

# COMHAIRLE CONTAE CHILL DARA



## KILDARE COUNTY COUNCIL

### Draft Strategic Policy Committee

#### Scheme

**2019-2024**

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## **1. Introduction**

The Strategic Policy Committee approach is designed to strengthen the policy development role of the members of Kildare County Council and to improve policy formulation. A clear focus on significant policy and strategic issues is fundamental to the SPC concept. Following the recent local elections and having regard to the provisions of national guidelines and new legislative requirements, it is necessary for Kildare County Council to review its SPC scheme.

### **1.2 Statutory basis and objectives**

In accordance with the provisions of Section 48 of the Local Government Act 2001 as amended by Section 41 of the Local Government Reform Act 2014, the council shall establish by resolution committees to be known as Strategic Policy Committees (SPCs) to consider matters connected with the formulation, development, monitoring and review of policy which relate to the functions of the local authority and to advise the council on those matters. The structure affords both the elected representatives and local sectoral interests an opportunity to be more involved in policy formation in the spirit of partnership and for the benefit of the community.

## **2. Role of the Strategic Policy Committee**

### **2.1 SPCs and the Council**

The council is and remains the decision-making authority and it is the task of the SPCs as Committees of the Council to advise and assist the council in its work. While the task of each SPC includes assisting the council in the formation and development of policy, the final policy decisions will rest ultimately with the plenary council. The SPC system is intended to give councillors and relevant sectoral interests an opportunity for full involvement in the policy making process from the early stages, when policy options are more fluid. Therefore, much of the preliminary and background work, discussions and recommendations should be completed at SPC level for final consideration and ratification by the plenary council.

## **2.2 A Strategic Role**

SPCs have a major role in assisting and advising the council in relation to functions of a strategic statutory nature. They also have an important role in policy related to the development of work programmes and the establishment of priorities for particular services; consideration of the needs of people with disabilities in the formulation and implementation of relevant policies and the integration of sustainability principles to particular services and in the strategic monitoring of local authority services. The Economic Development, Enterprise and Planning SPC will also have specific functions in relation to economic development and support for enterprise.

## **2.3 Advice and Information from the Chief Executive**

Pursuant to the provisions of Section 132 and 136 of the 2001 Act as amended by the 2014 Act, the Chief Executive is required to advise and assist the SPC generally as regards the performance of the functions of the SPC. Normally the SPC Chair will make arrangements with the relevant Director of Services to have this advice available for the relevant meeting of the SPC.

## **2.4 Views of elected members**

In accordance with Section 147 (7) of the 2001 Act as inserted by Section 54 of the 2014 Act, the Chief Executive is required to have regard to the views of the elected members in the discharge of the executive functions of the council including as expressed at a meeting of the SPC.

## **2.5 Requirement to have regard to the Regional Spatial and Economic Strategy**

In accordance with Section 48 (3B) of the 2001 Act as inserted by Section 41 of the 2014 Act, each SPC will be required to have regard to Regional Spatial and Economic Strategies.

## **2.6 Assistance from Public Authorities**

Section 48 (3A) of the 2001 Act (inserted by Section 41(d) of the 2014 Act) empowers an SPC to seek the attendance of public authorities at a meeting for the purpose of assisting it in developing policy.

## **2.7 Service Delivery Plans**

The development of Service Delivery Plans will facilitate the identification of objectives and the preparation of strategies for individual services. SPCs can provide advice and assistance to the council in the preparation of Annual Service Delivery Plans.

## **2.8 Consultation**

In view of the important strategic role which SPCs have in the development and review of policy, consultation with relevant sectors and interest should be an ongoing part of the SPC process. It is a matter for the SPC to decide on the appropriate consultative arrangements subject to any relevant guidelines issued by the local authority.

## **2.9 SPC Meeting's and Procedures**

- The SPC Chair and relevant Director of Service should meet in advance of an SPC meeting to clarify the agenda and to agree on objectives and what they would like as expected outcomes. Documentation and agendas will be issued well in advance of scheduled meetings.
- Meetings of SPC's will normally be held on a quarterly basis or as often as is deemed necessary. Meetings shall be conducted in an informal but efficient manner at venues and times to be decided annually in advance by the committee.
- The local authority should provide a key contact person (other than the Director of Service) for all SPC members and particularly for sectoral representative to deal with SPC matters.
- Local authorities should ensure all documentation, including agendas and minutes, concerning SPC meetings is sent well in advance of the meetings.
- External nominees should be familiar with the subject area of their committees. Where agreement is reached on recommendations of an SPC to the plenary council the Chairperson of the SPC or his/her nominee shall present the recommendation to plenary council. The outcome of the council considerations of the SPC's recommendation should likewise be reported

back to the SPC and sectoral representatives should also report to their relevant bodies.

