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ABBREVIATIONS AND ACRONYMS

L.G.A	-	Local Government Authority/Area
I.E.C	-	Independent Electoral Commission
T.A.C	-	Technical Advisory committee
E.U.	-	European Union
E.C	-	European Commission
V.D.C	-	Village Development Committee
M.D.F.Ts	-	Multi-Disciplinary Facilitation Teams
D.R.D	-	Decentralization Rural Development Programme
PACAB	-	Poverty Alleviation and Capacity Building Project
SDLD	-	Support to Decentralization and Local Development
PIP	-	Public Investment Programme
PEP	-	Public Expenditure Programme
CDDP	-	Community Driven Development Project
GALGA	-	Gambia Association of Local Government Authorities
NAOSU	-	National Authorising Office Support Unit

CHAPTER 1- POLICY BACKGROUND

1.1 INTRODUCTION

Government commitment to decentralization has found expression in the Constitution of the Second Republic of The Gambia, especially at Section 193 (1) thereof, and at Section 214 (3), which embodies the Directive Principles of State Policy. The national policy road map, Vision 2020, also stresses the need for decentralization in order to harness popular participation at the grassroots level in national development.

It is generally, however, that decentralization is a long-term political process that is complex, costly and requiring a lot of preparatory work. In implementing a decentralization programme, therefore a number of cross-cutting issues have to be addressed. Notable among these are the absolute need to build adequate capacity at Local Government levels to facilitate absorption of the competencies to be devolved to them, the setting up of a coordinating, monitoring and evaluation mechanism, capacity building for decentralized development planning, awareness creation, and the sound financial base necessary to implement the programme.

These policy objectives for local government reform aim at extending the process of decentralization by promoting the direct participation of the population in the management of their own affairs, and the promotion of a spatially integrated approach to local development.

1.2 LEGISLATIVE CONTEXT

The Constitution of the Second Republic of The Gambia prescribes a system of governance that is participatory at all levels of society, especially at local level. Section 193 (1) of the Constitution is unambiguous in this regard where it clearly states that "local government administration in The Gambia shall be based on a system of democratically elected council with a high degree of local autonomy". The Directive Principles of State Policy at Section 214 (3) further iterate: "the state shall be guided by the principles of decentralisation and devolution of government functions and

powers to the people at appropriate levels of control to facilitate democratic governance.”

The Vision 2020 document, under the Good Governance rubric, has also adopted the decentralisation strategy:

“To encourage participatory government and balanced development, Government shall pursue an intensive political and institutional decentralisation process. This will contribute to poverty alleviation and diffuse the different socio-economic tensions that spring out of rapid population growth, rural-urban drift, unemployment and regional disparities in economic development.”

In pursuit of these goals, and following a series of broad consultations involving all the stakeholders in the process in October 1997, Government approved a Strategy and Plan of Action for reform of the local government system. The key elements of the strategy are:

- Establishment of a Programme Co-ordinating Committee and a Programme Management Unit at the **Ministry of Local Government and Lands** for the implementation and monitoring of the reforms. These have been establishment and have evolved into a Directorate of governance;
- Development of an appropriate legal and institutional framework. This has been achieved by the enactment of the local Government Act, 2002 (and later amendments), and the holding of local council elections;
- Capacitize local authorities by providing, human, financial and material resources;
- Organize direct participation of the people;
- Create local capacity for programming and financing development; and define central and local government responsibilities.

1.3 GENERAL APPROACH TO DECENTRALIZATION

1.3.1 Devolution of Powers

Powers which may be exercised by local authorities must be clearly defined. It is taken for granted that the devolution of powers will be a gradual and on-going process. However, local authorities must assume, abinito, some

general powers consistent with their autonomous status. The process of devolution and distribution of competencies between Central and Local Government levels will be in response to local capacities and needs, according to the principle of subsidiary. This entails leaving at local level all powers and responsibilities to plan, initiate, co-ordinate, manage and execute policies in respect of all matters affecting the people directly within their areas, which concern their needs and which they have the capacity to manage.

1.3.2 Institutional Structure

Local councils as city, municipal and divisional level are to be the highest level of decentralisation. These local authorities should consist of elected councilors representing smaller territorial units (wards) and elected by universal adult suffrage. The local authorities are to be conferred with the appropriate legal and financial autonomy to enable them carry out their functions properly.

