

COMHAIRLE CONTAE DHÚN NA NGALL

DONEGAL COUNTY COUNCIL

**SCHEME FOR THE ESTABLISHMENT & OPERATION
OF STRATEGIC POLICY COMMITTEES 2014 – 2019.**

DRAFT NO 1

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Chief Executive

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1 BACKGROUND

The Government's *Action Plan for Effective Local Government* acknowledged that Corporate Policy Groups and Strategic Policy Committees have achieved a measure of success in providing a focus for elected members to input into policy formation. The *Action Programme* also recognised reinforcement is needed in order that the role of the Cathaoirleach and members, as leaders of their authority and the local community, can be better delivered. Following the Local Elections in May 2014, the Department of the Environment, Community & Local Government on 29th May 2014 issued Circular Letter LG07/2014 on the Establishment of New Strategic Policy Committees (SPCs). Committees of the Council, including SPCs, are deemed to have been dissolved on the ordinary day of retirement of outgoing members of the Council following a local election. This Draft Scheme details, inter alia, the proposed structure, membership and the methodology for selection of participants to be used in the establishment of new SPCs.

2 PREPARATION OF DRAFT SCHEME

The Department of the Environment, Community & Local Government (DoECLG) issued Guidelines for the Establishment and Operation of Corporate Policy Group (CPG) and Strategic Policy Committees (SPCs) in 1999. These and further guidelines issued with Circular Letter LG 07/2014 on 29th May, 2014, have been given statutory effect by the Local Government Act 2001 as amended by the Local Government Reform Act, 2014.

The Corporate Policy Group (CPG) is responsible for assisting the Chief Executive drafting the SPC Scheme for consideration by the Council, and progression of the establishment process. The CPG comprises the Cathaoirleach, as Chair, together with the Chairs of each of the SPCs, and is supported by the Chief Executive, Directors of Service and other staff, as required.

3 ROLES OF CPG, SPCs AND LOCAL COMMUNITY DEVELOPMENT COMMITTEES

(a) Corporate Policy Group

The statutory basis for CPGs is set out in Section 133 of the Local Government Act, 2001, as amended by Section 48 of the Local Government Reform Act, 2014. The CPG is charged with linking the work of the different SPCs, and providing a forum where policy decisions affecting the whole Council can be agreed for submission to the full Council.

The CPG reports to the Council and may be assigned specific tasks by the Council. The CPG's role is to advise and assist the Council, with full decision-making authority remaining with the Council. It will be a matter for the Council, in co-operation with the Chief Executive, to determine the range of responsibilities and tasks of the CPG. In general, the CPG would: -

- Play a key role in preparing the annual revenue budget

- Provide input to 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 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 overall 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
- Provide feedback to the SPCs on Council policy and views in areas relevant to the SPCs.

(b) Strategic Policy Committees

It will be the task of the SPCs, as Committees of the Council, to advise and assist the Council in its work, particularly in the formulation, development and review of policy. The SPC system is intended to give Councillors, and relevant sectoral interests, an opportunity for full involvement in the policy-making process from an early stage, when policy options are more fluid.

A major role is envisaged for the SPCs in advising the Council in relation to functions of a strategic statutory nature, i.e. policy to mirror the functions of the local authority; e.g. preparation of a Development Plan, Waste Management Plan.

They also have a function in other matters such as establishment of priorities for particular services, advising the Council in relation to the preparation of individual service plans, setting out objectives, strategies, standards and service indicators.

In view of the important strategic role which SPCs have and bearing in mind that there may be circumstances where it may not be possible to accommodate fully the range of relevant interests, consultation with relevant sectors and interests will be an essential ongoing part of SPC work.

(c) Local Community Development Committees (LCDCs)

Donegal Local & Community Development Committee has recently been established for the purposes of developing, coordinating and implementing a coherent and integrated approach to local and community development. Donegal LCDC has brought together local authority members and officials, State agencies and people actively working with local development, community development, and economic, cultural and environmental organisations to implement a joined-up, cross-sectoral approach to local and

community development programming. The primary function of the LCDC will be the preparation of the community elements of a 6-year Local Economic and Community Plan and overseeing the implementation of the plan through co-ordinating, planning and overseeing local and community development funding.

