

WICKLOW COUNTY COUNCIL



DRAFT STRATEGIC POLICY COMMITTEE SCHEME

2019 – 2024

18th June, 2019.

Introduction

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 2014 Act.

The SPCs

- 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;
- are tailored to the size, membership and administrative resources of the council;
- have one third of their membership drawn from sectors relevant to the committees' work.

SPCs 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 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.

There are 6 Strategic Policy committees operational in Wicklow County Council.

1. Economic Development and Enterprise Support
2. Housing and Corporate Estate
3. Community Cultural and Social Development
4. Environment and Planning
5. Roads, Water and Emergency services
6. Climate and Biodiversity Action

SPC Chairs: The SPC Chairs have been appointed by the Elected Members of Wicklow County Council at their annual meeting held on Friday 7th June, 2019. The SPC Chairs play a pivotal role of ensuring the success of the CPG

and the SPCs. In that context, and to facilitate the smooth and effective operation of the SPCs and the CPG, local authorities are requested to ensure that SPC Chairs are selected on the basis that:-

- They have an interest in the work of the SPCs
- They are fully aware of the leadership role of SPC Chairs and
- They appreciate the need to work with the relevant Director of Service

Role of SPCs

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 it is the task of each SPC to assist the Council in the formulation and development of policy, the final policy decisions 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.

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. They also have a function in other non statutory non policy fields such as urban, village and rural renewal plans, policy related to the development of work programmes and the establishment of priorities in relation to particular services; consideration of the needs of people with disabilities in the formulation and implementation of relevant policies; integration of sustainability principles to particular services, and in the strategic monitoring of local authority services. The Economic Development and Enterprise Support SPC has specific functions in relation to economic development and supporting Enterprise. The Climate Adaption and Biodiversity SPC has specific functions in relation to the current and future impacts of climate change.

Cathaoirligh of the SPCs will be appointed for a minimum period of 3 years and ordinary members will normally be appointed for a period of 5 years.

Meetings of SPC's will normally be held on a quarterly basis and will be conducted in a much less rigid and formal way than full council meetings in order to create an informal and collaborative atmosphere that will allow honest views and opinions on policy issues.

Where agreement is reached on recommendations of an SPC to be made to the full Council the Cathaoirleach of the SPC "or his/her nominee" shall present the SPC's recommendation to full Council. The outcome of the Council's consideration of the SPC's recommendation should likewise be reported back to the SPC.

The Council will facilitate the nominations of representatives from the Business and Employers', Farming and Agricultural and Trade Unions', Pillars and the Community and Voluntary, Social Inclusion and Environmental Sectors set out in Appendix A to circular LG 07/2014 in accordance with the Guidelines for establishment and operations of SPCs and in accordance with local arrangements.

- The SPC Framework is set out in Appendix I to this scheme
- SPC meetings and procedures are set out in Appendix 11 to this scheme
- Principles applying in relation to the appointment of Members/Sector representatives are set out in Appendix 111 to this scheme.
- Information on the Regulation of Lobbying Act, 2014 and the Transparency Code is set out in Appendix 1V to this scheme.

APPENDIX I**SPC Framework**

The overall configuration of the Wicklow County Council Strategic Policy System is as follows:-

Strategic Policy Committee	Number of Elected Members	Membership from External Sectors
Planning and Environment	6 elected members (including both chairs)	<ol style="list-style-type: none"> 1. Development/Construction 2. Agriculture/Farming 3. Environment/Conservation 4. Business Commercial
Transportation, water and emergency services	5 elected members (including both chairs)	<ol style="list-style-type: none"> 1. Environment/Conservation 2. Agriculture/Farming Community 3. Development/Construction 4. Trade Union
Housing and corporate estate	5 elected members (including chair)	<ol style="list-style-type: none"> 1. Trade Union 2. Homeless sector (Simon Community) 3. Social Inclusion 4. Business Commercial 5. Community/Voluntary
Community, cultural and social development	5 elected members (Including both Chairs)	<ol style="list-style-type: none"> 1. Business commercial 2. Community/Voluntary 3. Community/Voluntary 4. Social inclusion
Economic development and enterprise	6 elected members (including both Chairs)	<ol style="list-style-type: none"> 1. Environment/Conservation 2. Agriculture/Farming Community 3. Development/Construction 4. Business Commercial 5. Trade Union 6. Business-West Wicklow

