

## **ARDS AND NORTH DOWN BOROUGH COUNCIL**

27 May 2026

Dear Sir/Madam

You are hereby invited to attend a Hybrid meeting (in person and via Zoom) of the Annual Meeting of Ards and North Down Borough Council which will be held in the **Council Chamber, City Hall, Bangor** on **Wednesday, 3 June 2026** commencing at **11.00am**. Refreshments will be served at 10:30am.

Yours faithfully

Susie McCullough  
Chief Executive  
Ards and North Down Borough Council

### **A G E N D A**

1. Prayer
2. Apologies
3. Declarations of Interest
4. Mayor's Review
5. Appointments to Positions of Responsibility (Report attached)
6. Appointments to Sub-Committees, Working Groups and Outside Bodies (Report attached)
7. Council Governance:
  - (a) Scheme of Delegation (Report attached)
8. Playing of National Anthem

### **MEMBERSHIP OF ARDS AND NORTH DOWN BOROUGH COUNCIL**

Alderman Adair	Councillor Harbinson
Alderman Armstrong-Cotter	Councillor Hennessy
Alderman Brooks	Councillor Hollywood
Alderman Cummings	Councillor S Irvine
Alderman Graham	Councillor W Irvine
Alderman McAlpine	
Alderman McRandal	Councillor Kendall
Alderman McDowell	Councillor Kerr
Alderman McIlveen	Councillor McBurney
Alderman Smith	Councillor McClean
Councillor Ashe	Councillor McCollum (Mayor)
Councillor Blaney	Councillor McCracken
Councillor Boyle	Councillor McKee
Councillor Brady	Councillor Moore (Deputy Mayor)
Councillor Cathcart	Councillor Morgan
Councillor Chambers	Councillor Newman
Councillor Cochrane	Councillor Quinn
Councillor Douglas	Councillor Smart
Councillor Edmund	Councillor Thompson
Councillor Gilmour	Councillor Wray

Unclassified

**ITEM 5****Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
	If multiple:
Meeting	Council
Date of Meeting	03 June 2026
Responsible Director	Chief Executive
Responsible Head of Service	
Report title	Appointment to Positions of Responsibility
Attachments	Appendix 1 - d'Hondt calculations for positions of responsibility
File Reference (if applicable)	CX210
Legislation	Local Government Act (Northern Ireland) 2014
Resource Implications	None
	Narrative:
Screening Requirements	<i>The Council will commit to consider the implication of all reports under the categories of Section 75, Rural Needs, Data Protection, Climate and Sustainability:</i>  Screening of report not required
Link to Corporate Plan Priority and Outcome	Multiple Multiple If multiple:

**Background**

Appointments to Positions of Responsibility are governed by Part 3 and Schedule 1 of the Local Government Act (Northern Ireland) 2014. In accordance with the Act, the Council agreed at its Annual Meeting on 7 June 2023 a list of 91 positions to be

appointed as Positions of Responsibility, and that such appointments would be made using the d'Hondt method. Party Nominating Officers and Independent Members thereafter proceeded to select Positions of Responsibility in the order determined by the d'Hondt calculation.

Where Positions of Responsibility were not for the full four-year term of the Council, Party Nominating Officers were only required to specify the individual Party Members taking Year 1 (2023/24) Positions. Year 2 – Year 4 Positions were allocated on a Party basis and individual Party Members are appointed to these by the Nominating Officers at the Annual Meeting in the relevant year.