It is recommended that the decentralized Local government structure to be adopted in the short and medium term should allow for the gradual growth of the fundamental change in perception necessary for the successful implementation of the whole process. This should afford the Local authorities the time to build capacities at district, ward and village levels.

Consistent with Government's strategy to create development institutions at local level, development committees are to be established at ward and village levels which will adopt bottom-up development planning procedures.

1.3.3 Financial Resources

Devolution of powers to the councils implies the concomitant transfer of the wherewithal for the exercise of these powers. This, it is recommended that Local Government financial resources should include:

- 1.4 grants or endowments from Central Government for recurrent expenditures;
- 1.5 subventions which accompany transfers of competencies; and
- 1.6 special subventions for investments

1.3.4 Human Resources

The devolution of sector competencies also implies the complementary transfer of the human resources from the sector to the Area Council. This will

necessitate the secondment of Civil Servants conversant with the sectoral competencies transferred to the Councils. Area Councils have the power to appoint their own staff, subject to their budget. For this purpose it recommended that a Local Government Service is instituted and a local Government Service Commission established for each Area Council as its staff appointment authority.

1.3.5 The Role of Central Government

It is recommended that the State not only support the Area Councils by providing the necessary financial, human and material resources, but also by providing technical support, through the (now Governor) and the deconcentrated services in the **Region**, to enable them to discharge their functions properly.

On the other hand, the **Governor**, on behalf of the State is expected to monitor the activities of the Local government Authorities to ensure their conformity with national policy. Thus the prior approval of the State should be required for implementation of certain decisions by an Area Council.

The adoption of the above complementary policy recommendations proved the way for the process of implementing the strategy for the reform of Local Government and Decentralisation of begin.

CHAPTER 2 - POLICY CONTEXT AND LEGAL FRAMEWORK

1.1 GENERAL OVERVIEW

The enactment of the Local Government Act, 2002 provides the staging point for the implementation of the Plan of Action to put in place the necessary legislative and institutional framework for establishing the local government authorities, defining their roles and functions, as well as their relationship with Central Government and the traditional authorities.

Part II of the Act – sections 3 to 8- prescribes the manner in which the geographical boundaries of each Local Government Area and its constituent wards are demarcated by the Independent Electoral commission (IEC) at the request of the Secretary of State responsible for the administration of the Act. Section 9 provides that Local Government elections are to be held every four years for the election of Council members, provided that there is an interval of at least 12 month between such elections and elections to the National Assembly.

Part III-Section 10-14 of the Act establishes the Local Government Areas and the Councils to be constituted in them, the composition of their membership as well as the qualifications for election or nomination to membership Section 10 was later amended (under section 4 of the Local Government (Amendment) Act, 2006) by the addition of the following new sub-sections:

- (5) Each Council shall be vested with the legislative power of the Local Government Area and be answerable to the Governor”, and
- (6) The legislative power of the Council shall be exercised by Bye-laws passed by the Council in accordance with this Act and signed by the Governor.

Section 13 (1) provides that a chairperson shall be elected by universal adult suffrage of all eligible voters in the Local Government Area. However, his role as political head of the Local Government Area provided for under section 15 (1) of the principal Act has been rescinded by the provisions of section 5 (a) of the Local Government (Amendment) Act, 2006 which assigns the chairperson the role of supervisor of the general administration of the area, and presiding at Council meeting. Section 5 (b) of the Local Government (Amendment) Act, 2006 makes the Chairperson answerable to the Governor in the performance of his or her functions as provided for under Section 15 (2) of the Local Government Act, 2002.

Sections 34 to 47 prescribe the committees and offices through which the Local Government Area Councils perform their work.

In this regard the following Committees are to be established:

- (a) Finance;
- (b) Establishment and Appointment;
- (c) Development; and
- (d) Any other committees that the Council may determine.

Provision is made for a Chief Executive to be appointed by the Local Government Service Commission after consultation with the Chairperson. The Chief Executive is charged with the management of the affairs of the Council and is subject to its direction and control. There is also provision for the position of Clerk of Council responsible for organizing meetings of the Council and its committees, taking minutes and keeping records of meetings. The Clerk is answerable to the Council in the performance of his or her functions.

Local government Area Councils are to establish Departments as they deem appropriate for the performance of their functions. These include:

- (a) Finance;
- (b) Services;
- (c) Planning and Development; and
- (d) Administration.

