



Comhairle Chontae Chill Chainnigh

Halla an Chontae Sraid Eoin Cill Chainnigh
R95 A39T

Pobail agus Áiteanna Inbhuanaithe a Chruthú

Kilkenny County Council

County Hall John Street Kilkenny
R95 A39T

Creating Sustainable Communities and Places



9th July, 2024.

**TO: AN CATHAOIRLEACH
& EACH MEMBER OF KILKENNY COUNTY COUNCIL**

RE: DRAFT STRATEGIC POLICY COMMITTEE SCHEME (SPC) 2024

Dear Councillor,

The statutory basis for SPC's is set out in Section 48 of the Local Government Act 2001 as amended by Section 41 of the Local Government Reform Act 2014.

Following the Local Elections, it is necessary for each Local Authority to establish new SPCs in line with the Guidelines published by the Department. Draft Scheme has now been prepared for consideration. In May the CPG agreed to change the titles of the five (5) SPC's and approved the configuration of these five (5) SPC's. All Members were advised of the five (5) SPC's per letter on Tuesday, 14th May, 2024.

Subject to approval of the Members of the Draft Scheme as circulated, it will then be published to allow for consultation and submissions from the public. The Draft Scheme will also be issued to the Public Participation Network (PPN) and all the National Pillars who nominate Members to the various committees for their comments.

It is recommended that the Members consider the Draft Scheme and approve the scheme to go for public consultation. The Draft Scheme together with the report on the submissions received will be brought back to the Elected Members for adoption in September, 2024. At that stage the membership of each Committee will be appointed by the Elected Members and the National Pillars with a view to having meetings as early as possible after the adoption of the Scheme.

Yours sincerely,

**Tim Butler,
Director of Services.**



Comhairle Chontae Chill Chainnigh
Kilkenny County Council

**DRAFT
STRATEGIC POLICY COMMITTEE
SCHEME**

2024 - 2029

Adopted by Elected Members on _____

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DEFINITIONS

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

1. INTRODUCTION

1.1 Present Organisation of Kilkenny County Council

Multiplicities of services and infrastructure are provided by Kilkenny County Council for a population of some 104,160 in an area covering 2,073 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 and Policy.

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 [now under the Management and Responsibility of Uisce Éireann]

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.

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 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;
- guide the preparation of the agenda for the monthly plenary council meeting. This involves the referral of items to be discussed at the Municipal District Meetings, where appropriate.
- 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 and approve the work programme of the SPC 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

CPG Meetings are held on a monthly basis unless otherwise decided. Minutes of CPG meetings are provided to all Members of the local authority.

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. Circular LG09/2024 dated 7th June, 2024, outlines the requirement for each Local Authority following the local elections to establish new Strategic Policy Committees (SPCs) in line with revised guidelines published by the Department in June 2024 for Establishment and Operation of Corporate Policy Groups (CPGs) and Strategic Policy Committees (SPCs). The guidelines seek to ensure there is a clear understanding of the work of SPCs and includes guidance on incorporating climate action into SPC work groups. The Council has decided to include minor modifications to the configuration of the SPC committees.

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. In line with the requirements of section 48(1A) of the Local Government Act 2001, it is only the SPC for Economic Development and Enterprise that is mandatory. In addition, each SPC is required to consider climate action and climate impacts as part of any and all policies that form part of its work programme.

3.4 Each SPC shall adopt a multi 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 and about what. Individuals and organisations who participate in Strategic Policy Committees established by local authorities may have obligations under this 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 Lobbying Act provides for an exception from the requirement to register. A Transparency Code was published by the Minister for 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	Sectoral Representatives	Sector
SPC 1 <i>Economic Development Enterprise Support and Tourism, Planning & Development Policy</i>	David Fitzgerald [C] & 4 Elected Members	4	1-Agriculture/Farming (IFA) 1-Development/Construction (CI) 1-Business/Commercial (CI) 1-Env./Conservation (PPN)
SPC 2 <i>Transportation Policy Mobility Management & Infrastructure</i>	Deirdre Cullen [C] & 4 Elected Members	4	1-Agriculture/Farming (IFA) 1-Development/Construction (CI) 1-Social Inclusion (PPN) 1-Trade Union (ICTU)
SPC 3 <i>Housing</i>	Andrew McGuinness [C] & 5 Elected Members	5	1-Development/Construction (CI) 1-Env./Conservation (PPN) 1-Social Inclusion (PPN) 1-Community/Voluntary (PPN) 1-Trade Union (ICTU)
SPC 4 <i>Climate Action, Energy & Environmental Protection</i>	Eugene McGuinness [C] & 5 Elected Members	5	1-Agriculture/Farming (IFA) 1-Development/Construction (CI) 1-Business/Commercial (CI) 1-Env./Conservation (PPN) 1-Community/Voluntary (PPN)
SPC5 <i>Community, Integration, Cultural, Heritage & Fire Services</i>	John Brennan [C] & 4 Elected Members	4	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 LECF
- Planning and Development
- Conservation of Built Environment
- Urban & Village Renewal
- Town & Rural Regeneration
- Land Activation/Vacant Site Levy/Derelict Sites

Transportation Policy/Mobility Management & Infrastructure

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

Housing

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

Climate Action, Energy & Environment Protection

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

Community, Integration, Cultural, Heritage & Fire Services

- Community Development
- Placemaking
- Arts & Culture
- Libraries
- Heritage
- Fire & Emergency Services
- Integration
- Social Inclusion