**Climate and
Biodiversity
Action****5 elected members
(including both
Chairs)**

1. Environment/Conservation (East Wicklow)
 2. Environment/Conservation (West Wicklow)
 3. Farming
 4. Business
 5. Development construction
 6. An Comhairle Na Nog
 7. Fisheries and Forestry
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APPENDIX II

SPC meetings and Procedures:

- Each SPC should adopt a multi-annual work programme linked to the local authority's Corporate Plan and updated regularly as necessary.
- The CPG should decide the work programmes of the SPCs and recommend issues to be considered by the SPCs.
- The SPC chair and relevant Director of Service should meet well in advance of an SPC meeting to clarify the agenda for the forthcoming meeting and to agree on objectives and what they would like as expected outcomes.
- A calendar of SPC meetings should be agreed at the start of each year. SPCs should normally be held about 4 times yearly at suitable times for all SPC members.
- SPC meetings should be conducted in a much less rigid and formal way than full council meetings in order to create an informal and collaborative atmosphere that would allow honest views and opinions on policy issues.
- The Local Authority should provide a key contact person (other than the Director of Service) for all SPC members and particularly for sectoral representatives to deal with SPC matters.
- Local Authorities should also consider the most appropriate locations for holding SPC meetings perhaps making greater use of community halls and centres.

- Local Authorities should ensure that documentation concerning SPC meetings is sent well in advance of the meetings and if possible four weeks in advance is suggested.
- The agenda and minutes of SPC meetings should also be circulated well in advance to all SPC members.
- Directors of Service should undertake appropriate research on relevant policy options when SPC members are formulating policy. These options should be presented to the Chairs and members of SPCs in a clear, concise, and brief manner.
- The Chief Executive can assist and advise the SPC generally as regards the exercise of the performance of the functions of the SPC through the SPC Chair and the relevant Director of Services.
- Local Authorities should develop as practicable as possible the policy support role for SPCs. This could include making greater use of the research capacity within local authorities and also making greater use of external agencies such as the LGMA, third level institutions etc.
- Once the SPC members have analysed all the potential policy options and avenues open to them and have come to a consensus conclusion the policy can be drafted for presentation at the next SPC meeting.
- Guidelines coming from the central Government Departments should be interpreted as guidelines rather than as a prescriptive set of instructions except in matters covered by a service level agreement, in order to allow in determining and implementing plans and programmes locally.
- Training programmes would be valuable for SPC members and consideration of needs in this regard could be included in the training

and development programme for Councillors. Effective meeting skills would be useful for SPC chairs and training on policy areas would be significant for all SPC members. Policy development/research skills and facilitation skills would be valuable for Directors of Services and their support staff.

- SPC chairs should introduce SPC recommendations for full approval by full council.
- The SPCs sectoral representatives should provide feedback to their nominating organisations on the activities of the SPC.
- Members of SPCs should be provided with automatic feedback on the outcome of the council's decisions on SPC recommendations.
- Many Councils already promote the use of the Irish language in various facets of their work. This practice could be extended to SPCs. Bain usaid as an teanga ata again – as an obair a thagann an fhoghlaim.

APPENDIX III

Principles applying in relation to the appointment of Members/Sector representatives

Each SPC should have a minimum of total membership of nine and one third of the membership drawn from sectoral interests. Some flexibility should be considered if particular local circumstances indicate the need for greater membership, however, particular care should be taken to avoid excessively large or unwieldy committees.

The following principles apply to:

(a) Appointment of Wicklow County Council Members

1. Each Member of Wicklow County Council shall, as a matter of equity and good practice, have the opportunity to serve on at least one 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.
4. Council Members shall not serve on more than two SPCs insofar as possible, again for reasons of equity and good practice and workload.
5. SPC Council membership shall reflect the proportionality and the local distribution of elected representation on the County Council.
6. The Chairs of the SPCs shall be appointed by the County Council from the Council Member appointees to the SPC for a minimum period of 3 years (however it has been agreed at annual meeting of Wicklow County Council held on 7th June, 2019 that this will be for a period of 2.5 years).
7. The allocation of the SPC chairs shall also reflect equitably the spread of elected representation on the County Council.