Each Department is to be headed by a Director appointed by the Local Government Service Commission and charged with responsibility for the day-to-day running of their Department, and reporting to the Chief Executive.

The **Minister** of Local government and Lands, after consultation with the Councils, is to determine which of the community development staff operating at Local Government level is to be transferred to the Councils.

1.2 DEVOLUTION OF COMPETENCIES

As pointed out earlier in this report, the Constitution calls for the creation of Local Government system with a "high degree of autonomy" to which Government functions and powers would be devolved to "facilitate democratic governance". Towards this end, under the provisions of Section 49 of the Local Government Act, 2002, a Minister responsible for any other Ministry may, after consultation with the **Minister** for Local Government and Lands, devolve functions, services and powers vested in that **Ministry** to a Council.

Such devolution should not be effected, however, unless:

- (a) Government and the Council are in agreement;
- (b) Adequate human, financial and material resources are made available for the performance of the functions, provision of the services, and the exercise of the powers so devolved; and
- (c) Appropriate measures are taken to bring the change to the attention of the public.

Devolution of functions, services and power from Central Government to the Councils are to be effected gradually, taking into account the capacity of a Council to perform the function, provide the services and exercise the powers. In the event that a Council fails to effectively absorb the devolved competencies, that Acts prescribes a process for reversion of the devolved functions.

In the light of the above caveats, the Act makes provision for the devolution of the following competencies to the Area Councils:

(i) **Education**

The **Minister** of State for Education may appoint Council as the sole authority for the establishment of specified categories of school within its area of jurisdiction. The Council should ensure that the schools are establishment and operated in accordance with the Education Act and national policy guidelines. To this effect, a Local education Committee is to be appointed, after consultation with the competent Education authority.

The members of this body should comprise:

- (a) a chairperson appointed by the Council;
- (b) the Regional Education Director
- (c) the officer of the Council responsible for education matters;
- (d) two representatives of women's groups in the area;
- (e) three persons to represent organizations involved in the development of education in the area;
- (f) three persons professionally qualifies in education; and
- (g) such other persons as the Council may determine.

This is the process that may lead to the eventual transfer of all Government schools in the area to be under the jurisdiction of the Council.

(ii) **Agriculture**

Section 67 (i) of the Act mandates every Council to be responsible for providing agricultural services to the communities within its jurisdiction in accordance with national guidelines. Towards this end, a Local Agricultural Committee is to be appointed in each Local Government Area.

The members of the Committee are to be appointed by Council after consultation with the **Minister** for Agriculture, and shall comprise:

- (a) chairperson;
- (b) the officer of the Council in charge of agriculture, natural resources and livestock department;
- (c) two representatives of women's groups;
- (d) two representatives of producer associations; and
- (e) two persons to represent organisations actively involved in agriculture and livestock development.

In the performance of its agricultural functions under the Act, a Council is to establish a Department of Agriculture and Livestock Services to which relevant Government extension workers and such other personnel to be

determined by the Director of Agricultural Services, in consultation with the Council, shall be transferred.

(iii) **Natural Resources**

Councils are to be responsible in their areas for the protection of nature and natural resources. Section 72 (1) of the Act mandates the establishment of a Local Natural Resources Committee in each Local Government Area through which the Council would carry out Council in consultation with the responsible **Minister** shall comprise:

- (a) Chairperson;
- (b) The officers of the Council responsible for environmental matters, forestry, wildlife and fisheries;
- (c) Representatives of head of Government Department's in charge of environmental matters, forestry wildlife and fisheries;
- (d) Two representative of women's groups;
- (e) Two person a represent organisations actively in the management and development of environmental matters, forestry, wildlife and fisheries; and
- (f) Such other persons as the council may determine

(iv) **Public and Environmental Health**

The Act mandates Councils to be responsible for the promotion and preservation of health in their areas of jurisdiction: specifically they are to be responsible for:

- major health centers, sub-dispensaries and all primary health care services;
- maternal and child health services;
- distribution of pharmaceutical products and vaccines to health facilities; and
- general hygiene and sanitation

for this purpose, there is to be a Local Public Health Committee for each Local Government Area through which the Council would discharge its functions. The Committee, to be appointed by Council after consultation with the Director of Health Services, shall comprise:

- (a) a chairperson to be appointed by Council;
- (b) the Area Medical Officer;
- (c) the Senior Public Health Officer;
- (d) the Public Health Nurse;

- (e) two representatives of women's group;
- (f) two representatives of organisations activity involved in the health care sector;
- (g) two members with qualifications in health related fields; and
- (h) two prominent members of the community within the local government area.

