right place at the right time, making sure national priorities are funded accordingly."

1.3 This statement is coupled with the following Action which has been assumed to relate to the transition programme undertaken by the Department of Infrastructure in recent years:

"Review the current approach and timetable for local authority transition"

1.4 The Programme for Government also includes specific statements in relation to both housing and waste, areas where the roles and remits of central and local Government come close together.

1.5 The purpose of this paper is to review local authority transition in order to meet the transition objectives in the Programme for Government.

2. LOCAL AUTHORITY REFORM: A HISTORICAL PERSPECTIVE

2.1 Wholesale reorganisation has been considered before on numerous occasions and has in the main been unsuccessful. Since 1949 twelve reports (including consultation documents and interim reports) have been produced in an attempt to re-organise local government on the Isle of Man. A list of all the reports and initiatives is included at **Appendix 1**.

2.2 In the main, these attempts at wholesale change have failed. Instead, over the years, there has been a move of services from central to local government (and sometimes vice versa), coupled with some attempts to encourage closer joint working between the local authorities. A list which shows the historical flux of services is included at **Appendix 2**.

3. LOCAL AUTHORITY TRANSITION

3.1 The former Minister of the Department of Infrastructure, Hon Phil Gawne MHK, began the Local Authority Transition process in March 2015, when he reached agreement in principle with all local authorities that certain highways maintenance functions would be delegated, subject to the provisions of Section 2 of the Highways Act 1986. In exchange, the Department of Infrastructure "the Department", undertook not to increase the gate fee charged at the Energy from Waste (EfW) plant for domestic waste for the year 2015/16. This was intended to be on the basis of no ultimate cost to the Department.

- 3.2 Since that time, the Local Authority Transition programme has focussed on transition rather than reorganisation, and has taken an approach based on an on-going dialogue between the Department and local authorities in terms of devolving certain functions from the Department to the authorities. The intention was to facilitate decisions about a local area being taken at a more local level, together with seeking ways to encourage and facilitate local authorities to work better together.
- 3.3 It was recognised at the beginning of the process that a “one size fits all” approach was not always appropriate. Different approaches were therefore taken on how best to manage the transition of services and/or responsibility.
- 3.4 For highways and property management, the Department considered what services or facilities undertaken or provided by the Department could reasonably and realistically be provided by the local authorities.
- 3.5 There has also been a focus on work currently undertaken by the Department which may be better delivered at a more local level. This included some off-street car parks, parking control, and public toilets. Unlike the delegation of the highways functions which included all local authorities, this area of transition was dictated by the local authorities and what they felt they had the capacity, capability and willingness to deliver.
- 3.6 The Public Estates and Housing Division has been engaged in a process of delivering the recommendations of the housing review since November 2013 (pre-dating any significant work by the Department on the current transition programme). This review was always going to involve the local authorities as they are key stakeholders and some are in themselves housing providers. The effect of the transition programme has been to bring forward certain elements of the delivery programme to an earlier stage in the process than was originally envisaged in 2013.
- 3.7 The transition programme for waste has largely been about developing knowledge. Political and officer groups were established to move towards consensus and as a mechanism for agreeing a way forward.
- 3.8 The transition approach has been slow and steady rather than a “big bang”, which on the basis of past evidence has proved not to be capable of successful implementation.
- 3.9 Details of the Local Authority Transition process are attached at **Appendix 3**.
- 3.10 A timeline detailing the different Local Authority Transition service transfers is attached at **Appendix 4**.

4. REVIEW PROCESS

- 4.1 A desk-top review was undertaken of the transition programme to date, to report on the processes and identify the measurable customer or financial impacts of the transition programme.
- 4.2 Individual local authority Members and Clerks were also asked to complete an anonymous questionnaire to provide feedback on the transition process and the appetite for any future transfer of functions from central to local Government.

- 4.3 Members and Clerks were invited to respond individually, to ensure as broad an understanding of any issues as possible.

5. TANGIBLE RESULTS OF TRANSITION

Transfer of Highways Function

- 5.1 Highways Services undertook a review of the highways functions transferred to local authorities in September 2017, when each authority was assessed out of 100 on the overall standard of service of each of the functions transferred. No significant concerns were identified as a consequence of the survey, which represented a snapshot in time.
- 5.2 The assessment was weighted to ensure that greater importance was given to hedge cutting and gully cleaning, as those functions address safety and flooding issues. This exercise will take place on an annual basis.
- 5.3 KPIs regarding standards may be developed in the future. However bringing sanctions against those authorities that are not performing satisfactorily presents a greater challenge, as no money is exchanged for service provision.

Housing

- 5.4 The biggest success in relation to local authority housing transition has been the development of the shared waiting lists. These are either in operation or are being actively pursued across the Island and are making a difference to those people waiting to be housed.
- 5.5 Another positive outcome was that all except two Authorities engaged in the process, with only Onchan District Commissioners and Port St Mary Commissioners electing not to participate.
- 5.6 Shared waiting lists are now in operation in the South, East and the North. As a consequence, around 50% of those who are on Ramsey's housing list have expressed an interest in accommodation in the wider area (ie outside the area previously available to them.) In the East, the impact of Onchan's decision has been that due to the amount of stock held by Onchan District Commissioners (four times that of Braddan), the influence of a shared waiting list has been limited. However, about a third of those who are on Braddan's list are looking for homes in the wider region. In the South, it has been suggested anecdotally that Port St Mary's list has reduced considerably as a result of them not being in the shared list.
- 5.7 For those who are on a shared waiting list and have expressed a willingness for housing outside their current local authority area, their opportunities for obtaining local authority housing have been significantly increased.
- 5.8 A more detailed analysis of the impact of the shared housing lists is currently being progressed.
- 5.9 In the West, the management, maintenance and operation of the twenty properties in the area owned by the Department has been transferred to Peel Town Commissioners on a trial basis. A similar pilot scheme is being developed in the East.