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. A person ceasing to be a Member shall automatically cease membership of the SPC.
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. The Local Government (*Reorganisation*) Act 1985 (section 27) was designed to allow for a basic element of proportionality in appointments to committees etc.
6. The allocation of the SPC Chairs shall also reflect equitably the spread of elected representation on the County Council, including, as far as it is practical, be representative of each of the Municipal Districts in the Local Authority.
7. 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.
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. Groups/Associations shall be active in the local authority area, be broadly representative and accountable and should have a broad sectoral remit.
2. Groups/associations should be open to new members, hold AGMs and regular meetings.
3. Single interest groups should be eligible, e.g. campaign groups focused on the disabled or elderly. Single issue groups should be encouraged to affiliate with their relevant PPNs to ensure that they are represented.
4. Local Development Agencies represented at Strategy Group/LCDC Level shall not be represented on an SPC. Arrangements should be in place, however, to facilitate meaningful engagement and consultation with such Local Development Agencies as part of the policy-making process.

5. Each sector shall select its own nominee(s) via the PPN.
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 a commitment to foster economic development, social inclusiveness and equality when selecting their representatives.

6.3 Expenses

In general, any expenses arising for SPC Members would be met by the organisations the SPC Member is representing. However, those SPC 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's issued by Department of Housing, Local Government & Heritage.

6.4 Training

Kilkenny County Council will make provision for Induction Training and ongoing training of members of the SPC's, in addition to specific training e.g. effective meeting skills for SPC Chairs as far as budgetary constraints will allow.

6.5 Standing Orders

Kilkenny County Council will adopt separate Standing Orders for SPC Meetings regulating the proceedings of the meetings of the SPC's. These will give necessary details to clarify to Members the workings of the SPC and SPC Meeting procedures.

6.6 Use of Irish Language

Many Councils already promote the use of the Irish language in various facets of their work. This practice could be extended to SPCs.

Bain úsáid as an teanga atá again - as an obair a thagann an fhoghlaim.

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 & Infrastructure*
- **SPC 3:** *Housing*
- **SPC 4:** *Climate Action, Energy & Environmental Protection*
- **SPC 5:** *Community, Integration, Cultural, Heritage & 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 2024 is as follows:-

SECTOR	NUMBER OF SPC PLACES
<i>Agriculture/Farming</i>	3
<i>Environment/Conservation</i>	3
<i>Development/Construction</i>	4
<i>Community/Voluntary</i>	3
<i>Business/Commercial</i>	3
<i>Trade Union</i>	3
<i>Social Inclusion</i>	3
TOTAL	22

Kilkenny County Council will seek nominations of representatives of Agriculture/Farming, Business/Commercial, Trade Unions Pillars in accordance with national arrangements set out in circular LG 09/2024 dated 7th June, 2024.

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/Conservation, Social Inclusion and Community/Voluntary Sectors (*see Circular Letter CVSP 1/2014 of 10 April 2014*).

Groups/Associations/Organisations who wish to register their interest in participating in the SPC process should do so on the attached form (Appendix III).

Once the draft 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 October 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 SPCs, with the option of more in larger authorities, if warranted.
5. Local authorities are statutorily required to have an SPC for Economic Development and Enterprise. All SPCs should consider climate action as a cross-cutting issue in their work programmes.
6. SPCs are to be chaired by one of the councillor members.
7. SPCs are to have a minimum total membership of nine.
8. At least 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
9. Relevant organisations for each sector will be identified as early as possible, parallel with the drafting of the scheme.
10. Each sector will select its own nominee(s) via the PPN, where appropriate.
11. The CPG is to comprise the Cathaoirleach of the local authority, the SPC chairs and a representative of each municipal district, as needed, 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.
12. 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	Irish Farmers Association (IFA) Irish Farm Centre Bluebell Dublin 12	<u>info@ifa.ie</u>
Business	Chambers Ireland 22-24 Lower Mount Street Dublin 2	<u>info@chambers.ie</u>
Trade Unions	Deirdre Mannion Irish Congress of Trade Unions (ICTU) Head Office 31-32 Parnell Square Dublin 1	01 889 7726 <u>deirdre.mannion@ictu.ie</u>
Environment	Irish Environmental Network Macro Community Resource Centre 1 Green Street Dublin 7	01 878 0116 <u>office@ien.ie</u>

APPENDIX III

KILKENNY COUNTY COUNCIL APPLICATION FORM FOR NOMINATION TO STRATEGIC POLICY COMMITTEES

Name of Applicant Body: _____

Address: _____

Date of Establishment: _____

State Aims and Purpose of your Organisation: _____

With which Sector would you most readily identify your organisation:
(tick one only please)

Agriculture/Farming	
Environment/Conservation	
Development/Construction	
Business/Commercial	
Trade Union	
Community/Voluntary	
Social Inclusion	

Name & Address of Person to Whom Correspondence is to be sent:

Name: _____

Address: _____

Telephone. No: _____

How often does your Organisation Hold Meetings? _____

Date of your last AGM: _____

State your Total Membership: _____

NAMES OF OFFICERS

Chairman: _____

Treasurer: _____

Secretary: _____

Please specify the type of Strategic Policy Committee on which your organisation seeks representation:

First Preference: _____

Second Preference: _____

[While every effort will be made to accommodate preferences, final decisions will ultimately rest with Kilkenny County Council, having regard to the likely degree of interest, the limited number of S.P.C. places available and the need to have a balanced constituency for each S.P.C.]

Signed: _____
SECRETARY

Completed Application Form must be returned to the Senior Executive Officer, Corporate Services, Kilkenny County Council, County Hall, John Street, Kilkenny or emailed to corporateservices@corkcoco.ie by Friday 20th September, 2024.