

COMHAIRLE CHONTAE CHILL CHAINNIGH
KILKENNY COUNTY COUNCIL



STRATEGIC POLICY COMMITTEE
SCHEME

2019 – 2024

Adopted by Elected Members on Monday, 16th September, 2019

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DEFINITIONS

CPG: Corporate Policy Group
SPC: Strategic Policy Committee
AGM: Annual General Meeting
LEO: Local Enterprise Office
LECP: Local Economic & Community Plan

1. INTRODUCTION

1.1 Background

The Government's *Action Programme for Effective Local Government* acknowledged that Corporate Policy Groups (CPGs) and Strategic Policy Committees (SPCs) have achieved a measure of success in providing a focus for elected members to input into policy formation. The *Action Programme* also recognised reinforcement is needed in order that the role of the Cathaoirleach and members, as leaders of their authority and the local community, can be better delivered. Other than in matters of staffing, the elected members should have a more visible and effective role in policy setting and in the oversight of the executive actions of the local authority. The extent of changes proposed in the *Action Programme*, particularly the oversight and policy formation role of the elected members, local development/ local government alignment, location of the local enterprise role in local government, enhancement of the economic development role of local government, establishment of the new sub county arrangements, and changes in configuration of senior management structures arising from the workforce planning process, all have potential implications for the system of SPCs and CPGs. Accordingly, the structure, role and operational mechanisms of the CPG and SPC have been reviewed and strengthened appropriately in the context of implementation of the reform programme.

1.2 Present Organisation of Kilkenny County Council

Multiplicities of services and infrastructure are provided by this authority for a population of some 99,000 in an area covering 2,062 sq. kilometres. The day to day delivery of services is the responsibility of the Chief Executive, Management Team and staff, while the 24 Elected Members representing the 4 Municipal Districts performs the Council's Democratic/Representational Role.

The functions and services of the Council are classified into eight service divisions as follows:

- A. Housing and Building***
- B. Road Transportation and Safety***
- C. Water Services***
- D. Development Management***
- E. Environmental Services***
- F. Recreation and Amenity***
- G. Agriculture, Education, Health and Welfare***
- H. Miscellaneous Services/General***

Policies in relation to the above programme groups are formulated, considered and recommended by the five (5) Strategic Policy Committees to the Plenary Council.

2. CORPORATE POLICY GROUP (C.P.G.)

2.1 CPG – Structure

The Corporate Policy Group (CPG) comprises the Cathaoirleach of the Council as its chair together with the chairs of each of the SPCs and the party whips. If this representation does not ensure that all four Municipal Districts are represented, the Municipal District which does not have a member on the Corporate Policy Group shall have the right to nominate one of its members to it.

The CPG links the work of the different SPCs; it acts as a sort of cabinet and provides a forum where policy positions affecting the whole Council can be agreed for submission to the full Council. It is supported by the Chief Executive and the Director of Services. The CPG does not act as a conduit between the Council and the SPCs as this could cause the CPG to act as an additional bureaucratic layer or bottleneck and lead to unnecessary delays.

The CPG is represented at meetings of the Council by the Cathaoirleach.

2.2 CPG - Role

The CPG, like an SPC, is a committee of the Council. Its task is to advise and assist the Council, with full decision-making authority remaining with the Council. The Cathaoirleach reports to the full Council on the work of the CPG. In such context, it is a matter for each Council, in co-operation with the Chief Executive, to determine the range of responsibilities and tasks of the CPG.

The CPG should:

- play a key role in preparing the budget;
- provide input to the full Council on any matter of general concern to the Council either on its own initiative or following a request from the Council;
- determine responsibility for discharge of reserved functions as between the municipal district level (or a specific municipal district) and the local authority, where the question consistency or avoidance of unnecessary duplication is referred to it by the Chief Executive;
- monitor the overall performance of a local authority;
- deal with overall issues in relation to service delivery plans, customer service, value for money, etc., (individual SPCs would deal with such issues in their work insofar as their particular service remit was concerned);
- co-ordinate the work of the SPCs and monitor their work programmes;
- request SPCs to consider particular policy issues where appropriate;
- provide feedback to the SPCs on Council policy and views in areas relevant to the SPCs.

2.3 Minutes of CPG meetings

The minutes of CPG meetings will be circulated to all members of the local authority as a matter of course

CPG Meetings are held on a monthly basis unless otherwise decided.