Waste

- 5.10 The early stages in the waste transition process were beneficial as all local authorities now better understand the financial modelling of the Energy from Waste plant. The Waste Working Groups have also participated in stakeholder discussions regarding waste matters, and have agreed a priority list and options to incentivise recycling.
- 5.11 Work to improve standards and efficiency of waste collection services across the Island has been less successful. The local authorities have been very clear that they consider waste collection data to be detailed operational information rather than policy, so not within the remit of either the Waste Working Group or the Department.
- 5.12 Where there has been a differing of perceived or real benefits or disadvantage to a proposal between authorities, then the ability to reach a consensus decision has been impossible. A fixed charge per tonne of waste was extended for 2017/18 to afford the Working Group time to agree both the mechanism for charging and for incentivising recycling.

General Observations

- 5.13 It is true to say that whilst different approaches have been taken to each of the work areas, there is also a need to consider each individual local authority as unique. They are not a corporate body and each has a different perspective on the transition programme and a different appetite for change. This has meant that other than the devolution of highway maintenance functions there has been no uniform approach to the transition.
- 5.14 It has been an organic process shaped through discussion and willingness from the local authorities to work together, with each individual authority determining how much or how little they wish to engage in the programme. The downside of this approach has been that there has been little understanding of the common goals that the project was aiming to achieve and, apart from the housing element, no agreed timetable for achievement.

6. NON-MEASURABLE IMPLICATIONS OF TRANSITION

- 6.1 At the outset of the transition programme, the then Minister was very clear about his intention for positive and constructive dialogue between central and local government.
- 6.2 The process has provided opportunities for collaboration between local authorities, working together to achieve the aims of the housing and waste working groups and establishing a mechanism which could be built on in the future.

7. HOW TRANSITION HAS BEEN VIEWED BY THE LOCAL AUTHORITIES

- 7.1 A total of 53 responses to the request for feedback was received from local authority Members, with some consolidated responses from local authorities including Arbory, Rushen, German and Douglas Borough Council. Due to the collective nature of some of the responses, the percentages received cannot be

considered as representative, but the views expressed could be considered indicative of local authority opinions.

- 7.2 It was notable that there was no strong unified voice from the local authorities that they are able or willing to take on more responsibilities.

Local Authorities: Functions

- 7.3 The majority of the respondents reported that highway maintenance is carried out better since transition, and that the local response provided a better control of services. Almost half of respondents wished to retain this area of responsibility. Interestingly, just under half of respondents declined to answer the question regarding retaining this function, which *could* be interpreted as an indication of a lack of support to do so.
- 7.4 Where authorities have accepted responsibility for car parks, parking control and the management of toilets, respondents reported that the service had either improved or stayed the same, with only one respondent reporting that the service had worsened.
- 7.5 A wide range of comments were received in response to the question regarding suggestions for improvements, but better communication and clarity regarding areas of responsibility were key themes. Other topics raised included the level of transition should be dependent upon the size of the authority, funding levels, and a desire to be advised of future proposals.
- 7.6 In relation to the transfer of further responsibilities, a quarter of respondents wanted no further services. Suggestions received from those who supported further service transfers included minor road repairs, housing, local planning applications, maintenance of footpaths, refuse disposal and transfer of strategic routes.
- 7.7 The survey has confirmed that should there be an intention to transfer further responsibilities to the local authorities, different authorities would request different functions.

Local Authorities: Relationships

- 7.8 Three quarters of respondents believed that the relationships with the Department and other local authorities had improved or stayed the same as a result of the transition process. A small minority believed that relationships had suffered. Over half the respondents were of the opinion that the process of working together on issues such as housing and waste had been helpful.

8. CONCLUSIONS

- 8.1 The call for reform tends to stem from a view that there are too many local authorities and Government needs to reduce their overall number. This was evidenced in the recent call for ideas for cost saving initiatives from the public as part of the SAVE programme, when a number of respondents asked that Government consider removing or reducing the number of local authorities. This line of thinking was also explored in the recent Tynwald debate around the motion put forward by a private member to review Local Authorities.

- 8.2 There is merit however in re-focussing the argument and instead of starting from the position that there is a need to reduce the number of local authorities, investigating the functions that they provide and determine how best they could be delivered for the people of the Isle of Man. This would align to the Programme for Government policy statement to deliver the right services in the right place at the right time, but not only making sure that national priorities are funded accordingly, but that they are done so at the right cost.

APPENDIX 1

BRIEF BACKGROUND TO PAST LOCAL GOVERNMENT REFORM REPORTS

Pre 1940's

It was noted that in March 1934 there was a report by a Committee appointed by Tynwald to consider the desirability of reducing the number of local authorities in the Island by establishing a Board of Commissioners for each Sheading or larger area to take over the functions of the Parish Commissioners.

