

The second table below, is a summary of the functions carried out by Local Authorities with the assistance of Central Government:-

FUNCTION	NATURE OF SERVICE
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 Local Government and the Environment.
Housing	Provision of public sector housing in their districts. The Department provides public sector housing in other districts. Sheltered accommodation for the elderly can also be provided. (Government meets 100% the housing deficiency on the Island).
Building Control	This function is currently undertaken by Douglas, Peel and Onchan for their districts; elsewhere the Department of Local Government and the Environment is the Building Authority.
Street Cleaning	Street-cleaning is undertaken by certain Local Authorities as agents for the Department of Transport. Some Authorities also provide litter bins, which are emptied on a regular basis.
Sewerage	The Department of Transport is responsible for all sewerage on the Island, though this may be delegated to a Local Authority for a particular district.

EMPLOYMENT OF STAFF

Every Local Authority employs at least one member of staff (Clerk), with the larger Authorities being responsible for the employment of an administrative and manual workforce, meaning that the Board Members have the same employment responsibilities as any other employer.

LOCAL AUTHORITIES GENERAL ELECTION DATE

The date of the Local Authorities General Election is **Thursday 24th April 2008**. Candidates will need to put forward their names for Election by **27th March 2008**. Nomination papers are available from your Local Authority.

For further, in depth, information interested persons are advised to contact their Local Authority:-

Andreas	897686	Arbory	823896	Ballaugh	897686
Braddan	852808	Bride	819235	Castletown	825005
Douglas	696300	German	816112	Jurby	897686
Laxey	861241	Lezayre	812370	Lonan	861321
Malew	823522	Marown	851630	Maughold	819690
Michael	878836	Onchan	675564	Patrick	803031
Peel	842341	Port Erin	832298	Port St Mary	832101
Ramsey	810100	Rushen	834501	Santon	822761

This leaflet was prepared by the Local Government Unit of the Department of Local Government and the Environment. The Unit offers advice to Local Authorities. For further information, contact 685462 or email carole.sutherland@dlge.gov.im



ARE YOU INTERESTED IN REPRESENTING YOUR LOCAL AREA?

IF SO, THIS LEAFLET EXPLAINS SOME OF A MEMBER'S RESPONSIBILITIES

INTRODUCTION

It is important that, when a person seeks to be elected as a member of a Local Authority, they have a basic understanding of the statutory functions, legislation and proceedings by which Local Authorities are bound. This leaflet provides a summary of some of those areas.

It is important to note that elected Members are a body corporate and have no power or authority to act individually, except at meetings of Commissioners when corporate decisions are made.

LEGISLATION

Local Authorities work within the powers of various Acts of Tynwald mainly the Local Government Act 1985. Some functions are mandatory and some are discretionary.

WHO CAN STAND FOR ELECTION AND WHO CAN'T

CAN - Any registered elector can stand for any Local Authority on the Island.

CAN'T - Any person who within the last 5 years has had a prison sentence of not less than 3 months (without the option of a fine) on the Island, UK, Channel Islands or Republic of Ireland

- Any person guilty of corrupt or illegal practices.
- Any person in the paid employment of that Local Authority as a joint board or joint committee of that Authority.

HOW LONG WOULD I BE ELECTED FOR?

The present term of office is 4 years.

ELECTORAL SYSTEM

One vote per seat.

TRAVELLING AND ATTENDANCE ALLOWANCES

Local Government membership is not a paid office but travelling and attendance allowances can be claimed.

RESPONSIBILITIES

SETTING A RATE

One of the main functions of a Local Authority is to set a rate for the district to provide the required services to the ratepayers. When an Authority fixes its rate and budget for the forthcoming year, it first estimates how much it will spend in that year to provide those services. Any grants or income from other sources are deducted along with any changes in balances. The remaining sum is raised from local ratepayers through rates.

Rates are a tax. They are a tax on occupation of property, just as income tax is a tax on income and VAT is a tax on the supply of goods or services. Rates are not a payment for services and ratepayers cannot seek to pay less on the basis that they do not use some of the Authority's services.