For the performance of its health functions, a Council is mandated to establish a Department of Health Services to which the existing **Regional** Health Teams would be transferred.

(v) **Roads**

Section 80 (i) of the Act mandates a Council to established a Local road Authority to be responsible for the upkeep and maintenance of all secondary roads in its area of jurisdiction, that is to say, nay road that borders off a trunk road or highway to which the public has lawful access and which does not form part of the National Road Network.

2.3 LOCAL DEVELOPMENT

According to section 90 (i) of the Act, every council is the planning authority of its area and may plan and implement any programme or project for developing the infrastructure, improving social services, developing human and financial resources and for the general upliftement of the community. In this regard, a Council is mandated to prepare a comprehensive and uninterrupted development plan for its area in all the ward plans. In performing its development functions, it should adopt such process and procedure to ensure that the communities are involved in the conception and executive of development plans, that is, a bottom-up approach.

This bottom-up approach to the development is realized in the establishment of Village Development Committee and Ward Development Committees, respectively.

Village development committee and Ward Development Committee have responsibility for all development planning at village and ward levels, and serve as the local entry points for all development assistance to the village communities.

In this role, the village development committees are instrumental in identifying local development needs in consultation with the community, prioritizing such needs and submitting them for consideration at ward level. Village development communities are also responsible for developing

appropriate plans for addressing local needs, raising, coordinating and managing financial resources at village level, as well as mobilizing community participation in development activities. In this task, they assisted and advised by the Government representatives operating at village level as well as the extension workers of organizations involved in development activities in the village. These two groups constitute the Multidisciplinary Facilitation Teams (MDFTS).

The next echelon in the bottom-up development approach is the Ward Development Committee, which is chaired by the Councilor for the ward, and consists of one male and one female representative from each Village Development Committee, as well as representatives of organizations involved in development activities at ward level. Ward Development Committees are responsible for coordinating and prioritizing all development planning at ward level, for preparing ward development plans for approval by the Council, and coordinating development assistance to the ward.

At the level of the Local Government area, a Technical Advisory Committee provides technical advice to the Council and to the Ward and Village Development Committees, with a view to ensuring that local projects conform to national standards, policies and priorities. The Technical Advisory Committee is chaired by the Governor with the Chief Executive of the Council as vice chairperson. Other members of the Committee include the regional heads of government Departments operating at local government level, the heads of local government technical services, and representatives of non-governmental organizations involved in development programs in the Region. The Committee meets at least once every two months and is required to submit quarterly reports of its deliberations to the Secretary of State and to the Council.

2.4 **THE LOCAL GOVERNMENT SERVICE**

For the first time in Gambian history, provision has been made in the law for the establishment of a Local Government Service as part of the Public Service of the country. In the same vein, a Local Government Service Commission has been provided for each council.

A Local Government Service Commission, comprising of a chairperson and not less than two or more than four people of high integrity and good character is appointed by the **Minister**. Its powers and functions include making appointments to offices in the Local Government Service and generally providing for its overall management and efficiency.

In the performance of functions, a Local Government Service Commission shall be independent and not be subject to the direction and control of any person or authority.

2.5 MONITORING AND CO-ORDINATION OF LOCAL GOVERNMENT AUTHORITIES

Sector 148 of the Local Government Act 2002, stipulates that the coordination of, and advocacy for Local Government Authorities as well as policy issues, shall be the responsibility of the **Ministry** for Local Government. Thus, the **Ministry** is charged with monitoring and supervision of Local Government Councils and ensuring their compliance with all laws and regulations, and national policies and guidelines.

Provision is also made in the Act for the President to take over a Local Government Administration for a specified period of time where it becomes difficult for the council to function and when it is in the public interest for the Head of State to take such action.

2.6 FINANCE AND AUDIT

The Local Government Finance and Audit Act, 2004 makes mandatory the creation of a Council Development Fund into which all revenue generated by a council is to be paid and from which all liabilities are to be discharged.

