Kilkenny County Council

STRATEGIC POLICY COMMITTEE

SCHEME

2014 – 2019

Draft Approved on 22nd September, 2014

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 The Present Organisation of Kilkenny County Council

A multiplicity of services is provided by this authority for a population of some 95,000 in an area covering 2,062 sq. kilometres. The functions and services of the council are classified into eight programme groups, a broad outline of which are set out hereunder:

1. Housing and Building

Provision of social housing; assessment of housing needs; housing strategies, homelessness, management and provision of local authority housing; facilitating the provision of voluntary housing; assistance to persons housing themselves or improving their houses; provision of traveller accommodation; enforcement of certain housing standards and controls for private rented housing and promotion of social inclusion measures.

2. Road Transportation and Safety

Road upkeep and improvement to meet economic and social needs; public lighting; traffic management; safety education; registration and taxation of vehicles.

3. Water Supply and Sewerage

Provision and maintenance of quality water supply and sewerage schemes to meet economic and social needs; (through a service level agreement with Irish Water), assistance towards the provision of piped water supply and/or sewerage facilities for group schemes.

4. Development and Incentives and Controls

Physical planning policy including County Development Plans, County Heritage Plans, County Landscape Character Assessment, County Retail Strategy; control of new development and building; promotion of industrial, commercial and community development, planning compliance/enforcement, enterprise support, supporting partnership/joint projects.

5. Environmental Protection

Waste recycling; burial grounds; civil defence; safety of structures and places; fire protection; elimination of dereliction; pollution control, public awareness and community based initiatives. Litter prevention.

6. Recreation and Amenity

Libraries; parks; open spaces; recreation play and sport; art activities; museums; conservation and improvement of amenities, community initiatives.

7. Agriculture, Education, Health and Welfare

Contributions to joint drainage committees, educational and training committee, and other services of a social and community nature.

8. General

Corporate management; local elections, register of electors, consumer protection, financial management, rate collection.

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

2.   Corporate Policy Group (C.P.G.)

2.1 CPG – Structure

The Corporate Policy Group (CPG) comprises the Cathaoirleach of the authority as its chair together with the chairs of each of the SPCs and the chairs of each Municipal District.

The CPG links the work of the different SPCs, act as a sort of cabinet and provide 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. 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 (S.P.C.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.

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 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 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 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.

Accordingly Kilkenny County Council shall form an SPC entitled the "SPC for Economic Development, Enterprise and Tourism". 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 have an annual work programme linked to the local authority Corporate Plan, which should target policy/plan developments and include for such reviews as are considered appropriate.

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

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 through the Chairperson of the SPC to the full Council.

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 can request a public authority to convene a meeting of an SPC for the purpose of assisting it in developing policy.

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

4.   Terms of Reference

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 that 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, and additionally agenda and minutes should be circulated to SPC members and 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 is judged and public trust maintained.

5.   Framework

The overall configuration of the Kilkenny Strategic Policy System is as follows:

SPC 1: **Economic,** **Development,** **Enterprise** **Support and** **Tourism.**	**Elected Members:** **6**	**5 Members from External Sectors:-** *Agriculture/Farming (1)* *Development/Construction (1)* *Environment/Conservation (1)* *Business/Commercial (1)* *Trade Union (1)*
SPC 2: **Infrastructure** **Policy,** **Transportation,** **Fire & Emergency** **Services.**	**Elected Members:** **6**	**5 Members from External Sectors:** *Agriculture/Farming (1)* *Business/Commercial (1)* *Development/Construction (1)* *Community and Voluntary (1)* *Social Inclusion (1)*
SPC 3: **Planning and** **Development** **Policy and** **Heritage**	**Elected Members:** **6**	**5 Members from External Sectors:** *Development/Construction (1)* *Agriculture/Farming (1)* *Environment/Conservation (1)* *Community and Voluntary (1)* *Business/Commercial (1)*
SPC 4: **Housing,** **Community, Arts** **and Culture.**	**Elected Members:** **6**	**5 Members from External Sectors:** *Environment/Conservation (1)* *Development/Construction (1)* *Trade Union (1)* *Community and Voluntary (1)* *Social Inclusion (1)*
SPC 5: **Environmental** **Protection, Water** **Services and** **Energy.**	**Elected Members:** **6**	**5 Members from External Sectors:** *Agriculture/Farming (1)* *Business/Commercial (1)* *Environment/Conservation (1)* *Community and Voluntary (1)* *Development/Construction (1)*

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, have the opportunity to 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, be representative of each Municipal District.

6. The Chairs of the Strategic Policy Committees shall be appointed by the County Council from the Council Member appointees to the SPC 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. All SPC chairs must have an interest in the work of the SPC's.

9. SPC chairs are to be fully aware of the leadership role of SPC chairs.

10. SPC Chairs need to work with the relevant Director of Service to facilitate the smooth and effective operation of the SPC's and the CPG.

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.

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.

6.3   Expenses

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

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 Council which 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 on the following basis:

5 Strategic Policy Committees:-

- **SPC 1** Economic Development, Enterprise Support and Tourism
- **SPC 2** Infrastructure Policy,Transportation, Fire & Emergency Services
- **SPC 3** Planning & Development Policy and Heritage
- **SPC 4** Housing, Community, Arts and Culture
- **SPC 5** Environmental Protection, Water Services and Energy

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
Agriculture/Farming	4
Environment/Conservation	4
Development/Construction	5
Community/Voluntary	4
Business/Commercial	4
Trade Union	2
Social Inclusion	2
TOTAL	25

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) is 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 largest 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**	**01-4500266**
	Irish Farmers Association (IFA) Irish Farm Centre Bluebell Dublin 12	gerrygunning@ifa.ie
Business	**Kim Mulligan**	**01-4004300**
	Chambers Ireland 22-24 Lower Mount Street Dublin 2	
Trade Unions	**Fergus Whelan**	**01-8897777**
	Irish Congress of Trade Unions (ICTU) Head Office 31-32 Parnell Square Dublin 1	
Environment	**Michael Ewing**	**071-9667373**
	Environment Pillar – Coordinator Knockvicar Boyle Co. Roscommon	