

**Comhairle Chontae Laoise**

**Laois County Council**



**Draft Strategic Policy Committee Scheme  
2019 -2024**

*July 2019*

*Version 1.1*

## **1. Review of the existing SPC structures**

The SPCs have met regularly since their inception and have dealt with various policy issues of the Council. Recommendations were, in the main, reached by consensus following considerable consideration by each member and presented to the full Council for approval by the relevant Chairpersons. Each SPC was facilitated by a Director of Service. The work of each SPC improved the efficiency of the Council in relation to their particular area, due to the varied expertise of the members. Following the recent local elections and having regard to the provisions of national Guidelines, it is necessary for Laois County Council to review the SPC scheme. Due to the re-designation of some functions/services within Directorates of Laois County Council, it is also appropriate to carry out this review.

### **1.2 Objectives & Structures of SPCs and CPGs**

The statutory basis for the 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. 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, for the benefits of the community.

The Strategic Policy Committees will:

- Assist the Council in the formulation, development, monitoring and review of policy which relate to the functions of the local authority,
- Reflect the major functions or services of the County Council within the broader context,
- Be tailored to the size, membership and administrative resources of the Council but generally be four in number, and
- Have a minimum one third of their membership drawn from sectors relevant to the Committees' work.

### **1.3 The Corporate Policy Group**

The statutory basis for the Corporate Policy Group is set out in Section 133 of the 2001 Act as amended by Section 48 of the 2014 Act.

The CPG will:

- Comprise the Cathaoirleach of the Council and the Chairs of the SPCs. Where the Municipal District is not already represented, the Cathaoirleach of the Municipal District or his or her nominee will also be included,
- Provide a Forum for policy issues which transcend the remit of the individual SPCs,
- Be supported by the Chief Executive, and
- Monitor the overall performance of the Council.

## **2. Laois County Council**

Laois County Council was established under the Local Government (Ireland) Act, 1898. The first meeting of the first Council was held in the Grand Jury Room in Portlaoise Courthouse on the 22nd of April 1899.

The County of Laois Local Electoral Areas and Municipal Districts Order 2018 divided Laois into the 3 local electoral areas of; Portlaoise, Borris In Ossory - Mountmellick, and Graiguecullen - Portarlington. The number of elected members is 19.

## **2.1 Service Delivery by Laois County Council**

Laois County Council provides an extensive and diverse range of services which impact upon the County's economic, social, environmental, infrastructural, tourism, industrial and cultural activities. The Council is serviced by a large workforce including the Chief Executive, professional technical, legal, administrative and financial people, outdoor staff and contractors.

Laois County Council delivers its services through Directorates.

## **2.2 Council Mission Statement**

The Council will lead the sustainable economic, social, cultural and community development of our County and deliver quality public services to the communities we serve.

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

### **3.1 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 full 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 Council.

### **3.2 A Strategic Role**

SPCs have a major role in assisting and advising the Council in relation to functions of a strategic statutory nature, i.e. policy to mirror the functions of a Local Authority, e.g. preparation of a Development Plan, etc. They also have a function in other non-statutory land use plans - urban frameworks, masterplans, etc, 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 SPC for Enterprise, Economic Development and Tourism will also have specific functions in relation to economic development and support for enterprise.

SPCs need to be involved from the preliminary phase of preparation of a policy and assist in the setting of overall parameters, identification of issues to be addressed and approaches to be taken etc. In this way, SPCs can have a meaningful involvement in presenting to the full Council for decision the values and choices which are important elements of planned preparation.

### **3.3 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, including when requested to do so by 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.

The SPC itself or the Committee Chair, through the Director of Services, may also request the Chief Executive to provide all information that may be in the possession of the local authority or which the Chief Executive is in a position to procure, related to the business of the SPC. The information should be made available to the SPC as soon as it becomes available to assist in ensuring the effective and efficient transaction of business of the SPC.

### **3.4 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.

### **3.5 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.

### **3.6 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.

### **3.7 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.

### **3.8 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.

### **3.9 Meetings**

Subject to law and to Standing Orders or any decisions which may be made by Laois County Council, each SPC will regulate its own business and proceedings (including the fixing of days and times of its meetings). In this context, each SPC will generally meet four times a year and more frequently if necessary. Meetings will be held at a suitable time for the SPC members.

A collective meeting of all members of SPCs may occur once per year either at the request of the Council or of the SPCs.

SPC meetings will always be conducted in a professional manner. However, Laois County Council will endeavour to create an informal and collaborative atmosphere at meetings, where participants can be encouraged to give honest views and opinions on issues.

Laois County Council may also consider varying the location of SPC meetings, and making greater use of community halls / centres.