The fund is conceived as a demand-driven framework for Councils and their development partners to efficiently deliver development resources and services to the communities in their areas, in that it allow all the development actors to respond to community projects designed through the bottom-up participatory process. It also affords an opportunity for the integration of the development activities in a given local government area into the strategy development plan of the Council.

In the light of the weak revenue base of Councils, the Act provides for subventions from Central Government consisting of:

- (a) general grant not exceeding ten percent of the capital budget of a Council;
- (b) a grant-in-aid in the sum agreed between Government and a Council to finance programs agreed between the two parties; and
- (c) an equalization grant intended to prop up, as it were, Local Councils lagging behind the national average standard in the provision of social service.

The Act makes provision for the establishment of an ad-hoc Local Government Financial Advisory Committee each year before the national budget is finalized to advise on the distribution of revenue between the Central Government and Councils and the allocation of money to each Council from the Consolidated Fund. A notable omission in the membership of the committee, however, is the **Statistician General** who would be able to supply the statistical data needed for the formula for the distribution of grants to the Councils.

The Act also empowers the **Minister** for Local Government, in consultation with the **Ministry** for Finance, to prescribe a Financial Accounting Manual for the control and management of the financial business of the Councils. The Manual would make provision, inter alia, for:

- the operation of financial departments of Council;
- procurement in accordance with the Gambia Public Procurement Act, 2001
- the proper supervision of the accounting staff;
- the establishment of Internal Audit departments and their functions; and
- the preparation of estimates of revenue and expenditure.

The Act provides for the establishment of a Local Government Accounts Committee in each Council to examine the reports of Auditor-General, the Internal Auditor and any other reports relating to the finances of the Council, and to submit its findings to the Council, the **Minister** for Finance and the Auditor-General. The Auditor General is to incorporate the findings of the Committee in his/her report to the National Assembly.

CHAPTER 3

SECTORAL POLICES OF GOVERNMENT INSTITUTIONS ON THE TRANSFER OF COMPETENCIES

The Government institutions that are more likely to pioneer the decentralization process- education, agriculture, health, forestry and water resources- have deconcentrated service in the rural areas in a manner that is coterminous with the jurisdictional boundaries of the Area Councils. The regional heads of these institutions serve as members of **Regional** Technical Advisory Committee which proffer technical advice to the Council within their Local Government Area in order to ensure that local projects conform with national standards, policies and priorities.

- 3.1 The **Ministry of Basic and Secondary Education** has a Regional Education **Directorate**, headed by a Director, in every **Regional** with responsibility for clusters educational establishments in the area. The present budget layout of the Department reflects, to a large extent, the demarcation of the Local Government authorities and makes it a prime candidate in terms of readiness for devolution of education services and the concomitant transfer of the human, financial and material resources. There is a special concern, however, that the level of capacity at both the Regional Education offices and the Area Councils are is not adequate for the performance of the responsibilities called for, especially with the present level of staffing and infrastructure. Furthermore, with the exception of Banjul City Council (BCC), none of the Councils has an officer responsible for education matters who would be able to advise on educational issues to facilitate the linkage with the Regional Education **Directorates** during the decentralization process. Thus the capacity of Regional Education **Directorate** as the competent authority on education matters in the Local Government area must be enhanced. Similarly, capacity at the Area Councils to provide a supervisory and supportive role to the Regional Education **Directorate**, through the local Education Committee, must also be build.
- 3.2 The **Ministry of Health** has a similar organizational arrangement in the form of **Regional** Health Teams that are coterminous with the territorial boundaries of Area Councils. The North Bank Region (NBR) has two such teams as result of The Gambia river tributary that divides the area in two. The degree of deconcentration in the health sector is more wide-ranging and reaches down to the traditional birth attendant at village level. Deconcentration has, however, not been accompanied by the requisite authority and control over resources which still resides at the Centre. There is no policy move towards decentralization as envisaged in the Local Government Act, 2002. The main reason cited is the lack of capacity in the Area Council to adequately address health issues.
- 3.3 The **Ministry of Agriculture** has a **Regional Agricultural Directorate** in each Region, as arrangement hat is also coterminous with a local government area. The **Regional Agricultural Director** manages a number of unit heads dealing with agricultural mechanization, pest management, engineering, horticulture, soil and water management, etc., as well as District and Village extension service workers. The prevailing view in the **Ministry** is that, in the short term, as it has to be preceded by an appreciable period of sensitization and awareness creation.