3. ROLE OF STRATEGIC POLICY COMMITTEES (SPC.S)

- 3.1** The statutory basis for Strategic Policy Committees (SPCs) is set out in section 48 of the Local Government Act 2001, as amended by section 41 of the Local Government Reform Act, 2014. Guidelines for the Establishment and Operation of Corporate Policy Groups and Strategic Policy Committees are set out in DHPLG Circular LG07/2014.
- 3.2** The role of the Strategic Policy Committees is to:
- assist the Council in the formulation, development and review of policy;
 - reflect the major functions or services of a local authority within the broader context;
 - be tailored to the size, membership and administrative resources of a local authority;
 - have a minimum of one third of their membership drawn from sectors relevant to the committees' work.

Each local authority will establish SPCs which bring together both elected members, and people actively working with social, economic, cultural and environmental bodies to input, develop and review policies related to Council services. The SPCs will provide elected members with external views as they discharge their strategic role in the development of the local authority, including their policy development and oversight roles within the local authority. The elected representatives have a similar role to that of a board of directors. The SPC system will provide a better focus and enhanced capacity for involvement in policy formulation, review and evaluation with inbuilt assistance of relevant sectoral interests and the support of a Director of Services. SPCs prepare the groundwork for policies which are then decided on by the local authority, including as appropriate at municipal district level. The local sectoral interests, including the trade union, farming, environmental and community/voluntary sectors, along with the business community, will constitute at least one third of the membership of SPCs.

- 3.3** The number of SPCs in a local authority will normally be 4 SPCs. Section 48(1A) of the 2014 Act requires that at least one of the SPCs that is established shall consider matters which relate to the functions of the local authority in relation to economic development and enterprise support.

Kilkenny County Council shall form an SPC entitled the "SPC for Economic Development, Enterprise and Tourism, Planning & Development Policy". The functions of this SPC are to include the preparation of the economic elements of the Local Economic and Community Plan (LECP), the implementation and review of the economic elements of the LECP and the oversight by the elected members of the operation of the Local Enterprise Office (LEO).

- 3.4** Each SPC shall agree an annual work programme linked to the strategic policies in the Council's Corporate Plan, which should target policy/plan developments and include for such reviews as are considered appropriate.

Issues relating to communities, the environment and sustainable development are relevant to the work of each SPC.

SPCs are required to have regard to Regional Spatial and Economic Strategies proposed by the Regional Assembly.

The Council retains its function as the decision-making authority and makes the final decision on all matters of policy. It is the responsibility of the Strategic Policy Committees to provide advice and make recommendations on policy matters. The Chairperson of the SPC will report directly to the full Council.

SPCs will normally meet about 4 times yearly at suitable times for SPC members and it will be a matter for each individual SPC to decide on times, dates etc. for their meetings.

If an SPC member misses 2 consecutive meetings without providing advance notice and reasonable cause of inability to attend, their nominating organisation will be asked to de-select/re-affirm their nominee.

Meetings of SPCs will generally be open to the public and the media, unless a Committee shall decide otherwise by a majority of the membership present of that Committee.

The major advantage of the SPC system is that it involves the elected members and external representation in policy making from the earliest possible stage. The Strategic Policy Committees are not involved in the day to day operation of the Council, staff matters or other non-policy matters.

SPCs may request a public authority to attend a meeting of an SPC for the purpose of assisting it in developing policy in accordance Section 48(3A) of the 2001 Act (inserted by Section 41(d) of the 2014 Act).

A request to a public authority to attend a meeting of a SPC should –

- set out the issue on which advice is being sought, including providing any policy papers of the local authority, or draft policy papers, and the linkages to the policy responsibility of the public authority and
- provide at least one month's notice, or shorter interval if mutually agreed.

The Act provides for the public authority to assist the SPC in the formulation of its policy by the SPC. The purpose of the provision is to give an additional resource in formulating policy and to strengthen linkages between local authorities and public bodies with wider responsibilities in the sectoral area in which the SPC operates. The invitation to attend at a meeting of an SPC cannot be used to query the public authority in the performance of its functions or duties.

4. TERMS OF REFERENCE OF SPC'S

SPC's will be constituted in accordance with Section 48 of the Local Government Act, 2001 as amended by Section 41 of the Local Government Reform Act, 2014, and as set out in the attached Framework.