October 1949 – Report of the “Local Government Districts Administration Commission”

A Commission was appointed to enquire into and make recommendations concerning Local Government Districts, having regard to a number of factors; being the request by the Isle of Man Municipal Association for a rearrangement and reduction in the number of local government districts.

The main recommendations were: boundary extensions for certain Town authorities, and reduction in the number of local authorities through the amalgamation of Village and Parish authorities into Rural District authorities.

During the May 1950 sitting of Tynwald, the Court received but did not adopt the report.

1963 – “Interim (June) and Final Report (November) of the Local Government Districts (Administration) Commission” and

During the January 1961 sitting of Tynwald, a resolution was passed to appoint a Commission to 5 members to examine the 1949 report, and to advise whether the recommendations contained in the earlier report, with or without modifications, should be implemented.

On the 16th June 1962, Tynwald passed a further resolution extending the terms of reference of the Commission, requiring it to also consider whether the Isle of Man Highways and Transport Board should assume responsibility for all the Island's public roads (which at the time were being maintained by the local authorities). The Commission therefore decided to submit an Interim Report on this question (dated June 1963).

The Interim Report's main recommendation was that the Highway and Transport Board take over the maintenance and cleaning of all roads in the Island outside of Douglas, and that an appropriate annual grant be paid to Douglas to balance the financial burden which taxpayers resident in Douglas will bear.

A Final Report was then presented by the Commission. After considering the views submitted by the local authorities, it recommended the amalgamation of a small number of authorities, which would make a reduction of only three in the number of local authorities on the Island.

November 1966 - Report of the Local Government Board

During the 19th April 1966 sitting of Tynwald, the Chairman of the Local Government Board undertook to initiate an enquiry into the distribution of duties between the Local Government Board and Local Government Districts.

The report recommended the creation of 5 administrative districts as follows:-

- Borough of Douglas
- Eastern Local Govt District: Onchan, Laxey, Lonan, Santon, Braddan
- Ramsey & Northern Local Govt District: Ramsey, Andreas, Bride, Jurby, Lezayre, Maughold
- Castletown & Southern Local Govt District: Castletown, Port Erin, Port St Mary, Arbory, Malew, Rushen
- Peel & Western Local Govt District: Peel, Michael, Ballaugh, German, Marown, Patrick

May 1986 – “First Interim Report of the Select C’ttee on the Structure of Local Govt”

A Tynwald Select Committee was set up and within its Interim Report stated “The Committee hopes that this report will form the basis for consultation and discussion, and proposed that, after the forthcoming General Election, these consultations and discussions should take on a more formal nature to enable positive recommendations to be laid before Tynwald at an early date”. The Select Committee identified 8 different principle options that could be considered ranging from 1 local authority to 26.

This report was approved by Tynwald at its sitting in June 1986.

December 1991_– DLGE Initial Report entitled “Local Authorities - A Time for Change”

A Working Party was established in 1991 and this resulted in the DLGE issuing, as a consultative document, a report entitled “A Time for Change”, prepared by the Working Party, and which suggested a total of 6 district Authorities as follows:-

- (1) Douglas & Braddan
- (2) Onchan, Laxey & Lonan
- (3) Ramsey, Maughold, Lezayre, Bride, Andreas, Jurby
- (4) Peel, Ballaugh, Michael, German, Patrick, Marown
- (5) Port Erin, Port St Mary, Rushen, Arbory (West)
- (6) Castletown, Malew, Santon, Arbory (East)

The report sought to address three basic questions:- (i) what functions should local authorities undertake? (ii) What should be the structure of Local Government to carry out those functions? (iii) How should that structure be financed?

Nov/Dec 1992 – First Interim Report “Time for Change”

DLGE presented an Interim Report to Tynwald briefly summarising discussions with the local authorities on the Working Party’s recommendations, where it was identified that despite some reluctance a number of authorities were prepared to consider a “middle course” of 12 authorities, involving the amalgamation of the parish authorities.

The report recommended that the DLGE should be authorised to discuss further with Local authorities the creation of a new Local Government structure. This was approved by Tynwald.

July 1993 – Second Interim Report “Time for Change”

In light of the First Interim Report and following further consultations, the DLGE issued a Second Interim Report encompassing the “middle road” option, and inviting views on the proposals contained within it.

The report advocated 12 Local Authorities as follows:-

One Municipal Authority

- 1.** Douglas

Six Town/District Authorities

- 2.** Ramsey
- 3.** Onchan
- 4.** Castletown
- 5.** Peel
- 6.** Rushen
- 7.** Braddan

Five Sheading Authorities

- 8.** Ayre
- 9.** Michael
- 10.** Garff
- 11.** Glenfaba
- 12.** Malew & Santon

February 1994 – Final Report “Time for Change”

This report sought to refine the proposals of the Second Interim Report and recommended to CoMin that a resolution be placed before Tynwald seeking approval to the preparation of legislation to:

- (i)** reduce the number of LA’s as laid out within the report
- (ii)** return of appropriate functions where practicable to local authorities

The functions proposed for transfer were the same as those listed within the Second Interim Report of January 1993. However, the structure was proposed to be amended with the creation of the following District & Sheading Authorities (resulting in 13 local authorities altogether):-

- a)** Bradda District Authority: Port Erin, Port St Mary, & southern extremity of Rushen
- b)** Rushen Sheading Authority: Rushen and Arbory

The report was received by Tynwald at its June 1994 sitting, however, the amendment moved to gain approval for the introduction of the legislation recommended by the DLGE and introduction of a rent rebate scheme failed.