Membership of the Local Community Development Committee (LCDCs) is drawn from four main sectors as follows: -

- Local Government
- State Agencies
- Local & Community Development Sector
- Social, Economic & Community Interests

4. CHAIRS OF THE SPCS

The IPA review in 2004 identified the role of the SPC Chair, for which an additional allowance paid, as being pivotal to the success of both the SPCs and the Corporate Policy Group. Against this background, the Department of the Environment, Heritage and Local Government recommended that SPC Chairs should be selected on the basis that they have an interest in the work of the SPC to which they are being elected, and are aware of the Chair's role in providing leadership and working with the Director of Service to facilitate the smooth and effective operation of the committees, and of the CPG.

The following conditions apply to the selection of Chairs:

- The Chairs of the SPCs will be appointed by the full Council from among the Councillor appointees to the SPC i.e. the Chairs must be Council Members.
- The Chairs will hold office for a minimum period of three years.
- Subsequent Chairs must also be appointed from among the existing elected members of the particular SPC.
- The overall spread of chairs must, in accordance with the guidelines, reflect the political representational spread on the full Council.

5. TERM OF OFFICE OF COMMITTEE MEMBERS

(a) Elected Members

Elected members will hold office for the lifetime of the Council. A member ceasing to be a councillor would automatically cease to be a member of the SPC. Each member of the Council is entitled to be on one SPC but it is recommended that no member should be on more than two.

(b) Sectoral Representatives

It is desirable that sectoral nominees would retain membership of the SPC for the life of the Council. It would be open to each nominating sector to de-select its nominee, if felt necessary, and to notify the Council accordingly, where upon the nominee would cease to be a member. In such cases, the relevant sector would nominate a new representative. Where a casual vacancy occurs, it would also be filled by the relevant sector.

Feedback from sectors suggests that allowing nominated substitutes would assist participation to a greater extent. While this is not strictly in conformity with the guidelines, it is recommended that it be implemented to ensure, as far as practicable, participation by all stakeholders.

It is recommended that attendance at meetings should be reviewed by the CPG. In that regard, the relevant Director of Service shall submit an attendance report for each SPC, annually. If it is found that some nominees have a poor attendance record, this fact should be brought to the attention of the sector that nominated them, with a suggestion that they consider making an alternative nomination.

6. NUMBER AND CONFIGURATION OF SPCs

The configuration of SPCs under the 2009 – 2014 Scheme was as follows:

SPC 1 – Housing & Corporate

Serviced by the Director of Housing & Corporate, with assistance from Roads & Housing Capital as required.

SPC 2 – Roads & Transportation

Serviced by the Director of Roads & Housing Capital.

SPC 3 – Water, Environment & Emergency Services

Serviced by the Director of Water, Environment & Emergency Services.

SPC 4 – Planning & Development

Serviced by the Director of Planning, Community, Culture & Enterprise.

SPC 5 – Community, Culture & Enterprise

Serviced by the Director of Planning, Community, Culture & Enterprise

Following a review of functional alignment within Directorates in early 2014, the revised directorate structure now in operation in Donegal is as follows:

Housing, Corporate & Planning Control Services

Roads & Housing Capital / Design

Water & Environmental Services

Community, Culture & Forward Planning

Finance, Information Systems & Emergency Services.

Financial policy falls within the remit of the Corporate Policy Group and the Elected Council.

The Council decided at its First AGM on 6th June to elect 5 SPC Chairs designate pending re-establishment of the new committees.

Given that there will be 5 SPCs, and taking the revised directorate structures into account, the following additional factors must be taken into consideration in establishing the configuration of SPCs for the 2014 to 2019 Council term:

- Role and function of Irish Water. Local Authorities no longer have a policy making role in relation to the provision of Water and Waste-Water Services.
- Requirement to have SPC dealing with Economic Development and Enterprise

In light of the above, the following SPC configuration is proposed:

SPC 1 - Economic, Enterprise & Planning Policy

To be serviced by the Director of Community, Culture and Forward Planning Services with attendance from Housing, Corporate and Planning Control as required.

SPC 2 - Roads & Transportation

To be serviced by the Director of Roads & Transportation.

SPC 3 – Housing & Corporate

To be serviced by the Director of Housing, Corporate & Planning Control Services with attendance from Roads & Housing Capital as required.