#### **4. Corporate Policy Group**

##### **4.1 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 the Municipal District is not already represented the Cathaoirleach of the 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 full Council. It will be supported by the Chief Executive and Directors of Services.

##### **4.2 CPG - Role**

The CPG, like the SPC, is a Committee of the Council. It acts as a link between the SPCs and the full 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 full Council on the work of the CPG in the same way that each SPC Chair reports back to their Committee. In such context it will be a matter for the Council, in co-operation with the Chief Executive and officials, to determine the range of responsibilities and tasks for the Corporate Policy Group.

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:

- The Chief Executive shall prepare the Corporate Plan for the local authority in consultation with the Group,
- The Chief Executive shall consult with the Group in the preparation of the local authority's draft budget.
- Determine responsibility for the discharge of reserved functions between the municipal district level (or a specific municipal district) and the local authority, where the question of consistency or avoidance of unnecessary duplication is referred to it by the Chief Executive,
- Monitor the overall performance of the local authority,
- Deal with issues in relation to Service Delivery Plans, customer service, value for money etc.
- Co-ordinate the work of the SPCs and monitor their work programmes,
- Request SPCs to consider particular policy issues where appropriate, and
- Provide feedback to the SPCs on Council Policy and views in areas relevant to the SPCs.

### **4.3 Minutes of C. P. G. Meetings**

The Minutes of CPG meetings will be circulated to all Members of the local authority as a matter of course.

## **5. SPC Framework**

### **5.1 Relevant Factors**

The factors taken into account in determining the overall framework for Strategic Policy Committees in Laois County Council were:

- The total number of elected members of the Council,
- The range of sectoral and other interests including facilitating a reasonable spread of interests, the desirability of allowing adequate opportunity for participation by members and sectoral interests,
- Organisational arrangement of service groupings within the Authority and the remit envisaged for each Strategic Policy Committee,
- The need to ensure that the organisational and financial resources of the Council are adequate to meet demands and
- A review and rationalisation of committee structures and the streamlining of procedures generally.

### **5.2 Number of SPCs**

Having regard to the above and Laois County Council's present organisational structures, the proposed number of SPCs is four, as follows:-

- Housing, Regeneration and Planning SPC
- Climate Action and Community SPC
- Transport, Environment and Emergency Services SPC
- Enterprise, Economic Development and Tourism SPC

## **6. The SPC Scheme**

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

The scheme for the establishment of Strategic Policy Committees in Laois has been prepared by the Chief Executive, in consultation with the Cathaoirleach and the Chairs designate of the SPCs, having regard to the guidelines issued by the Department of Housing, Planning and Local Government. The Chairs designate selected at the first meeting of the current Council were as follows:

- Councillor John King,
- Councillor Conor Bergin,
- Councillor Thomasina Connell, and
- Councillor Paddy Bracken.

### **6.2 SPC Configuration**

Laois County Council recognises the importance of ensuring that the views of the sectors as represented by the National Pillars of the partnership process, the PPN and other more local interests be sought so as to ensure that the process is seen to be as inclusive, transparent and effective as possible. Given this, the following factors were considered by Laois County Council 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 encourage 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 priority concerns of each sector and the appropriateness of the SPCs to 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.

The following seven sectoral interests will be represented on at least one of the four proposed SPCs:

- (1) Agriculture & Farming
- (2) Environment/Conservation
- (3) Development/Construction
- (4) Business/Commercial
- (5) Trade Unions
- (6) Community/Voluntary
- (7) Social Inclusion

While the remit of the SPC will be anchored in the main Local Government services, it will not operate in a restrictive way but in the context of the wider picture, taking account of related public services and agencies and of local needs and of circumstances generally, e.g. an Environment SPC should have regard to transport issues and vice versa.

### 6.3 Provisional Assignment of Sectoral Interests

The provisional assignment of sectoral interests for SPCs and the number of sectoral representation on the SPCs was decided taking into account inter-alia; the limited number of SPC places available and the need to have a balanced constituency for each SPC (see paragraph 6.2).

The provisional assignment of sectoral interest for each SPC is as follows:

Sector	Number of SPC places
Agriculture/Farming	3
Environment/Conservation	3
Development/Construction	3
Business/Commercial	3
Trade Unions	2
Community/Voluntary	2
Social Inclusion	2
<b>Total</b>	<b>18</b>

### 6.4 The Nomination Process for Sectoral Representatives

The nomination process for the national pillar organisations will be as follows:

- 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, and
- The trade union sector will be facilitated by the trade union pillar.