October 1997 – “Securing a Future for Local Government” Consultative Document by DLGE

After the General Election in 1996 the issue of Reform of Local Government was re-activated by the Department. In June 1997, the Council of Ministers endorsed the DLGE’s paper which advocated that the “Time for Change” Final Report be re-issued under a new title and for comments to be invited from local authorities; with a view to consideration being given to the shape/content of required amending legislation.

In October 1997, the DLGE issued the above consultative document, which was materially the same as the “Time for Change” Final Report and envisaged that the consultation would lead to the introduction of a Bill into the Branches in 2008. Within this report, the DLGE proposed that reform of Local Government should be based on no more than 13 local authorities (as advocated in the Final Time for Change Report in 1994), whilst safeguarding the identity of parish boundaries.

Two seminars were organised and Local authorities were invited to send representatives to consider various key issues. Responses were similar to earlier consultation exercises i.e. the larger urban local authorities wishes to see reform on the basis of a reduction in the overall number of local authorities, whereas the smaller authorities wished to maintain the status quo, or failing that, proceed by way of amalgamation of parish authorities.

Sept/Oct 2001 – Report of the Select Committee on Local Government Reform

The lack of progress following the October 1997 consultative document entitled “Securing a Future for Local Government” led to Mr Cannell moving the motion “That Tynwald requests the Council of Ministers to reconsider its policy on the reform of local government” at the December 1999 sitting of Tynwald. The Chief Minister confirmed CoMin had been unable to reach a consensus and had agreed not to progress that matter. Mr Cannell’s motion was amended and which resulted in the setting up of a Select Committee.

Within its report, the Select Committee proposed a structure of four District Authorities and further proposed that the local authorities remain in place so as to ensure everyone continues to have effective representation. They noted that there was to continue to be capacity for local authority units to merge if they wished to be of sufficient size to undertake certain functions or benefit from shared facilities or staff:

1. Northern District (Ramsey, Andreas, Bride, Jurby, Ballaugh, Lezayre, Maughold, Lonan, Laxey)
2. Eastern District (Douglas, Onchan, Braddan)
3. Western District (Peel, Patrick, German, Marown, Michael)
4. Southern District (Castletown, Port Erin, Port St Mary, Santon, Malew, Arbory, Rushen)

October 2004 – “Report of the DLGE on the Effectiveness of the Present Local Government structure on the Island and the Department’s supervisory powers”

This Report included the recommendation that “DLGE after appropriate consultation should introduce a new Local Government Bill to the House of Keys by January 2006, reflecting a new structure of local government consisting of 4 regional areas plus Douglas, and the existing Local authorities be retained as Community Councils”. The Report was due to go before the October 2004 sitting of Tynwald, but circumstances led to it being presented to

the January 2005 sitting of Tynwald instead, whereupon approval was given to its recommendation that:-

“That the Report of the DLGE on the Effectiveness of the present Local Government Structure on the Island and the Department’s Supervisory Powers be received and its recommendation that the DLGE, after appropriate consultation, should introduce a new Local Government Bill to the House of Keys by January 2006”.

May 2005 – “Report on Further Consultation on the Structure of Local Government in the Isle of Man”

In March 2005, the Department published an alternative proposal for four Regional Works Boards’, and following this held four regional meetings with the local authorities to discuss the report and hear any alternatives. The proposed Boards would have assumed the key operational functions of waste collection and housing, leaving the existing authorities intact but with a structure that would encourage them to evolve.

The May 2005 Report summarised the responses received from local authorities and members of the public, where it was identified there was insufficient support for the Regional Works Boards’ proposal. It was concluded that only one solution addresses the inequality in the rates levied and the inequality in rateable value ‘wealth’ between authorities; this being the proposal of 4 Area Authorities in addition to Douglas, whilst retaining the existing local authorities for community representation. **(The motion was withdrawn by Minister Rimmington at the 21st June 2005 sitting of Tynwald).**

APPENDIX 2

TIMELINE OF SERVICES

The following information on services/functions was obtained from past Local Government Reform reports. These reports do not set out dates as to when services transferred to and from Central Government and Local Authorities, however, may help to give a general idea of what functions were carried out, and by whom.

Information has been provided on the Highways function and the transfer dates between Central Government and the Local Authorities. This can be found at the end of this document.

2004 – “Report of the DLGE on the Effectiveness of the Present Local Government structure on the Island and the Department’s supervisory powers”

The functions undertaken by the local authorities are very much the same as those referred to in the 1997 report below, with the exception of sewerage and sewage disposal which is now the responsibility of the Government, and street cleaning which at the time of the 2004 report was carried out by some Local authorities as agents for the Department. (As of 2015, functions such as street cleaning, gully emptying, hedge trimming, removal of weeds etc were transferred to the local authorities).

Ramsey Town Commissioners’ Building Control function was transferred to the DLGE in 2001, and Peel Town Commissioners was later transferred in 2010. To date, both Douglas Borough Council and Onchan District Commissioners continue to perform this function in their areas.