- 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 revised Code of Conduct for Elected Members, which came into effect in June 2019, shall apply to all members of the SPCs also.

### **3. Corporate Policy Group**

#### **3.1 CPG – Structure**

The Corporate Policy Group (CPG) will comprise the Cathaoirleach of the authority as its chair together with the chairs of each of the SPCs. Where a Municipal District is not already represented, the Cathaoirleach/Mayor of that Municipal District or his or her nominee will also be included. The CPG will link 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 plenary council. It will be supported by the Chief Executive and Directors of Services.

#### **3.2 CPG – Role**

The CPG, like the SPC, is a Committee of the Council. It acts as a link between the SPCs and the plenary council and its task is to advise and assist the council, with full decision-making authority remaining with the council. The Cathaoirleach reports to the plenary council on the work of the CPG in the same way that each SPC Chair reports back to their committee. The role and functions of the Corporate Policy Group are contained in Section 133 of the Local Government Act 2001 as amended by Section 41 of the 2014 Act and include, inter alia, the following:

- Co-ordinate the work of the SPCs and monitor their work programmes,
- Request SPCs to consider policy issues where appropriate, and
- Provide feedback to the SPCs on council policy and views in areas relevant to the SPCs.

### **3.3 Agendas and Minutes of CPG Meetings**

The agendas and the minutes of CPG meetings, when adopted, will be posted to the Members Information Portal as a matter of course.

### **4. Regulation of Lobbying Act 2015 – Transparency Code**

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.

The SPCs of Kildare County Council comply with the criteria set out in the Transparency Code in their operations and in accordance with the Regulation of Lobbying Act, 2015.

## **5. SPC Framework**

### **5.1 Proposed Number of SPC's**

In accordance with statutory departmental guidelines the number of SPCs in a local authority will generally be 4 SPCs including the SPC for Economic Development and Enterprise. In accordance with the guidelines local circumstances may warrant additional SPCs in the larger local authorities.

In determining the number of SPCs and in determining the overall framework of SPCs, Kildare County Council has taken the following factors into account:

- Section 48 Local Government Act 2001 as amended by Section 41 of the Local Government Reform Act 2014
- DHPLG Circular LG07/2014 – Guidelines for Establishment and Operation of Corporate Policy Groups and Strategic Policy Committees
- The total number of elected members on the council;
- The range of sectoral and other interests to be represented, including facilitating a reasonable spread of interests;
- The desirability of allowing adequate opportunity for participation by councillors and sectoral interests;
- The organisational arrangement of service groupings within the authority and the remit envisaged for each SPC;
- The need to ensure that the organisational and financial resources of the particular local authority is not over-stretched; and
- Integration with other meeting requirements and committee structures and ensuring streamlined procedures generally.

### **5.2 SPC Configuration and Functions**

Having regard to the foregoing, and following agreement at Corporate Policy Group, it is proposed that Kildare County Council will have 6 Strategic Policy Committees which will be configured as follows:

- Climate Action
- Environmental and Water Services
- Economic Development, Enterprise and Planning



- Housing
- Local Community and Culture
- Transportation, Safety and Emergency Services

The Climate Action SPC, which is a proposed additional SPC over those that were in operation under the 2014 – 2019 Scheme, will have specific functions in relation to the current and future impacts of climate change. The Chairpersons of the SPCs will report directly to the plenary council.

## **6. The Strategic Policy Committee Scheme**

### **6.1 Preparation of the Draft Scheme**

The scheme for the establishment of Strategic Policy Committees in Kildare has been prepared having regard to the guidelines issued by the Department of Housing, Planning and Local Government and relevant legislative requirements.

### **6.2 Formation of Strategic Policy Committees**

- Each SPC should have as a minimum a total membership of nine.
- The SPC Chairs should hold office for a minimum period of three years, which can be renewed by the council. Subsequent chairs should be appointed from among the existing councillor members of the SPC.
- Every councillor should, as a matter of equity and good practice, have the opportunity to serve on an SPC. SPC membership for councillors should be for the lifetime of the council. Councillors may not be appointed to represent sectoral interests.
- Each SPC to have at least one third of its membership from sectors relevant to the committee's remit.
- Each SPC will adopt a multi-annual work programme linked to the Corporate Plan to be updated regularly as necessary. The programme shall be agreed with the Corporate Policy Group.
- Each committee will arrange its own business and proceedings and shall comply with Standing Orders for SPCs.