SPC 4 - Community, Social & Culture

To be serviced by the Director of Community, Culture and Forward Planning Services.

SPC 5 - Environment & Emergency Services

To be serviced by the Director of Water & Environmental Services, with attendance from Finance, Information Systems & Emergency Services as required.

7. SECTORS TO BE REPRESENTED ON SPCS

Having regard to the Guidelines on the Establishment and Operation of SPCs and the range of sectoral interests in the county, the following sectors will each be represented on at least two SPC: -

(a) Agriculture/Farming

This sector will be represented arising from the implications of rural policy change at EU and national level and the spatial impact associated with this change.

(b) Environmental / Conservation

This sector will be represented due to the fact that local authorities are primary instruments for the implementation of EU and national policy in the environment, conservation and cultural sectors.

(c) Development / Construction

This sector will be represented due to the impact of physical planning policy on the sector and to the need to relate long-term infrastructural development, for which local authorities have major responsibility, too ongoing developments in thinking in the sector.

(d) Business / Commercial

This sectors representation would arise from the relevance of much of local authority activity to the sector and to the level of Local Government resources generated from that sector.

(e) Trade Union

This sector would be represented due to their longstanding contribution to the national policy process and their extensive representation at local level.

(f) Community / Voluntary / Social Inclusion

This sectors representation would be due to the need to recognise inclusion and voluntarism as key to the long-term development of communities.

(g) Fishing / Aquaculture

This is an additional sector that was added by the Council in 1999 to that set out in the Department of Environment, Heritage and Local Government Guidelines as it was felt that none of the other sectors could, adequately, represent this sector. Its representation would arise from the implications of EU and national policy changes and the importance of the sector to the economy of the county.

8 MEMBERSHIP

The SPC guidelines state that each SPC must have a minimum total membership of nine, one-third of which must be reserved for sectoral interests. The other factors to be taken into account in determining the overall membership of each SPC is the total number of elected members in the Council and the range of sectoral interests to be accommodated in each SPC.

In light of the above, the following membership is proposed:

Economic, Enterprise & Planning Policy to have a total membership of 21, 14 elected members and 7 sectoral representatives.

The other 4 SPCs would each have a total membership of 15, 10 elected members and 5 sectoral representatives.

These would yield, in total, 81 positions, 54 for Elected Members and 27 for sectoral representatives.

9. ASSIGNMENT OF SECTORAL INTERESTS

The representation and assignment of sectors to particular committees takes account of the area of interest of the sector and the proposed changes in the configuration of the committees, dealt with earlier.

Assignment of sectoral interests to each SPC to be as follows:

Economic, Enterprise & Planning Policy

- No. 1 Agriculture / Farming
- No. 2 Environmental / Conservation
- No. 3 Development / Construction
- No. 4 Business / Commercial
- No. 5 Trade Union
- No. 6 Community / Voluntary / Social Inclusion
- No. 7 Fishing/Aquaculture

Roads &Transportation

- No. 1 Agriculture / Farming
- No. 3 Development / Construction
- No. 4 Business / Commercial
- No. 6 Community / Voluntary / Social Inclusion
- No. 7 Fishing / Aquaculture

Housing & Corporate

- No. 1 Agriculture / Farming
- No. 3 Development / Construction
- No. 4 Business / Commercial
- No. 5 Trade Union
- No. 6 Community / Voluntary / Social Inclusion

Community, Social & Cultural

No. 2 Environmental / Conservation

No. 4 Business / Commercial

No. 5 Trade Union

No. 6 Community / Voluntary / Social Inclusion (2 no.).