Appointment of Sectoral Representatives

The following principles should be respected in the selection of groups and associations for a particular sector, including those being facilitated by the national pillars.

1. Groups/Associations should be active within the area of the local authority and have a countywide impact or, at minimum, a relevance in a locality or number of localities in the area.
2. Groups/associations should be open to new members, hold AGMs, regular meetings, and should be broadly representative and accountable.
3. Single interest groups should be eligible e.g. campaign groups focused on disabled or elderly. Single issue groups should not be considered for inclusion in the sectors.
4. Local Development Agencies represented at Strategy Group/LCDC level should not be represented on an SPC.
5. Each sector shall select its own nominee(s) via PPN (Public Participation Network). The nomination of sectoral representatives is the sole responsibility of each particular sector. However the Council may recommend that such nominee(s) have broad knowledge (or expertise) of a particular nature. Each sector will be asked to nominate the appropriate number of representatives as set out in the adopted scheme to the SPCs. While every effort will be made to accommodate preferences, final decisions on membership will ultimately rest with the local authority as a reserved function.
6. State and Local Development Agencies should 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. 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 considered 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.

The Nomination Process

- The nomination process for the agricultural/farming section 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 PPN arrangements. To join the Environmental Electoral College under PPN, an organisation's primary objectives and activities must be environmental (i.e. ecological) protection and/or environmental sustainability. Membership of this Electoral College will be validated by the environmental pillar at a national level.
- The environmental/conservation, community/voluntary and social inclusion sectors will be determined on the basis of the local nomination process through the PPN
- Members organisations when joining the PPN at a county level must opt to be part of one of three electoral colleges within the PPN i.e. Environment, Social Inclusion and Community/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.

APPENDIX 1V - REGULATION OF LOBBYING ACT 2015

The Regulation of Lobbying Act 2015 came into operation on the 1st September 2015. The Act is designed to provide information to the public about:-

- Who is lobbying
- On whose behalf is lobbying being carried out
- What are the issues involved in the lobbying
- What is the intended result of the lobbying
- Who is being lobbied.

Councillors are designated public officials (DPOs) in accordance with the Regulation of Lobbying Act 2015. Councillors should have regard to the Regulation of Lobbying Act 2015.

Exemption for certain types of working groups, committees etc.

Lobbying is an essential part of the democratic process. Organisations such as interest groups, representatives bodies, industry, NGOs, charities and third party professional lobbyists all provide necessary input and feedback through communication of the views and concern of the public to government. It is intended that the work of these groups will contribute to the quality and effectiveness of the policy formulation process in the public interest. In light of the nature and frequency of communications between public officials and non-public servants in this type of forum, it would in practical terms be quite challenging to seek to capture and include those interaction in the Register of Lobbying.

The Act provides for an exemption from the requirement to register in such cases once specified transparency criteria apply. The particular exemption in the Act is for communications between members of certain types of such working groups, task forces, committees, etc. where the group in question complies with the Transparency Code.

Transparency Code – criteria which must apply to avail of the exemption under section 5(5)(n) of the Act.

Relevant Groups must meet certain transparency criteria in order to be regarded as a 'relevant body' and to avail of the exemption set out in section 5(5)(n) of the Act. Information must be published on the Council Website setting out certain information in a prominent place and be easily accessible.

The SPCs of Wicklow County Council in their operations will comply with the Criteria set out in the Transparency Code prepared in accordance with the Regulation of Lobbying Act, 2015 which involves the publishing on the Council's website the following information:-

1. Name of the Chairperson together with details of his or her employing organisation
2. Names of Members together with details of their employing organisation
3. Whether any non-public servant members were previously designated public officials
4. Terms of reference of the group
5. Agenda of each meeting
6. Minutes of each meeting
7. Expected timeframe for the group to conclude its work
8. Reporting arrangements

More information is available on the Commission's website, www.lobbying.ie.

End.