#### **Year 4 Positions of Responsibility to be appointed**

Party Nominating Officers should identify the Members to be appointed to the year 4 (2026/27) Positions of Responsibility as follows:

<b>Position</b>	<b>Year 4</b>
Mayor	UUP
Deputy Mayor	DUP
Corporate Services Committee - Chair	UUP
Corporate Services Committee – Vice Chair	Alliance
Place and Prosperity Committee - Chair	UUP
Place and Prosperity Committee - Vice Chair	Councillor Brady
Planning Committee - Chair	Alliance
Planning Committee - Vice Chair	DUP
Environment Committee - Chair	DUP
Environment Committee - Vice Chair	Alliance
Active and Healthy Communities Committee - Chair	DUP
Active and Healthy Communities Committee - Vice Chair	Councillor S Irvine
Audit Committee - Chair	Alliance
Audit Committee - Vice Chair	DUP

Please note, Members of the Audit Committee shall not hold the position of Mayor, Deputy Mayor. It was agreed at the Audit Committee meeting in May 2026 to remove the restriction that Chairs of Committees or Sub-Committees cannot sit on the Audit Committee.

Should any Party or Independent not wish to avail of a Position of Responsibility to which they are entitled, the Position would be allocated using d'Hondt to the next Party in line for making a choice, which at present is the UUP (see list attached at Appendix 1).

#### **RECOMMENDATION**

It is recommended that the following Party Nominating Officers confirm the Members to be appointed to the Positions of Responsibility as outlined in the table above:

- Alderman McIlveen (DUP)

- Alderman McRandal (Alliance)
- Alderman Smith (UUP)

## Appendix 1

6

**D'Hondt calculation for selection order of Positions of Responsibility**

1	DUP	41	DUP	81	DUP
2	Alliance	42	Alliance	82	Alliance - PCSP
3	UUP	43	UUP	83	UUP - PCSP
4	DUP	44	DUP	84	DUP - PCSP
5	Alliance	45	Alliance	85	Alliance - PCSP
6	DUP	46	DUP	86	DUP - PCSP
7	Alliance	47	Alliance	87	Alliance - PCSP
8	UUP	48	UUP	88	UUP - PCSP
9	DUP	49	DUP	89	DUP - PCSP
10	Alliance	50	Alliance	90	Alliance - PCSP
11	DUP	51	DUP	91	DUP - PCSP
12	UUP	52	UUP	92	UUP (spare)
13	Alliance	53	Alliance	93	Alliance (spare)
14	DUP	54	DUP	94	DUP (spare)
15	DUP	55	DUP	95	DUP (spare)
16	Alliance	56	Alliance	96	Alliance (spare)
17	UUP	57	UUP	97	UUP (spare)
18	Green	58	Green	98	Green (spare)
19	DUP	59	DUP	99	DUP (spare)
20	Alliance	60	Alliance	100	Alliance (spare)
21	UUP	61	UUP	101	UUP (spare)
22	DUP	62	DUP	102	DUP (spare)
23	Alliance	63	Alliance	103	Alliance (spare)
24	DUP	64	DUP	104	DUP (spare)
25	Alliance	65	Alliance	105	Alliance (spare)
26	UUP	66	UUP	106	UUP (spare)
27	DUP	67	DUP	107	DUP (spare)
28	Alliance	68	Alliance	108	Alliance (spare)
29	DUP	69	DUP	109	DUP (spare)
30	UUP	70	UUP	110	UUP (spare)
31	Alliance	71	Alliance		
32	DUP	72	DUP		
33	DUP	73	DUP		
34	Alliance	74	Alliance		
35	UUP	75	UUP		
36	Green	76	Green		
37	SDLP	77	SDLP		
38	IRVINE, S	78	IRVINE, S		
39	IRVINE, W	79	IRVINE, W		
40	MCKIMM	80	MCKIMM		

Note –

- The order of selection of up to 110 positions of responsibility has been provided in the table for reference purposes should any additional positions be created during this Council term.