1. Chairpersons will be appointed for a minimum of 3 years.
2. Meetings of SPC's will normally be held on a quarterly basis; in any event, not less than 4 meetings of every SPC will take place annually.
3. Meetings shall be conducted in an informal but efficient manner at venues and times to be decided annually in advance by the committee.
4. SPC meeting documentation should ideally be circulated to SPC members at least 2 weeks in advance of meetings. Agenda and minutes should also be circulated to all other Councillors.
5. External nominees should be familiar with the subject area of their committees and generally constitute one third of membership.
6. Where agreement is reached on recommendations of an SPC to the full Council, the Chairperson of the SPC or his/her nominee shall present the recommendation to full Council.
7. The outcome of the Council considerations of the SPC's recommendation should likewise be reported back to the SPC.

The ethical requirement of Section 177 of Local Government Act 2001 shall apply to all members of SPC (Disclosure by member of pecuniary or any other beneficial interests). The general conduct and behaviour of SPC members in carrying their role is an important yardstick by which the honesty, integrity, impartiality and performance of local government are judged and public trust maintained.

The Regulation of Lobbying Act 2015 (the Act) is designed to provide information to the public regarding who is lobbying whom about what. Individuals and organisations who participate in Strategic Policy Committees established by local authorities may have obligations under the Act.

A critical element of public policy formulation by the Strategic Policy Committees is the availability to the local authorities of expertise, skills and knowledge from persons outside of the public service. Where membership of the Committee comprises of at least one person who, for the purposes of the Act is a Designated Public Official, it may be the case that communications within the group could be considered lobbying communications. The person making these communications may be required to register as a lobbyist and to submit a return of this communication to the Lobbying Register.

However, the Act provides for an exception from the requirement to register in such cases once specified transparency criteria have been put in place. A transparency code was published by the Minister for Finance and Public Expenditure and Reform to address this situation. Communications between members of Strategic Policy Committee about the work of the Committee would be exempt where the group in question complies with the Transparency Code.

5. FRAMEWORK

5.1 The overall configuration of the Kilkenny Strategic Policy Committees are as follows:

Strategic Policy Committee	Elected Members	Non Elected Members	Non Elected Members
SPC 1 Economic Development Enterprise Support and Planning & Tourism, Development Policy	John Coonan Michael Doyle Pat Fitzpatrick Ger Frisby [C] Michael McCarthy Eugene McGuinness Malcolm Noonan Patrick O'Neill	John Bambrick Marion Acreman Deirdre Shine Brian Hamilton Annette Jolly Paul Brophy Eileen Moyles	1-Agriculture/Farming (IFA) 1-Development/Construction (CI) 1-Business/Commercial (CI) 1-Env./Conservation (PPN) 1-Social Inclusion (PPN) 1-Community/Voluntary (PPN) 1-Trade Union (ICTU)
SPC 2 Transportation Policy Mobility Management & Water Services	Tomás Breathnach Peter Cleere Deirdre Cullen Fidelis Doherty Matt Doran [C] Michael Delaney Pat Dunphy Patrick O'Neill	Paul O'Brien Barry Lynch Gary Graham Alan Sullivan Eileen Ryan Gerard Ferris Ger Mooney	1-Agriculture/Farming (IFA) 1-Development/Construction (CI) 1-Business/Commercial (CI) 1-Env./Conservation (PPN) 1-Social Inclusion (PPN) 1-Community/Voluntary (PPN) 1-Trade Union (ICTU)
SPC 3 Housing	Eamon Aylward Martin Brett Pat Fitzpatrick Denis Hynes Joe Lyons Andrew McGuinness Eugene McGuinness Joe Malone [C]	Brian Dunlop Mags Morrissey Lisa Morris John Bourke Yvonne Moriarty	1-Development/Construction (CI) 1-Env./Conservation (PPN) 1-Social Inclusion (PPN) 1-Community/Voluntary (PPN) 1-Trade Union (ICTU)
SPC 4 Environmental Protection, Climate Action & Energy	Mary Hilda Cavanagh [C] Deirdre Cullen David Fitzgerald Denis Hynes Joe Lyons Malcolm Noonan	James Murphy John Hurley Laurence Conroy Shem Caulfield Noel O'Donoghue	1-Agriculture/Farming (IFA) 1-Development/Construction (CI) 1-Business/Commercial (CI) 1-Env./Conservation (PPN) 1-Community/Voluntary (PPN)
SPC5 Community, Cultural & Fire Services	Tomás Breathnach John Brennan [C] Martin Brett Peter Cleere John Coonan Pat Dunphy	Michael Rice TBC Martin Brennan Denis Brophy Fergal Canton	1-Agriculture/Farming (IFA) 1-Business/Commercial (CI) 1-Social Inclusion (PPN) 1-Community/Voluntary (PPN) 1-Trade Union (ICTU)

* C: Chairperson

5.2 Remit of Each SPC

The following section sets out the details of the remit of each of the 5 SPC's.