With regard to the:

- Environmental/Conservation sector,
- Community/Voluntary sector, and
- Social Inclusion sector

Nominations will be determined on the basis of the local nomination process through the Public Participation (PPN). Member organisations when joining the PPN at a county level must opt to be part of one of the three electoral colleges within the PPN:

- Environment,
- Social Inclusion
- Community and Voluntary

To join the Social Inclusion Electoral College an organisation's primary objectives and activities must focus on social inclusion/social justice/equality.

To join the Environmental Electoral College an organisation's primary objectives and activities must focus on must be environmental (i.e. ecological protection and /or environmental sustainability). Nominations will be determined on the basis of the local nomination process through the Public Participation Network (PPN. Membership of this Electoral College will have been validated by the Environmental Pillar at a national level.

Organisations whose primary objectives are other than those listed will be members of the Community and Voluntary Sector.

The Council will provide sufficient time, information and facilities to the PPN, if required, to enable the nomination of representatives. Following the adoption of the SPC Scheme by the Council, each sector will be given 1 month in which to provide details of their nominations to the Council.

## **6.5 Circulation of Draft Scheme**

Following the adoption of the draft scheme, Laois County Council will forward same for consideration to the PPN and to the appropriate bodies. A notice to the effect that the Council has considered a draft Scheme and has issued same for consultation will also be published in the local media and on the Council's web site. A period of 1 month will be allowed for the making of submissions on the Scheme.

## **6.6 Adoption of Draft Scheme**

Following receipt of submissions on the Draft Scheme, the Chief Executive with the Cathaoirleach and other representatives as appropriate, will consider the submissions and make any amendments to the Draft Scheme as deemed appropriate for submission to the Council for adoption.



## **6.7 Receipt of Nominations from the National Pillars**

On adoption of the scheme, the Council will write to the appropriate bodies enclosing a copy of the adopted Scheme and seeking their nominations for their particular SPC as outlined in the adopted scheme. The exact mechanism for selecting nominees will be left to the appropriate bodies. Issues pertaining to nomination mechanism should be referred to that appropriate body. The selected members should, however, be representative of local organisations active in County Laois in order that local issues would be represented on the SPC and that the local perspective of the pillars would be brought to the SPC. Laois County Council will allow four weeks to enable the selection process of the national pillars.

## **6.8 Receipt of Nominations from other sectors**

With regard to the community / voluntary / social inclusion and environmental sectors, the Council will write to the Public Participation Network enclosing a copy of the adopted scheme and seeking their nominations. Laois County Council will facilitate these organisations to meet each other, if necessary, to select their representatives for the SPCs. Laois County Council will allow four weeks for the selection of representatives from this sector.

## **7 SPCs - The Participants**

### **7.1 General**

- Each SPC should have, as a minimum, a total membership of eight and should have, as a minimum, one third of its members drawn from sectoral interests,
- The Chairs of the SPCs should be appointed by the full Council from among the Councillor appointees to the SPCs, i.e. the Chairs will be Council members,
- The formal appointment of sectoral interests to the SPC is a reserved function of the Council, normally providing for the appointment of the sectoral interests that have been nominated via the mechanism outlined above,
- SPC Chairs should hold office for a minimum period of three years, which should be renewed by the Council. Subsequent Chairs should be appointed from among the existing Councillor members of the SPC,
- It is desirable that the sectoral nominee would retain membership of the SPC for the life of the Council. Where a casual vacancy occurs it should be filled by the relevant sector,
- The relevant Director of Services will attend meetings and provide support to the SPC. The Director will, subject to the Chief Executive's overall responsibility for staffing matters, work closely with the Committee and be entitled to speak and participate at meetings.
- Full participation in meetings of the SPCs should be confined to the members of the SPC. Where policy matters of particular interests to other councillors or local interest groups arise (e.g. proposals affecting a local area) the SPC may meet with the relevant municipal district members or groups.

### **7.2 Councillors**

- Every Councillor will, as a matter of equity and good practice, have an opportunity to serve on an SPC,
- Councillors may not be nominated to represent sectoral interests,

- SPC membership for Councillors should be for the lifetime of the Council. A person ceasing to be a Councillor would automatically cease membership of the SPC,
- A Councillor should not serve on more than two SPCs in so far as is possible,
- SPC Councillor membership should reflect the proportionality and the distribution of elected representatives of the full Council and be representative, in so far as is practical, of each of the Municipal Districts in the local authority. The Local Government (Re-organisation) Act 1985 (Section 27) was designed to allow for a basis element of proportionality in appointments to Committees. It is important with SPCs that Laois County Council adopt and implement (and be clearly seen by the public to do so) an approach which ensures that the various political and other interests represented on the full Council are treated fairly and equitably represented on the SPC system.