Unclassified

**ITEM 6****Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
	If multiple:
Meeting	Council
Date of Meeting	03 June 2026
Responsible Director	Chief Executive
Responsible Head of Service	
Report title	Appointments to Sub-Committees, Working Groups and Outside Bodies
Attachments	Appendix 1 - List of Sub-Committees, Working Groups and Outside Bodies for nomination
File Reference (if applicable)	CX210
Legislation	Local Government Act (Northern Ireland) 2014
Resource Implications	None
	Narrative:
Screening Requirements	<i>The Council will commit to consider the implication of all reports under the categories of Section 75, Rural Needs, Data Protection, Climate and Sustainability:</i>  Screening of report not required
Link to Corporate Plan Priority and Outcome	Multiple Multiple If multiple:

**Background**

At the Council's Annual Meeting on 7 June 2023, appointments were made to Sub-Committees, Working Groups and Outside Bodies by way of nomination. Some of

those appointments were for a one-year term only. These one-year appointments are outlined in the tables attached at Appendix 1, including any further changes to the composition of the groups since then.

Nominations are now sought to fill the one-year appointments as outlined in Appendix 1 for the year 2026/27. It has been normal practice to fill these positions using single transferrable vote where the number of nominations exceeds the number of places available.

### **RECOMMENDATION**

It is recommended that the Council proceeds to appoint Members to the Sub-Committees, Working Groups and Outside Bodies listed in Appendix 1 by way of nomination.

## SUB-GROUPS AND OUTSIDE BODIES

The following positions were appointed for year one and year two and therefore now require nominations for 2026/27:

### CORPORATE SERVICES COMMITTEE

**Body: Diversity Champions – 3 Places (1 Year Appointment)**

	<b>2025/26</b>	<b>2026/27</b>
<b>1</b>	Councillor McBurney	
<b>2</b>	Councillor Hollywood	
<b>3</b>	Councillor Brady	

### COMMUNITY AND WELLBEING COMMITTEE

**Body: Arts and Heritage Advisory Panel – 5 Places (1 Year Appointment)**

	<b>2025/26</b>	<b>2026/27</b>
<b>1</b>	Councillor Thompson	
<b>2</b>	Councillor Kennedy	
<b>3</b>	Councillor Smart	
<b>4</b>	Councillor Harbinson	
<b>5</b>	Councillor Wray	

**Body: Community Development Grants Working Group – 5 Places (1 Year Appointment)**

	<b>2025/26</b>	<b>2026/27</b>
<b>1</b>	Councillor McCollum	
<b>2</b>	Alderman Cummings	
<b>3</b>	Councillor L Douglas	
<b>4</b>	Councillor Smart	
<b>5</b>	Councillor McKee	

**Body: Age Champions – 3 Places (1 Year Appointment)**

	<b>2025/26</b>	<b>2026/27</b>
<b>1</b>	Councillor Thompson	
<b>2</b>	Alderman McAlpine	
<b>3</b>	Councillor Wray	

**Body: North Down Coastal Path Working Group – 15 Places (1 Year Appointment)**

	<b>2025/26</b>	<b>2026/27</b>

1	Alderman Graham	
2	Councillor Cochrane	
3	Councillor McBurney	
4	Councillor Harbinson	
5	Councillor Hollywood	
6	Councillor Quinn	
7	Councillor McClean	
8	Councillor W Irvine	
9	Councillor McCracken	
10	Councillor McCollum	
11	Councillor McKee	
12	Councillor Brady	
13	Councillor Newman	
14	Alderman McRandal	
15	Councillor Hennessy	

**Body: Aurora Pool Joint Management Committee – 1 Place (1 Year Appointment)**

	2025/26	2026/27
1	Councillor Blaney	

**ENVIRONMENT COMMITTEE**

**Kerbside Working Group – 11 Places (1 Year Appointment – members are elected by D’hont)**

*It should be noted that this is a Task and Finish Group, and although nominations were initially for one-year period, it is recommended that the current membership is retained for the lifetime of the working group.*

	2025/26	2026/27
1	Alderman Adair	
2	Alderman Graham	
3	Alderman McAlpine	
4	Alderman McIlveen	
5	Councillor Cathcart	
6	Alderman McRandal	
7	Councillor McKee	
8	Councillor Morgan	
9	Councillor Harbinson	
10	Councillor Smart	
11	Councillor Wray	