- The SPCs will meet as frequently as necessary and at least once every quarter.
- Full participation in meetings of the SPC should be confined to members of the SPC. Where policy matters of particular interest to other councillors or local interest groups arise, the SPC could meet with the relevant municipal district members or groups.

### **6.3 Guidelines for the Operation of Strategic Policy Committees**

- SPC work programmes should be linked to the Corporate Plan.
- Committees should liaise with each other as necessary in order to secure integrated approaches to issues which come before them.
- In view of the important strategic role which SPCs have in the development and review of policy, consultation with relevant sectors and interests should be an ongoing part of the SPC process. This may be of additional significance where an SPC covers a number of services with limited opportunity for direct sectoral participation on the committee, or where it was not possible to accommodate fully the range of relevant interests. It is a matter for the SPC, taking account of the range of interests already represented, to decide on the appropriate consultative arrangements, subject to whatever guidelines might be issued by the council.
- Policy recommendations made by SPCs should be reviewed by the respective committees so that their success can be monitored.

### **6.4. Nomination Process**

External representatives to be nominated by the following sectors:

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

The nomination process for the agricultural/farming sector will be facilitated by the farming and agricultural organisations pillar, the business/ commercial and development/ construction sectors will be facilitated by the business and employers organisations pillar. The trade union sector will be facilitated by the trade union pillar. The environmental/conservation sector will be facilitated by the environmental pillar and the associated Environmental College under the Public Participation Network [PPN] arrangements. The environmental/conservation, community/voluntary and social inclusion sectors will be determined on the basis of the local nomination process through the PPN.

Following adoption of the SPC Scheme nominations will be sought from the four national pillars. Nominations will be also be sought, through the Public Participation Network (PPN) for community/voluntary, social inclusion and environmental appointments as appropriate.

There are three electoral colleges within PPN:

- Environment
- Social Inclusion
- Community and Voluntary

To join the Environment Electoral College an organisation's primary objectives and activities must be environmental (i.e. ecological) protection and/or environmental sustainability.

To join the Social Inclusion Electoral College an organisation's primary objectives and activities must focus on social inclusion/ social justice/ equality  
Organisations whose primary objectives are other than those listed above will be members of the Community and Voluntary Electoral College.

## **6.5. Sectoral Representatives**

Decisions by local authorities will be informed and strengthened by more effective community/citizen engagement and increased public participation in local government.

The following factors will be considered in determining sectoral representation on and across each SPC:

- The need to foster economic and social development generally.
- A stated commitment to working towards gender balance and to encouraging as full as possible gender balance in representation from the sectors.
- The need to ensure a pro-active approach to having as many relevant sectors as possible across the SPC system.
- The need for balance between divergent interests.
- The need for a comprehensive audit of groups within the local authority area to facilitate the fullest possible consultation with each sector.
- The priority concerns of each sector and the appropriateness of the SPCs to deal with these concerns.
- The relationship between the number of SPCs and the range of interests which can be represented.
- A commitment to the fostering of social inclusiveness and equality.
- A commitment to have a pro-active information strategy to inform the public on the renewal of local government.
- The desirability of facilitating relevant organisations to be part of the nominating constituencies.
- Groups/associations should be active in the area of the authority and, where possible, have a countywide remit.
- Whereas in some instances it may be appropriate to consider single interest groups [such as those campaigning on behalf of the elderly or disabled], groups formed around a specific local single issue will not be considered for inclusion.

## **7. Training**

As part of the development of a Training Programme for Councillors the council will include provision for training for all SPC members.

## **8. Expenses Incurred by Members**

In general, any travel expenses arising for an SPC member would be met by the organisation that the SPC member represents. However, in exceptional

circumstances, where the nominating body is unable to pay such travel expenses, the member would be entitled to claim travel for attendance at SPC meetings, at the rate applicable to elected members of the council.