If a Local Authority is also a Housing Authority on the Island **the important difference** is that any housing expenditure **does not come from rate income**, it is generated from rents receivable and central government housing deficiency payments.

Accounts

All Local Authorities are required to produce annual accounts which are audited and laid before Tynwald. **Local Authorities are responsible for their own finances and should ensure they have robust financial management systems in place. Every Local Authority has to appoint a Responsible Finance Officer who is approved by the Department of Local Government and the Environment.**

Attendance at Meetings

Members are required to attend regular meetings, which are minuted. The Annual Meeting is held in May and every Local Authority has to hold at least one meeting per remaining quarter. In reality, meetings are held at least once a month with the larger Authorities holding weekly meetings. **Attendance allowances are payable up to a maximum of £3,600 per annum (£30 per meeting) plus travel allowance.**

Declaration of Interest – Principles

Local Authority Members must comply with the following ethical principles:-

- Members hold office by virtue of the law, and must at all times act within the law. A member should make sure that he or she is familiar with the rules of personal conduct required by the law and the standing orders of the Local Authority.
- A member has an overall duty to the whole community and a special duty to his or her constituents, including those who did not vote for him or her.
- A member should never do anything which could not be justified to the public, and which could affect the reputation of the Local Authority.
- Members must not act in any circumstances in which there is a conflict between their personal interests and their public duties. This must also be borne in mind with any organisation that they may be a member of.
- They should regularly review their personal circumstances and, if in doubt, seek advice from an appropriate senior officer or legal adviser.

MAIN LOCAL GOVERNMENT LEGISLATION

There are various Acts governing the constitution, proceedings and general powers of Local Authorities. The main one is the Local Government Act 1985, recently updated by the Local Government Act 2006. . The following are some of the areas covered by this Act.

POWERS AND DUTIES

A Local Authority has the power to do only those things which –

- (a) it is specifically empowered by statute to do, or
- (b) are reasonably incidental to doing those things (e.g. providing buildings, employing staff or engaging professional assistance).

If an Authority's function is expressed as a duty ("shall") it must perform it, but if it is expressed as a power ("may") it is not bound to do so.

Local Authorities can agree to provide certain services together and even merge by consent!

Commissioners are sometimes provided with information in confidence, and the trust placed in them must not be abused by disclosing the information to any unauthorised person without the consent of the Local Authority. Likewise, personal data held by the Authority must not be disclosed to a third party. Breach of this could result in a fine. This applies even when that person ceases to be an elected member.

BORROWING

Local Authorities are given power to borrow money for specified purposes, the consent of the Department is required in certain circumstances. The procedure for applications for consent is set out in the Department's Petitions Procedure handbook which has been issued to all Local Authorities.

FUNCTIONS

The functions of a Local Authority can be categorised into two areas, those which they are legally permitted to carry out themselves, and those which are performed with the assistance of Central Government.

The first table below, is a summary of the functions which **Local Authorities shall/may carry out**:-

FUNCTION	NATURE OF SERVICE
Public information and advice	Local point of contact for information on Local and Central Government matters.
Tourism	Improving/prolonging the visiting season in their district and increasing its advantages as a resort.
Refuse collection	Collection of household and commercial waste, administration of civic amenity sites, recycling.
Street-lighting	Provision and maintenance of street lighting within their district.
Public conveniences	Provision and maintenance of public toilets within their district.
Parks, playgrounds and other leisure facilities	Provision of recreational and entertainment facilities within their district.
Control of dogs	Enforcing byelaws made by the Authority.
Car-parking	Provision of off-street and short-stay disc parking.
Planning	Power to Appeal against a decision made within their district. Authorities are also consulted on any designation of a conservation area or registration of a building affecting their district.
Libraries and museums	Provision of public libraries and museums within their district.
Litter	To designate a Litter Officer to enforce Litter Act 1972
Abandoned vehicles	Power to remove a vehicle illegally parked, or causing an obstruction or danger, from a road or any land in its district.