1997 – “Securing a Future for Local Government” Consultative Document by DLGE

This consultative document was materially the same as the “Time for Change” Final Report (February 1994) and listed the following functions as being the responsibility of the Local Authorities:-

- Abandoned Vehicles (Towns/Villages)
- Building Control (Douglas, Onchan, Peel and Ramsey)
- Car Parking
- Civic Amenity Sites *
- Control of Dogs (Towns/Villages, some Parishes)
- Environmental Health **
- Flat Regulations/Enforcement (Towns/Villages)
- Food Hygiene
- Housing (Towns/Villages, some Parishes)
- Nuisance Abatement (Towns/Villages)
- Play Areas (Towns/Villages, some Parishes)
- Public Toilets
- Refuse Collection
- Sanitation
- Sewage Collection & Disposal (Towns/Villages, some combination Authorities)
- Sheltered Housing (some through Combination Authorities)
- Street Lighting
- Swimming Pools (some through Combination Authorities)
- Unightly/Derelict Buildings

It was noted that functions such as first stage planning, minor road repairs (potholes, broken pavements etc), street cleaning, sanitisation etc. were carried out by the Government, although were proposed to be transferred.

* It is thought the Civic Amenity Sites were built around the time of the Public Health Act 1990, whose provisions enable local authorities to provide places for the depositing of household waste. The Northern Civic Amenity site has always been run by the Department on behalf of the Northern Local Authorities, whilst the other sites are run by the Local Authorities. (The former DLGE did temporarily take over the running of the Eastern site for a 4 or 5 year period when the new facility was built at Middle River).

** With regard to Environmental Health, technical assistance in performing this function is provided by the Government; with Local authorities such as Onchan and Douglas having implemented policy decisions that they would deal with such matters themselves (e.g. unsightly buildings and dangerous structures).

1986 – “First Interim Report of the Select C’tee on the Structure of Local Govt”

At the time of the 1986 report (entitled “First Interim Report of the Select C’tee on the Structure of Local Government”), some Local Authorities (mainly the Towns/Villages) were responsible for the following:-

- Refuse collection
- Street lighting
- Public conveniences
- Car parks
- Tourist and leisure facilities
- Swimming Pool Admin (combination authorities)
- Elderly Persons Sheltered Housing (combination authorities)

The following functions were noted as being carried out by Central Government (with the exception of some, which were carried out in part by the Local authorities - mainly the Town/Village Authorities):-

- Planning control
- Building Byelaws (partly undertaken by some LA’s)
- Foul Drainage (excluding 8 Authorities who held responsibility themselves for this)
- Public Authority Housing (excluding 8 Authorities who hold responsibility for this)
- Environmental Health & Pest Control
- Litter
- Licensing - theatre certificates
- Health and Safety at Work

It was also noted that services such as Bus Services, Water and Highways functions (a Central Government function), were more or less at some stage in the past carried out locally. No indication is given within the report as to when these services were carried out by the Local Authorities, prior to their transfer to Central Government. (Please see end of document for details on Highways function).

1966 – “Report of the Local Government Board”

During the time of the November 1966 Report, the following main functions/services were undertaken by the Government – (the report does not appear to detail whether any of these functions were partly carried out by the local authorities or whether they were undertaken wholly by Central Government):

- Planning
- Highways (except the Town Authorities)
- Housing
- Fire Services
- Police
- Water
- Drainage, Sewerage & Sewerage Disposal
- Refuse Collection and Disposal (including unsightly land, buildings etc)
- Vermin Disinfestation
- Public Health Inspectorate
- Food and Drugs Administration (incl. food hygiene, bacterial examination)
- Building Byelaws

1963 – “ Interim & Final Reports of the Local Govt Districts (Admin) Commission”

Within the Interim Report, it was noted that the following Local authorities were responsible for the maintenance of all roads within its area: - (1) Douglas (2) Castletown (3) Peel (4) Ramsey (5) Port Erin (6) Port St Mary.

In the Final Report, it was recommended that the Highway and Transport Board assume responsibility for the maintenance and cleaning of all roads in the Island outside of Douglas, and that Douglas be compensated by way of a Government grant. [It is unclear whether this transfer took place, as by the time of the 1966 report above it was noted that the Town Authorities continued to carry out this function, with Central Government responsible for the rest].

Both the Planning and Public Health/Food Standards functions were being carried out by Central Government as was housing and refuse collection/disposal. The sewerage function in 15 districts was vested in Central Government’s Local Government Board, as were the Building Byelaws which were enforced by the Local Government Board in 17 districts.

Within the Interim report, it was identified that the Highway and Transport Board had, at the time, stated that in its opinion the following responsibilities should remain with the local authorities:-

- Lighting
- Street cleaning
- Public conveniences
- Fixing of parking places
- Foul sewers

1949 – Report of the “Local Government Districts Administration Commission”

At the time of the October 1949 report, some of the Local authorities were either wholly or in part responsible for:

- Street lighting
- Refuse collection
- Drainage
- Water supply
- Houses

- Roads *
- Nuisances
- Dangers or potential dangers
- Infectious diseases
- Roads

Some Local authorities also had their own Sanitary Inspectors.