- 3.4 The **Ministry for Fisheries and Water Resources** has finalising a draft National Water Resources policy which envisages the establishment of a water resources regulatory framework at divisional level as well as a capacity building programme for transferring responsibility to the Area Councils. The capacity building programme for the Local Government agencies will have a set of discrete milestones, which describe the specific competency levels that have to be achieved and standards of service levels to be reached before the delegations of responsibilities. Devolution is to take place gradually, as and when capacities are proven.

In sum, the sectoral policies of Government institutions regarding the transfer of competencies are latent, and need some kind of driving force to give impetus to the process.

- 3.5 The **Ministry of Youth and Sports** have Regional sports and Youth co-ordinators in the regions who work closely with Regional Governors in the promotion and development of Youth and Sports at regional level. The recruitment of trainees for the National Youth Service Scheme (NYSS) is decentralized in the regions to allow for greater participation of Youths in the programme.

CHAPTER 4- POLICY IMPLEMENTATION

4.1 Capacity Gaps and Capacity Building

The institutional and organization capacities of the Local Governments, as at present, do not dispose them to absorb the competencies that would devolve to them in the decentralization process. This fact becomes apparent when one assesses the capacities of Councils in the following areas.

(a) **Human Resources**

The Local Government Act, 2002, mandates councils to establish Department of Finance, Services, Planning and Development, and Administration, each to be headed by the Director. These departments have been created, in skeletal form in some of the Councils, but the incumbents do not meet the qualifications for appointment to the posts as required by the Local Government Service Schemes of Service.

Similarly, the Act requires Councils to have in place qualified personnel to be in charge of matters relating to competencies that are devolved to them, to wit, agriculture, education environmental matters, forestry, wildlife and fisheries. This requirement has yet to be addressed.

(b) **Financial Resources**

With the possible exception of Banjul City Council and the Kanifing Municipal Council, all of the Councils do not have a revenue base adequate to meet their obligations. Inadequate revenue collection mechanisms also mean that arrears of revenue not collected mount up every year. In some Councils up to 35% of revenue budget is not collected.

Under Section 8 of the Local Government Finance and Audit Act, 2004, every Council has the right and obligation to formulate, approve and execute its budget, provided that it is balanced. The budget approval procedures prescribed under Section 9 of the Act, however, and the attendant delays in having a final document frequently makes Councils fall hostages to the vagaries of time and circumstances.

(c) **Planning and Development Capacity**

As alluded to earlier, Section (91) of the Local Government Act, 2002, provides that every Council shall be the planning authority and may plan and implement any programme or project for developing the infrastructure, improving social services, developing human and financial resources, and for the general upliftment of the community.

Proper decentralized planning is both participatory and consultative. It starts at village level through the Village Development Committees and the ward levels through the Ward Development Committee to capture effectively development requirements of the communities. These plans are formulated with the technical assistance of the Multidisciplinary Facilitation teams, and approved by the Village and Ward Development Committees respectively, before submission to the Council. At Council level, the plans are prioritized before approval, after having been vetted and aligned with national policy by the Technical Advisory Committee chaired by the Governor.

(d) **Material Resources**

It has been rightly assumed that Area Councils fail to attract the right caliber of personnel to carry out the necessary tasks because of the inadequate material resources at their disposal. Transport is a perennial problem for most Council, with the adverse implications for revenue collection. The same situation obtains as regards proper housing and office equipment.

(a) **Transfer of Competencies**

Section 49 (1) and (2) provide for the devolution of functions, services and power vested in a **Ministry** to a Council provided that;

- i. Government and the Council are in agreement;
- ii. Adequate human financial and material resources are made available to the Council to perform the functions, provide services and exercise the powers so devolved; and
- iii. Appropriate measures are taken to bring the change to the attention of the public.

No transfer of competencies has been affected as yet, primarily because the Councils, as at present constituted, do not have the absorptive capacity for such devolution of responsibility. Secondly, the sensitization process needed to disseminate the decentralization idea to the wider public for their appreciation has not yet been initiated.