**EXTERNAL APPOINTMENTS****Body: North Down and Ards Road Safety Committee – 7 Places (1 Year Appointment)**

	<b>2025/26</b>	<b>2026/27</b>
1	Alderman McRandal	
2	Councillor Thompson	
3	Councillor Morgan	
4	Councillor Cochrane	
5	Councillor Wray	
6	-	
7	-	

**Body: Northern Ireland Amenity Council – 2 Places (1 Year Appointment)**

	<b>2025/26</b>	<b>2026/27</b>
1	Alderman Adair	
2	Councillor Ashe	

**Body: Percy French Management Committee – 4 Places (1 Year Appointment)**

	<b>2025/26</b>	<b>2026/27</b>
1	Councillor Hennessy	
2	Councillor McCollum	
3	-	
4	-	

**Body: Bangor Alternatives Advisory Committee – 1 Place (1 Year Appointment)**

	<b>2025/26</b>	<b>2026/27</b>
1	Councillor W Irvine	

**Body: Portaferry Regeneration Ltd – 1 Place (1 Year Appointment)**

	<b>2025/26</b>	<b>2026/27</b>
1	Alderman McAlpine	

**Body: Northern Ireland Drainage Council – 2 Places (1 Year Appointment)**

	<b>2025/26</b>	<b>2026/27</b>
1	Councillor Wray	
2		

**Body: All Party Group on Climate Action – 2 Places (1 Year Appointment)**

	<b>2025/26</b>	<b>2026/27</b>

1	Councillor Moore	
2	Councillor Kendall	

**Body: Ards Community Hospital – Multi Agency Forum – 2 Places (1 Year Appointment)**

	2025/26	2026/27
1	Councillor Smart	
2	Councillor Moore	

**Body: Community Advice Ards and North Down – 4 places (1 Year Appointment)**

	2025/26	2026/27
1	Councillor Moore	
2	Councillor McKee	
3	Councillor Smart	
4	Councillor McCollum	

**Body: Somme Heritage Centre Management Committee – 3 Places (1 Year Appointment)**

	2025/26	2026/27
1	Councillor Thompson	
2	Councillor Newman	
3	Councillor S Irvine	
4	Alderman Cummings	

**Body: Community Resuscitation Group – 2 Places (1 Year Appointment)**

	2025/26	2026/27
1	Councillor Harbinson	
2	Councillor Thompson	
3	Councillor McKee	

**Body: Kilcooley Neighbourhood Partnership – 1 Place + 1 Substitute (1 Year Appointment)**

	2025/26	2026/27
1	Councillor Gilmour	
Sub	Councillor McClean	

Unclassified

**ITEM 7a****Ards and North Down Borough Council**

Report Classification	Unclassified
Exemption Reason	Not Applicable
	If multiple:
Meeting	Council
Date of Meeting	03 June 2026
Responsible Director	Chief Executive
Responsible Head of Service	Head of Finance
Report title	Updates to the Scheme of Delegation
Attachments	Appendix 1 - Scheme of Delegation V5.0 (tracked changes) Appendix 2 - Scheme of Delegation v5.0 (clean - for publication)
File Reference (if applicable)	CX210
Legislation	Local Government Act (Northern Ireland) 2014
Resource Implications	None Narrative:
Screening Requirements	<i>The Council will commit to consider the implication of all reports under the categories of Section 75, Rural Needs, Data Protection, Climate and Sustainability:</i>  Screening of report not required
Link to Corporate Plan Priority and Outcome	Multiple Multiple If multiple:

## Background

In 2024, Council revised its scheme of delegation for the first time in a number of years. Part of this review included the undertaking to review this each year at the Annual Meeting.

## Proposed Changes

The main changes are in:

- Uplift to the delegated powers to Committees regarding the statutory limit of awarding contracts. Appendices 2-6 – Committee Terms of Reference are updated to reflect this change.
- Update to delegated amount to Service Unit Managers regarding approving budget transfers.
- Changes to wording around flexible working with regards to flexible retirement.
- Update to wording on agency staff recruitment and recruitment of posts.
- Small textual changes and formatting.