Environment & Emergency Services

No. 1 Agriculture/Farming

No. 2 Environmental / Conservation

No. 3 Development/Construction

No. 4 Business/Commercial

No. 7 Fishing / Aquaculture

Summary of Provisional Allocation

Sector No. 1 Agriculture / Farming 4 places

Sector No. 2 Environmental / Conservation 3 places

Sector No. 3 Development / Construction 4 places

Sector No. 4 Business / Commercial 5 places

Sector No. 5 Trade Union 3 places

Sector No. 6 Community / Voluntary / Social Inclusion 5 places

Sector No. 7 Fishing / Aquaculture 3 places

TOTAL: 27

The following would be the proposed make-up of the 5 Committees: -

Strategic Policy Committees	County Councillor	Sectoral	Total
Economic, Enterprise & Planning Policy	14	7	21
Roads and Transportation	10	5	15
Housing & Corporate Services	10	5	15
Community, Social & Cultural	10	5	15
Environment. & Emergency Services	10	5	15
Totals	54	27	81

10. SELECTION OF SECTORAL REPRESENTATIVES

(a) Sectoral Views

The Guidelines recommend that, at every appropriate opportunity, steps be taken to ensure that the views of the sectors, as represented by the National Pillars of the partnership process, and other more local interests, be sought with a view to ensuring that the process be seen as inclusive, transparent and effective.

The following are among the factors to be considered in determining representation:

- The need to foster economic and social development generally.
- The need to ensure a proactive approach to having as many relevant sectors as possible across the SPC system.
- 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 that can be represented
- The need for balance between divergent interests
- A commitment to the fostering of social inclusiveness and equality in line with the principles of the National Anti-Poverty Strategy
- A stated commitment to working towards gender balance and to encouraging as full as possible gender balance and representation from the sectors.

(b) Selection Criteria

The number of SPCs (5), their size and range of responsibilities, will, of necessity, limit the number and range of interests which can be accommodated on any SPC.

(c) The Nomination Process

Each sector is to select its own nominee(s). While the nomination of sectoral representatives is the sole responsibility of each particular sector, the local authority will assist sectors in the facilitation of the process of nomination through the provision of facilitators and other resources, as deemed necessary.

The nomination process will be facilitated as follows:

- *The Agriculture/Farming Sector by the Farming and Agricultural Pillar,*

- *The Business/Commercial Sector by the Business and Employer's Pillar,*
- *The Development/Construction Sector by the Construction Industry Federation,*
- *The Trade Union Sector 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, when established.*
- *The Community / Voluntary / Social Inclusion Sector will initially be facilitated through the Community Forum, prior to the establishment of the PPN.*
- *The Fishing / Aquaculture Sector through the CDB Marine Sectoral Forum*

Donegal County Council are currently in the process of establishing a Public Participation Network (PPN) which will provide representation from the community sector onto a range of decision making bodies.

There will be a countywide structure as well as five municipal district PPNs, membership will be drawn from three electoral colleges, environmental, social inclusion and community & voluntary. Community organisations may register as a member of the network at present and it is anticipated that the first meeting of the network will be held in September.

11. CIRCULATION OF DRAFT SCHEME

Department Circular Letter LG 07/2014 of 29th May 2014 states:

“Local Authorities are required to engage in public consultation on the draft scheme. However, it is not envisaged that the same level of public consultation in the drafting of the scheme for the new SPCs as outlined in paragraph 5.5 of the revised 2014 guidelines will be needed in cases where the previous scheme is not being substantially altered. Local Authorities are free, however, to engage in this more intensive consultation process where they feel it is appropriate. “

In this regard, it is proposed that the Council will circulate a copy of the Draft Scheme to the contact persons of the National Pillars of Partnerships, to the Community Forum and to the PPN, and through other local arrangement where no suitable forum exists. A copy of the Draft Scheme will also be available on the Council website www.donegalcoco.ie and a notice to that effect will be published in a number of local newspapers circulating in the County.

12. Operation of SPCs

The success of the SPCs is crucially dependent on the active involvement of councillors and on a positive mindset from all involved – councillors, sectoral representatives, Chief Executive, directors and staff – that are focused on the strategic role of the SPCs. The work of the SPC chair and Director of Service is of critical importance. Department Circular LG 07/2014 of 29th May 2014 draws particular attention to the following:

- *SPCs should adopt a multi-annual work programme linked to the local authority's Corporate Plan and updated regularly as necessary.*
- *Meeting documentation should, ideally, be circulated to SPC members two weeks in advance and, additionally, agendas and minutes should be circulated to other councillors in the county.*
- *The CPG should decide the work programmes of the SPCs and recommend issues to be considered by the SPCs.*

13. ACTION PLAN/REPORTING MECHANISMS

(a) Work Programmes

In anticipation of the establishment of the new SPCs, the Chair of each SPC, together with the relevant Director, will prepare a draft multi-annual programme of work for their Committee, and submit same to the CPG for consideration. These programmes of work will derive from, inter alia:

- The strategic objectives of the organisation to be set out in the Corporate Plan;
- The short-term and intermediate policy implications of long-term strategies, e.g., County Development Plan, Waste Management Plan, road improvement programmes, housing strategies.
- Policies issues arising from reviews of the implementation of work programmes, e.g., customer service standards, value for money, procurement procedures, annual operational programmes.
- The implications of new or anticipated legislation, EU Directives, Department circulars, etc.