(b) **Local Development and Planning**

Planning for local development in a decentralized government system presupposes the existence of structures that would facilitate the bottom-up approach. In recognition of this paradigm, Sections 90 (3) of the Local Government Act, 2002, enjoins councils to adopt such processes and procedures that would ensure that the Communities are involved in the conception and executive of development plans. For this purpose, the Act makes provision for the establishment of Village Development Committees and Ward Development Committees that would, with the assistance of the multidisciplinary facilitation teams at village and ward level, be participants of first instance in local development planning.

As has been alluded to earlier, capacity for development planning in the Councils is weak. Sections 90 (2) of the Local Government Act, 2002, requires every Council to prepare a comprehensive and uninterrupted development plan for its area, incorporating all ward plans.

(c) **Fiscal Decentralization**

Poor financial management systems at the Council have been advanced for putting the idea of fiscal decentralization on the back burner. According to the **Ministry** for Finance, cost of policy failure in this respect would be too much to bear. This, there is need to be pragmatic and approach the process in a manner that is piecemeal and gradual.

(d) **Council Administration**

The Local Government Act, 2002, provides for offices in the administration of the Councils to be appointed by a Local Government Service Commission. Apart from a Chief Executive responsible for the management of the affairs of the Council, and a Clerk of Council, provision is also made for the appointment of a Director of each of a Council's technical departments, namely, Finance, Services, Planning and Development, and Administration respectively.

Provision has also been made in the Act for appointment of officers in the Councils to be responsible for the competencies envisaged to be devolved to them that are for **education, agriculture and national resources**. These have yet to be appointed.

(e) **Central Government Control and Supervision**

Responsibility for the coordination of, and advocacy for the Councils as well as policy issues, has been assigned under the Act to the **Ministry** for Local Government. To carry out these tasks, a Directorate of local Governance has been created at the Department of State with the following remit:

- Policy planning
- Monitoring and evaluation
- Quality control
- Resource mobilization
- Capacity building
- Communication and information

Since its establishment, the Directorate has embarked on and completed a good number of capacity building and infrastructural development sub-projects most of which were funded by the Poverty Alleviation and Capacity Building Project of the World Bank Policy planning and formulation activities have also been carried out under the EC/NAOSU funding.

(f) **Human Resources Development**

One of the resources most often cited for the delay (and apparent reluctance) to devolve competencies to the Local Government Authorities is the deficiency in human resources capacity in these entities that would enable them to absorb their new functions and powers effectively.

There is need to develop the human resource base in the councils and at the level of Central Government.

Efforts have been made recently under the Poverty Alleviation and Capacity Building Project to train Council staff in computer technology. This would be a move in the right direction, if the practice is sustained.

4.2 Capacity Building

Capacity building for the implementation of the decentralization programme cannot be overemphasized. Government recognizes the need to develop the capacity of the local councils especially in the areas of the planning, budgeting and financial management before devolving any major competencies to them. In this regard, the recently concluded Poverty Alleviation and Capacity Building programme financed by the World Bank, has been assisting Councils to increase their revenue base as well as training council staff in financial management. A similar and expanded programme of training and material support, the EU-funded support to Decentralization and Local Government (**SDLD**) has been formulated and is aimed at building up the capacity of local councils to enable them play their role in the decentralization process.

- in consultation with village and ward communities, prioritization of key areas for assistance;
- formulation of general programmes and specific projects that adequately address and ultimately mitigate the problems identified.

Under the Support to Decentralization and Local Development (**SDLD**) Project, government envisages filling this gap through the recruitment for suitably qualified personnel to man the Local Government Area Planning Units to be established in the Planning and Development of the Councils to assist in the executive of development planning responsibilities.

Experience has shown that long-term sustainability of development programme depends on community participation and subsequent beneficiary ownership of the outputs. Recognition of this fact has found expression in the Local Government Act, 2002, which prescribes the establishment of Village Development Committees and Ward Development Committees, respectively, and empowering them with responsibility for all development planning at their various levels. In this assignment, and considering that development planning capacity is relatively weak at community level, the Committees are advised and assisted by multidisciplinary facilitation teams, comprising Government and non-governmental extension workers from various sectors at a particular ward.

Multidisciplinary facilitation teams (MDFTs) in a decentralized rural development programme serve to enhance community empowerment, dialogue, training and information-sharing which could result in greater community participation, need identification, project implementation, monitoring and evolution. However, MDFTs lack a sustainable and reliable source of funding.