Committee Terms of Reference changes:

- Appendix 1 – changes to allow for committee chairs and vice-chairs now to be included in the membership of the Audit Committee, in order to allow for better continuity of knowledge and expertise, as well as update to meeting frequency.
- Appendices 3, 4 and 5 – updated to clarify responsibility regarding Marinas and Harbours, Bangor Marina and tweaks to overall purpose and objectives.
- Appendix 7 – Statutory Powers and Duties of the Council, clarification on delegated authority to institute legal proceedings with respect to Building Control and Planning.

The next formal review of the scheme will be in advance of the Annual Meeting in 2027.

## RECOMMENDATION

It is recommended that Council approves version 5.0 of the Scheme of Delegation and authorises the updating of all policies, procedures, plans, strategies etc with changes contained in this scheme.



**Document Control**

Policy Title	Scheme of Delegation
Document Reference	CS-FIN02.05
Policy Summary	The purpose is to set a framework within which Council delegates authority to Committees and officers to ensure that services are delivered effectively and efficiently to achieve its corporate objectives, in line with its risk appetite.
Review Requirements	May 2026
Document Owner / Job Title	Head of Finance
Document Owner is responsible for ensuring that it is reviewed in line with the requirements of the Council's Policy Review Procedure and is kept up to date.	
Council Approval Date	Target 4 June 2026

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**Version Control Record**

Version Number	Version Date	Author(s)	Comments
2.0	2019	Andrew Scott	Periodic Review
3.0	July 2024	Stephen Grieve	Periodic Review
4.0	June 2025	Stephen Grieve	Annual Review
4.1	August 2025	Stephen Grieve	Aligning committee ToRs to new structure and amending approval thresholds for new FMS
5	June 2026	Stephen Grieve	Annual Review

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**Consultation**

	CLT	HOST	SCC	Unions
Date completed	22/05/2026	22/05/2026	-	-

**Screening**

Reference No	338
EQIA Required?	No



The current version of this document is available to all individuals accessing the Council's information and other associated assets and is published on the Council's intranet.

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## 1. Purpose of the Scheme of Delegation

- 1.1. The Council is committed to setting and securing the highest standards in decision making and the Scheme of Delegation provides the framework and guidance for the powers delegated to Committees of Council and to management within the Council.
- 1.2. Like all local authorities, the Council is only able to do what the law empowers it to do. In the absence of a decision by the Council to the contrary, all of its powers would have to be exercised through meetings of the full Council.
- 1.3. Recognising that this would be unworkable and would detract from the achievement of the Council's objectives and values, the Council has chosen to exercise one of the powers available to it – the power to delegate. There are, however, some powers that the law says cannot be delegated and others that the Council chooses to keep for itself.
- 1.4. The Local Government Act (Northern Ireland) 2014 requires local authorities to maintain a list specifying those powers of the Council that are exercisable by Officers of the Council and stating the title of the Officer by whom each of the powers so specified is so exercisable (except in cases where the arrangements for discharge by Officers are for a specified period not exceeding six months).
- 1.5. The Planning Act (Northern Ireland) 2011 also sets out provisions relating to the exercise of the Planning functions. The Scheme of Delegation for Planning is set out in Appendix 8.
- 1.6. Every decision taken under delegated power is considered to be a decision of the Council.
- 1.7. By delegating responsibility for specific duties to Officers, Members will have more opportunity to concentrate on the most important strategic decisions of Council Policy, including both corporately significant decisions and service delivery issues. This will allow Officers to deal with operational issues in a more expedient way and reduce the overall administrative burden on the political process.
- 1.8. Delegation also provides Officers confidence in the parameters within which they are working and the knowledge of when matters need to be escalated.
- 1.9. Delegated authority is designed to aid the integrated management of the organisation, the effective deployment of resources and the efficient delivery of services and this Scheme should be considered in that light. The delegations in this Scheme should be interpreted widely to assist with the smooth running of the organisation, the effective deployment of resources, the efficient delivery of services, and the achievements of the Council's vision and objectives.
- 1.10. The purpose of the Scheme is, therefore, to set out the decisions and authorisations that Members agree can be made or granted without any



further reference to Council. This authorisation will be conditional upon Council receiving regular assurance on the delivery of Council services. Assurance should be provided to Council through the various elements of the Council's governance framework, including performance reports, health and safety reports, finance reports, statements of assurance, internal audit reports and risk management reports.