* With regard to roads, the report referred to comments from Ramsey Town Commissioners explaining that they paid the Local Government Board /contractors to carry out this these works, but were of the view the Highway and Transport Board should take over the function as the Authority had neither the equipment nor the money to carry on.

Highway Function Timeline

Prior to June 1982, the following local authorities were the highway authorities for their areas:

- Port St Mary
- Ramsey
- Douglas
- Castletown
- Peel

For some reason Port Erin did not transfer until April 1983.

As far as can be made out, the local authorities had the full powers of the highway authority in that they were responsible for highway maintenance, improvements, and regulation.

Since at least the late 1990's the DoI (or DHPP or DoT) have paid Douglas Borough Council to carry out the street sweeping, gully emptying, and grass cutting. They have also at times been responsible for tree maintenance, illuminated bollards, zebra crossings, and gully repairs, but not recently. In 2012, they were given responsibility for dealing with weeds.

In 2001, the then DoT negotiated street sweeping arrangements with Onchan. Peel and Castletown followed in 2002. These towns carried out the sweeping in their areas, and grass cutting/verge maintenance.

In September 2003, Port St Mary purchased its own pavement sweeper.

APPENDIX 3

LOCAL AUTHORITY TRANSITION PROCESS 2015-2017

HOUSING

The scope of the Local Authority Transition project aligned with the Transitional Management project work-stream of the Housing Review Programme and the twenty-five policy recommendations approved by Tynwald in November 2013. In particular, there was a direct correlation with the need for more consistent working, more partnership working, and finally, more regional working.

Three high level objectives were agreed which both met the aims of the Local Authority Transition project and complimented the aims of the Housing Review. Though the wording was tweaked as the project developed, these aims remained consistent throughout the transition process.

The agreed Terms of Reference were:

- to oversee the initial assessment and develop an options appraisal for suitability to create regional Housing Partnership Groups;
- to develop a recommendations and scoping report summarising the findings of the Group;
- identify potential mechanisms to deliver shared service delivery in relation to Housing services - including the delivery of:
 - shared waiting list;
 - shared Allocations in line with the Department criteria;
 - identify Repairs and maintenance opportunities.

The regional variations were:

- to develop the Western Housing Group Business Plan (March 2014) to create the Western Housing Partnership Group;
- to facilitate the early transfer of twenty Department properties in Peel to the Local Authority to pilot a suitable housing management and maintenance standard form of contract for the provision of these services.

The mechanism to progress the aims was the formation of 4 Regional Steering Groups (north, south, east and west), which ensured political oversight of the operations of their officers, who made recommendations to the Steering Groups. All were working within agreed Terms of Reference, which in addition to detailing the aims of the groups, also set out how the groups would function.

In total, between October 2015 and April 2016 there were 53 meetings both at political and officer level. Each meeting was either Chaired at a political level by the Department Member with responsibility for Housing, Mr C Thomas MHK or at an officer level by the Local Authority Clerk who was the regional officer lead.

It took a significant effort to ensure all parties were agreeable to the Terms of Reference, however the first was approved in the Southern Region in September 2015 and the last, the Northern Region in January 2016.

The Western Group was significantly influenced by Peel Town Commissioners' aim of taking on 20 Department properties within Peel. Once this was clarified as management, maintenance and operation of, rather than ownership and as such, this was implemented.

The project has been challenging because of the need to balance 'quick fix' political aspirations, with good governance. The Agreement is now in place on a two year trial term and for a fixed fee, which will result in significantly less loss of income for the Department than existing allowance arrangements.

Whilst the wider Housing Review work progressed at an officer level under the permissions provided by their respective Steering Groups, the Terms of Reference ended in April, with the Local Authority Elections.

The Minister and the Department Member with responsibility for Housing, Mrs Edge, have recently embarked upon a series of 4 regional meetings, which will be completed by the end of the year.

Housing Regional Updates

Northern Region: this was the last region to sign up to Terms of Reference due to a combination of Ramsey Town Commissioners' own aims to operate the 'northern housing stock' and the relationship between the parishes and Ramsey Town Commissioners. The Department consequently spent significant time engaging with both parties separately before they finally agreed to form a Steering Group.

Eastern Region: officers, including observer representation from both Douglas Borough Council and Onchan District Commissioners and the newly formed Authority of Garff made significant progress towards identification of options for reform, and in particular a Transitional Pilot Scheme for management and operation of DOI Stock in the East is being developed. A Combined Housing Waiting List for the participant Authorities is currently being trialled.

Western Region: in response to the original Independent Review of Housing the western region had already developed a business case for a Western Housing Authority which they were keen to progress.

The Department responded in two ways:

- it provided a detailed response and sought clarification as to how the Authority would actually operate. It became clear this hadn't been considered in depth beyond a political level.
- the Department set out the options for the formation of a Western Housing Authority. Further discussions are ongoing.

Southern Region: the Southern Region was the first to agree the Terms of Reference and has continued to make significant progress. The published objective has been met, with the introduction of the Combined Housing Waiting List, with all of the benefits that entails. Officers are now also making very significant progress in a number of other areas and are developing proposals for how the transfer process should operate in the south of the island.

WASTE

The Waste Working Group (WWG) comprising political representatives from Local authorities was established in August 2015, with specific terms of reference.