These draft programmes should then be presented to the next meeting of the CPG, to ensure that the programmes are comprehensive and to identify those issues, transcending more than one SPC, which will require co-ordination by the CPG. When the draft work programmes are agreed by the CPG, they should be presented to the full Council. This will also ensure that all members are familiar with what each SPC will be doing. It should also be helpful to individual Council members in determining their preferences for SPC

membership. Furthermore, they will be useful in discussions with prospective SPC members from the nominated sectors.

When the committees have been established, they may wish to add additional items to the programme; however, such requests will have to be channelled through the CPG if they would materially alter the programme of work of the particular SPC or affect the programme of another committee.

(b) Setting the agenda

The Chair and the relevant Director should agree the agenda for each SPC meeting in advance. The agreed work programme, together with any significant recent developments (e.g., changes in legislation, new funding programmes) will provide the framework for the agenda. In respect of every agreed item, the Director will prepare a discussion document for the committee, setting out the issues involved, their implications (including the financial implications where appropriate) for the County, and a range of policy options to be considered. This will help to set clear objectives for each committee meeting.

(c) Frequency of meetings

It is proposed that each committee will meet four times per annum. An annual schedule of meetings will be agreed at the beginning of each calendar year. Difficulties have arisen in the past in setting dates for meetings due to the fact that some members sit on more than one committee. On the one hand, this prevented two or more SPC meetings being held simultaneously, while on the other some of those members who sat on two committees were anxious to have them both held on the same day. This presented significant logistical difficulties in trying to organise dates, times and locations to suit everybody. It is, therefore, proposed that separate dates be identified for the quarterly meetings of each committee.

(d) Location & Time of Meetings

Meetings will normally be held at Corporate Headquarters in Lifford and will take place during normal working hours.

(e) Policy recommendations

SPCs are committees of the Council and the guidelines do not envisage that the CPG should act as a conduit between the Council and the SPCs as this could cause the CPG to act as an additional bureaucratic layer or bottleneck and lead to unnecessary delays in the submission of policy recommendation to the Elected Council for decision. Experience has shown; however, that the full implications of policy recommendations, social, political, financial et al need to be examined before being tabled at a Council meeting.

The following procedures are, therefore, proposed for the bringing of policy recommendations from the SPCs to the Council for consideration:

- Initial drafts of policy recommendations to be brought back to the CPG by the Chair and Director.

- The members of the CPG may require an opportunity to consult with party colleagues before deciding on the matter. In such cases, the proposal will be listed on the agenda for the next CPG meeting.
- Having considered the SPC's recommendations, the CPG shall forward same to Council, attaching its own recommendations/comments.
- The policy proposals to be presented to the Council by the SPC Chair, with support as required from the relevant Director.

(f) Keeping stake holders and public informed

Minutes of every SPC meeting, when adopted, will be made available to each member of the County Council. This will enable every elected representative to keep in touch with what is happening in each SPC, so that they can raise matters if necessary with colleagues on any SPC.

As SPC deliberations are public meetings, it is proposed to post the minutes of each meeting on the website, once they are confirmed as to accuracy. Publication of minutes should not be interpreted as evidence that policy recommendations therein have been adopted by the Council. Any such recommendations will have to be listed on the agenda of a Council meeting and only when adopted will it become Council policy.

The media, and the public, have a right of access to SPC meetings, although attendance to date has been sparse. An SPC may resolve into *committee*, subject to compliance with the prescribed procedures, in order to adequately discuss sensitive issues. From time to time, it may also prove beneficial to hold informal briefings. This should be left at the discretion of the SPC Chairs for the present, but it can be reviewed by the CPG if necessary in due course.

END