### **7.3 Sectoral Representatives**

Laois County Council recognises the wide range of interests at national, regional and local level throughout the country. The involvement of such groups in the SPC structure is a major resource to local government, will foster a higher degree of community relevance and local participation. It provides new and different streams of expertise and advice to the local authority.

The following principles will be applied in respect of the selection of groups and associations for a particular sector including those being facilitated by the national pillars.

- Groups/Associations should be active within the area of the Local Authority and have a countywide impact or, at a minimum, a relevance to a locality or number of localities in the area.
- Groups/Associations should be open to new members, hold A.G.M.s and regular meetings and should be broadly representative and accountable.
- Single interest groups may be considered, e.g. groups focused on the disabled or elderly. However groups formed around specific single local issues should not be considered for inclusion in the sectors.
- Local Development Agencies represented at LCDC level should not be represented on an SPC. Clear communication between the SPCs and the Local Development Agencies should, however, be facilitated in order to keep both informed of their respective roles/activities. This communication can be facilitated by the C.P.G.
- The PPN should select its nominees following invitation to do so by Laois County Council.

### **7.4 State Agencies / Local Development Agencies**

State Agencies and Local Development Agencies will not be included as nominating bodies to the sectors and should not be represented on an SPC However; sectors may nominate persons from a local development agency to sit on an SPC.

### **7.5 Linking the work of SPCs with other areas**

While Laois County Council is conscious that SPCs are expected to be a key part of the local government structure, they are also expected to link with the operation of other groups. Practical steps will be put in place to encourage SPC links with the Full Council, the CPG, and Municipal Districts, the LCDC, Joint Policing Committees and other agencies as appropriate.

- SPC Chairpersons will be encouraged, where possible to introduce recommendations for approval by the full Council.
- Each sector should have a system in place to ensure structured feedback on the activities of the SPC to his or her nominating organisation PPN (as appropriate).
- There will be automatic feedback to the relevant SPC on whether or not the recommendations of an SPC were approved or not at full Council, and if not the reason for non-approval/amendment.

## **7.6 Expenses incurred by members**

In general, any expenses arising for an SPC member would be met by the organisations the SPC member is representing. However in exceptional circumstance, those SPC members whose expenses could not be met in that manner would be entitled to travel expenses for attendance at SPC meetings at the applicable rate. In such circumstances, the expenses will be met by the local authority.

## **8. Support Measures**

Each sector should put in place appropriate measures to enable a structured feedback process between sectoral representatives and their nominating sectors.

Laois County Council will appoint a named senior official as a contact person in the relevant Directorships, who will be available for all SPC members to discuss SPC matters in between meetings.

### **8.1 Availability of Information**

Where relevant and in the spirit of Freedom of Information, appropriate information will be made publicly available. This includes making available minutes and reports processed by the SPCs. In instances where documentation is of a confidential nature, this will be specified as such.

### **8.2 Standing Orders and regulating of SPC meetings**

Standing Orders will be adopted by the Council, following recommendations from each SPC

### **8.3 Training**

Laois County Council will provide on-going training for members of the SPCs and for support staff, where appropriate and where resources permit.

### **8.4 Regulation of Lobbying Act 2015 - Transparency Code**

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

A critical element of public policy formulation by the SPCs is the availability to local authorities of expertise, skills and knowledge from person 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 Register of Lobbying.

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 & Public Expenditure and Reform to address this situation. Communications between members of an SPC about the work of the Committee would be exempt where the group complies with the Transparency Code and where the local authority that established the Committee publishes the following on its website:

- The Committee's Terms of Reference, i.e. the SPC Scheme
- Details of the membership of the Committee, and
- Agendas and minutes of meetings.

## **9. Conclusion**

The process of formalizing the Strategic policy Committee Scheme 2019 - 2024 involves the preparation of a Draft Scheme by the Laois Chief Executive, in consultation with the Cathaoirleach of Laois County Council and the Chairs designate of the SPCs.

The process takes into account the Circular Letter L. G. 07/2014 and accompanying Guidelines.

Following approval of the draft scheme by Council, it will be advertised and circulated for comment and consultation. Following consideration of any submissions made, and following recommendations from the CPG group of the Council, the Council may adopt the scheme with or without amendments.

When the scheme is adopted the nomination process commences. When the nomination process has been completed, the Council is advised of the nominations from the sectors to the SPCs.

Following the adoption of the proposed membership of the SPCs by the Council, the Strategic Policy Committees are established as soon as is practicable thereafter.

### **Appendix 1**

- (a) Strategic Policy Committees;
- (b) Appropriate policy areas;
- (c) Total number of members;
- (d) Number of elected members;
- (e) Number of sectoral members and
- (f) Sectors to be represented

### **Appendix 2**

Copy of draft advertisement