- 1.11. Decisions made by Officers under delegated authority are not subject to reconsideration under 'Call-in' Part 7, paragraph 41 of the Local Government Act (NI) 2014, which applies only to decisions made by the Council or a Committee of the Council.
- 1.12. For the purposes of this Scheme, 'Officers' refers to those Council Officers undertaking roles to which powers are delegated i.e. the Chief Executive, Directors, Heads of Service and Service Unit Managers. Authority to take decisions and other actions under the Scheme should be exercised in the name of the delegated Officer but not necessarily personally by them. In the absence or unavailability of the Officer to whom a function is delegated, the function may be exercised by the Officer(s) responsible for the performance of their duties during such absence.
- 1.13. In a case where the exercise of a delegated power involves considerations within the remit of another Officer(s), the Officer exercising the power shall consult with that Officer(s) prior to taking any final decision.
- 1.14. Delegations under this Scheme are subject to and in accordance with:
  - the agreed plans (including but not limited to Community, Corporate, Service and Improvement Plans), strategies, policies, programmes and objectives approved by the Council;
  - approved financial budgets;
  - the due process set out in Standing Orders, Financial Regulations, Human Resources policies, Equality Scheme, Codes of Conduct and other relevant governance policies contained within the Council's Constitution;
- 1.15. An Officer must always escalate for advice and/ or direction any circumstance where they have doubt with respect to the appropriateness of a decision being proposed to be taken.
- 1.16. In exercising these delegated powers, broad discretion may be used to obtain the most efficient and effective means available, including the deployment of staffing and other resources within their control and the procurement of other resources as considered necessary.
- 1.17. Each Officer should consult the
  - a. Director of Corporate Service or Head of Finance in relation to any matter within his or her area of responsibility which is likely to have a material impact on the finances of the Council before incurring any commitment or liability, whether provisional or otherwise, and by

- reporting the matter to a Committee in accordance with the Financial Regulations as appropriate.
- b. Director of Corporate Services or Head of Human Resources and Organisational Development for any item that is likely to have a significant employee relations impact for Council.
  - c. Head of Communications and Marketing for any item that is likely to have a significant reputational impact on the Council.
- 1.18. Authority to exercise any delegated power includes the authority to take all reasonable, necessary actions of an incidental or consequential nature and to take all operational decisions, within agreed policies, in relation to the Services for which they are responsible.
- 1.19. Officers may, if they choose, and notwithstanding their power of delegation, refer any delegated matter to the relevant Committee in any case. Any decision that would otherwise be delegated under the Scheme should be reported to the relevant Committee if it is high profile; politically contentious; sensitive; there is a need, or it is considered prudent to raise public awareness; or if it is otherwise in the public interest to do so.
- 1.20. Any reference in the Scheme to a statutory enactment should be taken to include any subsequent modification, re-enactment, regulations or subordinate legislation made thereunder.
- 1.21. The Chief Executive shall be responsible for ensuring that assurance is provided to Members on the use of the Scheme of Delegation and that any developments and amendments to the Scheme are correctly recorded so that it remains relevant and up to date.
- 1.22. Delegated matters are governed by robust policies covering financial regulations, procurement, human resources, ICT, enforcement etc. Key policy areas are subject to periodic internal audit and external audit review. In addition, the governance framework is reviewed and reported annually in the Annual Governance Statement that forms part of the published financial statements.
- 1.23. The table below outlines delegations at Service Unit Manager and above. Should the delegated decision involve the SUM, HoS, Director or CEO, the delegated power will fall to the next level of seniority (e.g. when a Service Unit Manager makes a request for flexible working, this will be determined by their Head of Service in accordance with policy, in consultation with Human Resources Manager – Resourcing or if a purchase order is placed by a SUM this will need approved by a Head of Service).
- 1.24. Nothing in the Scheme of Delegation shall impair the discharge of the direct accountability to the Council by the Chief Executive and the Corporate Leadership Team (CLT).