**9. Recommended Representation of Strategic Policy Committees  
Members and Sectoral Interests**

**Climate Action**

Chair	=	County Councillor	1
Members	=	County Councillors	To be agreed
Sectoral Interest	=	Environmental/Conservation Business/Commercial Agriculture/Farming Community / Voluntary	4

**Environmental and Water Services**

Chair	=	County Councillor	1
Members	=	County Councillors	To be agreed
Sectoral Interest	=	Environmental/Conservation Business/Commercial Agriculture/Farming Community / Voluntary	4

**Economic Development, Enterprise and Planning**

Chair	=	County Councillor	1
Members	=	County Councillors	To be agreed
Sectoral Interest	=	Business/Commercial Development/Construction Social Inclusion Environmental/Conservation	4

**Housing**

Chair	=	County Councillor	1
Members	=	County Councillors	To be agreed
Sectoral Interest	=	Development/Construction Community/Voluntary Trade Union Social Inclusion	4

<b>Local Community and Cultural</b>
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Chair	=	County Councillor	1
Members	=	County Councillors	To be agreed
Sectoral Interest	=	Environmental/Conservation	4
		Business/Commercial	
		Community/Voluntary	
		Social Inclusion	

<b>Transportation, Safety and Emergency Services</b>
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Chair	=	County Councillor	1
Members	=	County Councillors	To be agreed
Sectoral Interest	=	Agriculture/Farming	4
		Business/Commercial	
		Development/Construction	
		Community/Voluntary	

## **Strategic Policy Committees**

### **9.1 Indicative Areas of Responsibility**

<b>9.1.1 - Climate Action</b>
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- Climate Adaptation and Mitigation
- Ongoing performance review of Climate Adaptation Strategy
- Oversight of Covenant of Mayors
- Building climate change capacity internally and externally (elected members, staff, wider community)
- Interpreting and assessing national (eg. All of Government Plan), regional, local and EU policies
- Promoting innovation particularly at local level
- Assessing business opportunities arising from Climate Action
- Linkages with other policy committees



<b>9.1.2 - Environmental and Water Services</b>
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**Environmental Services**

- Waste Management
- Review of Litter Management Plan
- Cemeteries
- Horse and Dog Control and related bye-laws
- Derelict Sites
- Environmental Awareness
- Air Quality
- River Basin Management
- Assessment of related local, regional, national and EU policies.
- Linkages with other policy committees

**Water Services**

- Rural water
- Private water supplies
- Catchment related flooding
- Linkages with other policy committees

<b>9.1.3 - Economic Development, Enterprise and Planning</b>
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- Preparation and oversight of the economic element of the Local Economic and Community Plan.
- Creation, review and oversight of economic development policies and business support policies.
- Preparation of County Development Plan.
- Job Creation/Maintenance Policies.
- Policy linkage – I.D.A., Enterprise Ireland, Local Enterprise Office and other local development initiatives.
- Regional spatial and economic strategies.
- Impact of national policies.
- Sustainable development issues.
- Urban, village and rural renewal plans.
- Tourism promotion/development.
- Heritage Protection and conservation.
- Linkages with other policy committees.

**9.1.4 - Housing**

- Review of social housing policies.
- Role of local authority housing/joint ventures/approved housing bodies/private
- Integrated policies
  - Social Housing Delivery
  - Homelessness
  - Social Inclusiveness
  - Affordable Housing
  - Rebuilding Ireland Home Loan
- Estates Management/Tenant Participation Policies.
- Housing design and construction policy.
- Traveller Accommodation Programme
- Land acquisition policy.
- Quality of life issues – urban and rural.
- Linkages with other policies.

<b>9.1.5 - Local Community and Cultural</b>
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- Preparation and oversight of the community elements of the Local Economic and Community Plan.
- Civic leadership issues, with reference to Section 63 of Local Government Act 2001(as amended).
- Policy in relation to support for community-based organisations and community development.
- Policy in relation to interaction with national tidy town/pride of place groups and initiatives.
- Access to and promotion of sport and other-leisure activities and facilities.
- Access to and promotion of library services and the Arts.
- Council's responsibilities with regard to youth affairs and services to young people.
- Council's responsibilities with regard to age friendly county programme.
- Linkages with other policy committees.

<b>9.1.6 - Transportation, Safety and Emergency Services</b>
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- Ongoing review of National/Regional/Local Policies – Roads.
  - Policies relating to role of transportation system.
  - Regional spatial and economic strategies.
  - County-wide implementation policies.
  - Rural/Urban transportation issues.
  - Public Private Partnership arrangements.
  - Role of public transport – road, rail, taxis etc.
  - Traffic Management policies
    - Cycle Lanes
    - Bus corridors
    - Park and ride measures
    - Car parking strategy
  - Road Safety Issues.
  - Major Emergency Management.
  - Severe weather preparedness.
  - Linkages with other policy committees.
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