Government intends to bridge this gap during the implementation of the World Bank-funded Community – Driven Development Project (CDDP) which aims, among other tasks, to:

- develop the capacity of villages and wards to undertake participatory planning, resources allocation and implementation based on the simple
- results-oriented approach grounded on the principles of community empowerment, transparency and ownership;
- strengthen the capacity of deconcentrated staff (MDFTs) to facilitate Community- level development planning and investment; and
- enhance capacities of Local Government plans to manage and account for funds provided to villagers and wards for investment activities

4.3 Enhancement of the revenue base of councils

The Second Schedule of the Local Government Finance and Audit Act, 2006 prescribes the taxes and fees to be levied by the Councils. These, in essence, constitute their revenue base, and in order to keep Councils within the bounds of financial probity, expansion of staff is to be kept at necessary minimum, thus freeing resources for development activities.

Government pledges to provide grants to the Councils from the Consolidated Fund on an annual basis, as follows:

- a) a general grant not exceeding ten percent of the capital budget of each of each council to operate decentralized services
- b) a grant in aid to finance programmes agrees between Government and Councils, and,
- c) an equalization grant for the purpose of propping up, as it were, of a Council lagging behind the national average standard in the provision of social services

Government also envisages convening a round table meeting with the major donors in the decentralization programme- EU, ADB and the World Bank, and non-governmental organizations such as Action Aid-to harmonize their interventions and to solicit more funding for the programme.

A Council development Fund is to be activated in all of the Councils for the lodgment of all revenue and the discharge of any liabilities. The fund would serve as a funding source for community based development projects and initiatives in that it constitutes a decentralized demand- driven mechanism for Councils and their development partners to effectively deliver development resources and services to the communities in their areas. It also represents an opportunity for the integration of the development activities of all the players in a given local government area into the Strategic Development Plan of the Council. A Fund Operational Manual is to operations and management of the Fund.

For the decentralization programme to take off and become viable, the strengthening of the financial management systems in the Councils is a prime prerequisite. The Councils have to have in place a properly managed and transparent financial base. This is an absolute requirement for all donor interventions. This the Financial and Accounting Manual prescribed under Section 41 (1) of the Local Government Finance and Audit Act, 2006, is to be made operational as soon as practicable. Similarly, the Contracts Committee and the Local Government Accounts Committee prescribed under the same Act are to be established as a matter of urgency.

4.4 Co-ordination, Monitoring and Evaluation

Decentralization entails the transfer of contain competencies from Central Government to the Local Government Authorities. Thus, as a major stakeholder in the process, Central Government needs assurances that the competencies transferred are used primarily to serve local development needs and not as bases for mounting challenges to the centre. In essence, decentralization of authority does not imply abdication of power. Hence, the need for a mechanism for the co-ordination, monitoring and evaluation of the process.

Towards this end, the Department of State for Local Government has been assigned responsibility for the co-ordination of, and advocacy for Local Government authorities. In the performance of this task, the Department monitors and supervises the operations of Local Governments and their compliance with national policies and guidelines.

At the regional level, this monitoring and supervisory role is assumed by the Governor who, in turn, is answerable to the Secretary of State for Local Government. The legislative power of the Council comes into effect only after

bye-laws passed are signed by the Governor. The Chairperson, as head of the Council is answerable to the Governor in the performance of his or her function. In these circumstances, it is apparent that the relationship between the Governor and the elected councilors requires tact, networking and negotiation. Training workshops under the **SDLP** Project involving all the Governors, Chairpersons and requirements of various Local Government Acts, and on skills of management of tact, negotiation and networking in their implementation.

At the national level, a Steering Committee, located at the **Ministry** for Local Government, has been established to co-ordinate, monitor and evaluate the implementation of the decentralization programme. Membership of the Committee includes the Permanent Secretaries of all relevant Department of State, significant donors, GALGA, NGOs, the private sector and the University of The Gambia.

4.5 Implementation Modalities and timeframe

The Directorate of Local Governance shall lead the process of implementation in collaboration with the National Planning Commission, and key stakeholders.

An implementation strategy will be put in place to enhance effective and efficient implementation.

The timeframe will be influenced by a review of the implementation modalities and strategies which will be discussed and agreed by key stakeholders. The Ministry of Local Government and Lands will make closely with the donor community and the United Nation (UN) family in the area of guidance and funding to complement governments efforts.

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