In response to a request from Local authorities for more openness and transparency in charging for disposal at the Energy from Waste plant, discussions took place throughout the year about alternative charging mechanisms.

It was intended that the revised mechanism, a fixed annual charge and a variable gate fee, be introduced in April 2016. However, following concerns expressed by Local authorities to the Minister about the proposed timescales for its introduction, the Minister agreed that a fixed charge per tonne of waste be applied for 2016/17 and 2017/18 to afford the WWG time to agree both the mechanism for charging and for incentivising recycling.

Targeted removal of materials from the waste stream for reuse/recycling, together with the need for an all-Island education programme on recycling and resources management was also discussed and agreed.

The working group reviewed the option for importation of refuse derived fuel to supplement the Energy from Waste feedstock. This involved consultation with DEFA, Operators of the Energy from Waste plant SUEZ IOM and the UK Environment Agency, and is a work in progress.

Finally, the WWG also undertook a waste collection survey, intended to be a first stage in benchmarking service provision between Local Authorities. This was always a contentious issue, with many of the Local Authorities not wanting to share the information. Consequently, the waste collection data was provided in confidence, on the basis that it would not be published beyond the WWG.

APPENDIX 4

LOCAL AUTHORITY TRANSITION TIMELINE

PHASE 1 – TRANSFER OF HIGHWAYS MAINTENANCE

March 2015 Agreement in principle to delegate the following to local authorities:

- street sweeping;
- gully emptying;
- removal of weeds;
- maintenance of highways verges;
- vegetation over-growing the highways verges.

31st March 2015 Formal delegation documentation issued to local authorities for signature and return.

August 2015 Formal documentation signed and returned by all local authorities.

PHASE 2 – LOCAL AUTHORITY TRANSITION

25th March 2015 Letter from the Minister to local authorities advising of his intention to renew discussions and agree “how the future relationship between local and central government would work in relation to:

- waste management;
- housing;
- other highways matters;
- administration and
- any other matters they wished to raise.”

May – July 2015 Regional Meetings with local authority members

17th July 2015 **Local Authority Policy Day: Agreed actions**

Waste Management

- review of waste escalator charges to local authorities;
- establish the Waste Management Working Group;
- more transparency for ratepayers regarding costs.

Housing

- one-size fits all not appropriate;
- shared service standards across the sector to provide consistent delivery.

Governance

- establish Clerks’ Forum to share advice and good practice

April 2015	Management of Drumgold and Chester Street car parks transferred to Douglas Borough Council.
April -Sept 2015	Regional Housing Steering Groups established to identify potential mechanisms to deliver shared service delivery including: <ul style="list-style-type: none"> • shared waiting lists; • shared allocations in line with the Department criteria; • identify repairs and maintenance opportunities.
Dec 15 – March 16	ToR for all Regional Housing Steering Groups approved, with only Onchan and Port St Mary exercising their right not to engage in the process.
January 2016	Local Authority Policy Day
October 2015	Local authorities offered the opportunity to nominate one or more officers to be trained as parking controllers. Offer taken up by Peel, Castletown, Port St Mary, Braddan, Malew, Port Erin and Ramsey.
October 2015	First meeting of the Clerk’s forum, with further meetings in January 2016, June 2016, October 2016, February 2017 and July 2017. The next meeting is scheduled to take place in November 2017.
1 November 2015	Responsibility for Laxey Breakwater toilets transferred to Garff Commissioners.
2015	Local Authority waste collection survey undertaken.
May 2016	Officer Waste Working Group formed to progress work of Waste Working Group. The group agreed a draft list of specific waste materials to be targeted for recovery from the waste stream, together with methods for collecting and segregating waste materials.
June 2016	New members’ drop-in training session at the Sea Terminal
September 16	Pilot of Southern regional housing shared list commenced.
December 2016	Responsibility for Port Erin Harbour toilets transferred to Port Erin Commissioners.
January 2017	Members’ training Community Room, Nobles Park, covering ethical principles, members’ interests, Nolan principles etc.
1 February 2017	Responsibility for Fenella Beach car park transferred to Peel Commissioners.
1 February 2017	Transfer of management of 20 DOI housing stock to Peel Town Commissioners on a 2 year trial basis.
March 2017	Maintenance Managers’ forum established, to consider the wider use of framework agreements which will leverage economies of scale savings whilst using local labour.

- July 2017** Minister and Director of Strategy Policy and Performance attended a meeting of the Municipal Association, with a further attendance scheduled for the end of October 2017.
- August 2017** Pilot of Eastern regional housing shared list commenced.
- October 2017** Southern regional housing shared list permanently implemented.