Economic Development, Enterprise Support and Tourism, Planning & Development Policy

- Tourism Strategy and Twinning
- Economic development
- Enterprise support functions.
- Implementation and review of the economic elements of the LECP
- Planning and Development
- Conservation of Built Environment
- Urban Renewal & Town Centre Sustainability
- Land Activation/Vacant Site Levy/Derelict Sites

Transportation Policy / Mobility Management & Water Services

- Roads
- Road Safety issues and Traffic Management
- Mobility Management
- Cycling Policy
- Pedestrian Facilities
- Parking
- Public Transport
- Water Services Investment Programme
- Rural Water Programme

Housing

- Housing Construction / Refurbishment Programme
- Homeless Strategy
- Housing Strategy
- Estate Management
- Allocations / Transfers
- Accommodation Programme for Travelling People

Environmental Protection, Climate Action & Energy

- Waste Management
- Flood Risk & Water Quality Management Plan
- Climate Action
- Burial Grounds
- Building Control
- Energy Strategy/Standards
- Control of Animals
- Litter Management Plan
- Parks, Playgrounds & Open Spaces

Community, Cultural & Fire Services

- Community Development
- Rural Regeneration
- Arts
- Libraries
- Heritage
- Fire Service

6. PRINCIPLES

The following principles apply to:

6.1 Appointment of Kilkenny County Council Members

1. Each Member of Kilkenny County Council shall, as a matter of equity and good practice, serve on an SPC.
2. Council Members may not be nominated to represent sectoral interests.
3. SPC Membership for Council Members shall be for the lifetime of the Council. A person ceasing to be a Member shall automatically cease membership of the SPC in accordance with Local Government Act 2001.
4. Council Members shall not serve on more than two Strategic Policy Committees.
5. SPC Council membership shall reflect the proportionality and the distribution of elected representation on the full Council – as far as it is practical, each Strategic Policy Committee should have at least one member from each Municipal District.
6. The Chairs of the SPC's shall be an Elected Member. The Chairs of the SPC will hold office for a minimum period of 3 years.
7. The allocation of the SPC Chairs shall also reflect equitably the spread of elected representation on the County Council.
8. Chairpersons should be selected on the basis that they have an interest in the work of the SPCs and are aware of their role in providing leadership and working with the relevant Director of Service to facilitate the smooth and effective operation of the Committee.

6.2 Appointment of Sectoral Interests

1. Nominees shall be active within the area of the local authority and have a countywide impact or, at minimum, relevance in a locality or number of localities in the area.
2. Where appropriate nominating groups/associations must be open to new members, hold AGMs and regular meetings, and should be broadly representative and accountable.
3. Nominating groups should also consider nominees from single interest groups where appropriate e.g campaign group focused on the disabled or elderly.

Groups formed around a specific local single issue will not be considered for inclusion.

4. Local Development Agencies represented at Strategy Group/LCDC Level shall not be represented on an SPC.
5. Each sector shall select its own nominee(s).
6. It is desirable that sectoral nominees would retain membership of the SPC for the life of the Council. It is open to each nominating sector to deselect its nominee, if felt necessary, and to notify the Council accordingly whereupon the person would cease to be a member. In such cases the relevant sector shall nominate a new representative.

Note: Sectoral interests are asked to bear in mind the objective of achieving a 40% gender balance in making the appointments, as well as the need to foster social inclusiveness and equality when selecting their representatives.

6.3 Expenses

In general any expenses would be met by the members' nominating bodies. However, those sectoral members whose expenses cannot be met in that manner are entitled to be paid travel expenses for attendance at SPC meetings. Kilkenny County Council will pay travel expenses to those sectoral members to facilitate their participation in the SPC process in accordance with Circular letter issued by Department of Environment, Community and Local Government.

6.4 Training

Kilkenny County Council will make provision for the training of members of the SPC's, as far as budgetary constraints will allow.

6.5 Standing Orders

Kilkenny County Council will adopt Standing Orders regulating the proceedings of the meetings of the Council and these Standing Orders will apply to SPCs' meetings.

6.6 Use of Irish Language

Where practical, SPCs should promote the use of the Irish language in various facets of their work.