APPENDIX 5

Functions of Local Authorities

	Andreas	Arbory	Ballaugh	Braddan	Bride	C'town	Douglas	Garff	German	Jurby	Lezayre	Malew	Marown	Michael	Onchan	Patrick	Peel	Port Erin	Port St Mary	Ramsey	Rushen	Santon
Abandoned Vehicles	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Building Control							✓								✓							
Car Parks &/or Car Parking (management)	✓			✓	✓	✓	✓	✓				✓		✓	✓		✓	✓	✓	✓	✓	
Civic Amenity Sites	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.
Control of Dogs (Dog Byelaws)		*		✓		*	✓	*				✓	✓		*		✓	✓	✓	✓		
Environmental Health	✓*	✓*	✓*	✓*	✓*	✓*	✓*	✓*	✓*	✓*	✓*	✓*	✓*	✓*	✓*	✓*	✓*	✓*	✓*	✓*	✓*	✓*
General Byelaws		*		✓		✓	✓	*				✓		*	✓		*	*		✓		
Gully Emptying [Apart from strategic routes as this is DOI's responsibility]	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Hedges (maintenance) [Apart from strategic routes as this is DOI's responsibility]	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Housing (General)				✓		✓	✓					✓*			✓		✓	✓	✓	✓	✓*	
Highway Verges (maintenance) [Apart from strategic routes as this is DOI's responsibility]	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Libraries	*	*	*	*	*	✓	✓	*	*	*	*	*	*	*	✓	*	✓	✓	*	✓	*	*
Litter Act (litter bins)	✓	✓	✓	✓		✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Parking Control				✓		✓						✓					✓	✓	✓	✓		
Play Areas	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	
Public Conveniences	✓		✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Public Information and Advice	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Public Parks / Other Leisure Areas (campsites etc)	✓	✓	✓	✓		✓	✓	✓		✓				✓	✓		✓	✓	✓	✓		
Rates Collection (Treasury collect rates on behalf of the majority of the LA)				✓			✓								✓							

Refuse Collection	Comb. Auth.	✓	Comb. Auth.	✓*	Comb. Auth.	✓*	✓	✓	✓	Comb. Auth.	Comb. Auth.	✓	✓	Comb. Auth.	✓	✓	✓	✓	✓	✓	✓	✓
Sheltered Housing	Comb. Auth.	Comb. Auth.	Comb. Auth.		Comb. Auth.	Comb. Auth.	✓	✓	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	✓	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.
Street Lighting	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Street Sweeping [Apart from strategic routes as this is DOI's responsibility]	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

	Andreas	Arbory	Ballaugh	Braddan	Bride	C'town	Douglas	Garff	German	Jurby	Lezayre	Malew	Marown	Michael	Onchan	Patrick	Peel	Port Erin	Port St Mary	Ramsey	Rushen	Santon
Swimming Pools	Comb. Auth.	Comb. Auth.	Comb. Auth.		Comb. Auth.	Comb. Auth.		Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.		Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.	Comb. Auth.
Trees & High Hedges Act (delegated powers)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Weeds (removal) [Apart from strategic routes as this is DOI's responsibility]	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

* **Note** [Comb. Auth = combined authorities]

Civic Amenity Sites –

Eastern District Civic Amenity Site Joint – comprising Douglas, Braddan, Garff's Laxey and Lonan Wards, Onchan, and Santon Commissioners.

Northern District Civic Amenity Site Joint – comprising Ramsey, Andreas, Ballaugh, Bride, Garff, Jurby, and Lezayre Commissioners.

Southern Civic Amenity Site – comprising Arbory, Castletown, Malew, Port Erin, Port St Mary, and Rushen Commissioners.

Western Civic Amenity Site – comprising German, Marown, Michael, Patrick and Peel Commissioners.

Dog Byelaws – These Authorities Byelaws have lapsed. Some LA's may be looking to update their Byelaws.

Environmental Health – Enforcing legislation relating to environmental health, including statutory nuisances, verminous premises, unsanitary and unfit housing, regulation of flats, prevention of overcrowding, dangerous/ruinous buildings and unsightly land, and unsanitary drainage. All of these functions are in the main undertaken on behalf of Local Authorities by officers of the Department of Environment, Food and Agriculture.

General Byelaws – These Authorities Byelaws have lapsed. Some LA's may be looking to update their Byelaws.

Housing (General) – Malew and Rushen only have small number of general housing which they manage themselves; these being 8 (Malew) and 4 (Rushen)

Libraries – All of the Authorities labelled with * benefit from the mobile library every other week.

Additionally, some of the parishes pay a contribution or donation towards the use of library facilities of other areas; these being:-

- Arbory – Annual donation to Port Erin Library and Castletown Library.
- Braddan – Pay a contribution to Douglas which allows residents to use Henry Bloom Noble Library facility.
- Garff – Pay a contribution to Douglas which allows residents to use Henry Bloom Noble Library facility.
- Rushen – Pay a contribution to Port Erin Library.
- Santon – Full library facilities from Douglas Borough Council for a small number of residents.

Parking Control – Local authorities offered the opportunity to nominate one or more officers to be trained as parking controllers. Offer taken up by Peel, Castletown, Port St Mary, Braddan, Malew, Port Erin and Ramsey.

Refuse Collection –

Northern Parishes Refuse Collection Board – comprising Andreas, Ballaugh, Bride, Jurby, Lezayre and Michael Commissioners.
Braddan and Castletown Commissioners entered into arrangements with Douglas Borough Council for their refuse collection.

Sheltered Housing –

Castletown & Malew Elderly Persons' Housing Board – comprising Castletown, and Malew Commissioners.
Marashen Crescent Housing Committee – comprising Arbory, Port Erin, Port St Mary, and Rushen Commissioners.
Peel & Western District Housing Committee – comprising German, Marown, Michael, Patrick and Peel Commissioners.
Ramsey & Northern Districts Housing Committee – comprising Andreas, Ballaugh, Bride, Jurby, Lezayre, Garff's Maughold Ward and Ramsey.