7. NOMINATION PROCESS

Kilkenny County Council will advance the SPC Scheme with 5 Committees on the following basis:

- **SPC 1:** *Economic Development, Enterprise Support and Tourism, Planning & Development Policy*
- **SPC 2:** *Transportation Policy / Mobility Management & Water Services*
- **SPC 3:** *Housing*
- **SPC 4:** *Environmental Protection, Climate Action & Energy*
- **SPC 5:** *Community, Cultural & Fire Services*

Number of Places for **Sectoral** Representation on SPCs is in accordance with Guidelines for establishment and operation issued by the Department in June 2014 and is as follows:-

SECTOR	NUMBER OF SPC PLACES
<i>Agriculture/Farming</i>	<i>4</i>
<i>Environment/Conservation</i>	<i>4</i>
<i>Development/Construction</i>	<i>4</i>
<i>Community/Voluntary</i>	<i>5</i>
<i>Business/Commercial</i>	<i>4</i>
<i>Trade Union</i>	<i>4</i>
<i>Social Inclusion</i>	<i>4</i>
TOTAL	29

Kilkenny County Council will seek nominations of representatives of Agriculture/Farming, Business, Trade Unions Pillars in accordance with national arrangements set out in circular LG 07/2014 dated 29/5/2014.

Nominations will be sought from Construction Industry Federation (CIF) in relation to representatives from the Development/Construction Sector under the Business Pillar.

Kilkenny County Council will work with the Public Participation Network (PPN) to facilitate the selection of sectoral representatives for the Environment, Social Inclusion and Community/Voluntary Sectors. (Circular Letter CVSP 1/2014 – 10/4/2014).

Once the Scheme is adopted each sector will be circulated with same and given a period of 4 weeks from the date of agreement of this draft scheme to make nominations. The final designation of sectors to SPCs and the number of places on SPCs will rest with Kilkenny County Council. Nominations, including any subsequent changes thereto, are the sole responsibility of the sectors.

Kilkenny County Council will approve the new members of the Strategic Policy Committees on receipt of completed nominations by the November Council meeting or earlier where appropriate.









APPENDIX I

Summary of Central Features of the SPC System:

- (1) The role of the Strategic Policy Committees (SPCs) and the Corporate Policy Group (CPG) are to formulate policy proposals, evaluate and report on policy implementation, for consideration and final decision by the full Council.
- (2) A focus on the SPCs' policy-making and strategic role is fundamental to the SPC concept. In their work, SPCs are not concerned with individual representational or operational issues.
- (3) The SPC system presents Councillors with a prime opportunity to become more involved in policy formulation. It provides a chance to review and optimise committee structures and related procedures, which demands a rationalisation of existing committees and standing procedures.
- (4) Each authority will have generally four SPC's, with the option of more in the larger authorities, if warranted.
- (5) SPCs are to be chaired by one of the Councillor members.
- (6) SPCs are to have a minimum total membership of nine.
- (7) One third of the members of each SPC are to be drawn from relevant sectoral interests; to provide relevant expertise and advice and allow for a range of inputs in the formulation of policy
- (8) Relevant organisations for each sector will be identified as early as possible, parallel with the drafting of the scheme.
- (9) Each sector will select its own nominee(s) via the PPN, where appropriate.
- (10) The CPG is to comprise the Cathaoirleach of the local authority, the SPC chairs and the Chair of each municipal district, in accordance with section 133(1) of the 2001 Act. It is to be chaired by the Cathaoirleach. It will be supported by the Chief Executive.
- (11) The role of the Corporate Policy Group (CPG) is to coordinate the work of the SPCs and facilitate the flow of the outcome of the work of the SPCs to the Council.

APPENDIX II

NATIONAL CONTACT POINTS OF KEY STAKEHOLDERS

PILLAR	NAME & ADDRESS	TELEPHONE & E-MAIL
Farming	Gerry Gunning <i>Irish Farmers Association (IFA)</i> <i>Irish Farm Centre</i> <i>Bluebell</i> <i>Dublin 12</i>	 01-4500266  gerrygunning@ifa.ie
Business	Amy Woods <i>Chambers Ireland</i> <i>22-24 Lower Mount Street</i> <i>Dublin 2</i>	 01-4004300  amy.woods@chambers.ie
Trade Unions	Fiona Dunne <i>Irish Congress of Trade Unions</i> <i>(ICTU)</i> <i>Head Office</i> <i>32 Parnell Square</i> <i>Dublin 1</i>	 01-8897777  fiona.dunne@onemovement.ie
Environment	Michael Ewing <i>Environment Pillar –</i> <i>Coordinator</i> <i>Knockvicar</i> <i>Boyle</i> <i>Co. Roscommon</i>	 071-9667373  michael@environmentalpillar.ie