## 2. Definitions

Term or Abbreviation	Meaning												
Financial Regulations	<p>The collective term for all of the following policies (whether or not under the control of the Finance Service):</p> <ul style="list-style-type: none"> <li>• Anti-fraud, bribery, corruption</li> <li>• Asset Management</li> <li>• Budgeting</li> <li>• Charging and Income</li> <li>• Employment Payments (in development)</li> <li>• Grants</li> <li>• Inventories</li> <li>• Procurement</li> <li>• Purchasing and Payments</li> <li>• Reserves</li> <li>• Sustainable Travel and Expenses (in development)</li> <li>• Treasury Management Policy Statement</li> <li>• Capital Strategy</li> </ul>												
Regulatory Services	Defined in Appendix 7												
Strategic Funds	<p>Includes those set out in the Reserves Policy:</p> <ul style="list-style-type: none"> <li>• Transformation Fund</li> <li>• Sustainability Fund</li> <li>• Tax Base Development Fund</li> <li>• Capital Fund</li> <li>• Multi-Year Budgeting Fund</li> </ul>												
DCS	Director of Corporate Services												
HoF	Head of Finance												
HoCG	Head of Corporate Governance												
HoPC	Head of Parks and Cemeteries												
CEO	Chief Executive												
Duty Director	Nominated Director per the Emergency Plan rota												
FOA	Financial Operations Accountant												
HoS	Head of Service												
SUM	Service Unit Manager												
Investment Assurance Panel	<p>Panel established in the Budgeting Policy to improve the quality of business cases. Its composition is as follows:</p> <table border="1"> <thead> <tr> <th>Business Area</th> <th>Head of Service</th> </tr> </thead> <tbody> <tr> <td>Staffing</td> <td>HR and Finance</td> </tr> <tr> <td>Transformation</td> <td>Strategic Change and Finance</td> </tr> <tr> <td>Sustainability</td> <td>Community Planning &amp; Climate and Finance</td> </tr> <tr> <td>Tax Base Development</td> <td>Finance + another</td> </tr> <tr> <td>Capital</td> <td>Finance + another</td> </tr> </tbody> </table>	Business Area	Head of Service	Staffing	HR and Finance	Transformation	Strategic Change and Finance	Sustainability	Community Planning & Climate and Finance	Tax Base Development	Finance + another	Capital	Finance + another
Business Area	Head of Service												
Staffing	HR and Finance												
Transformation	Strategic Change and Finance												
Sustainability	Community Planning & Climate and Finance												
Tax Base Development	Finance + another												
Capital	Finance + another												

Term or Abbreviation	Meaning
Other	Finance + another

### 3. Council Reserved Matters

The Scheme does not delegate:

- 3.1. any matter reserved to full Council and which, by law, may not be delegated - that is, the power of setting the district rate, or of borrowing money or of acquiring, holding or disposing of land;
- 3.2. the adoption of any new policy, or major change to an existing agreed Council policy, strategy, organisational structure or similar corporate document.
- 3.3. electing the Mayor/ Deputy Mayor and Aldermen
- 3.4. establishing Committees and determining the delegation of functions to these
- 3.5. appointing Members to serve on Committees and as Chairs and Vice Chairs
- 3.6. appointing Members to serve on Sub Committees, Joint Committees and external organisations
- 3.7. approving, reviewing and amending the Council's Standing Orders, Constitution, Scheme of Delegation and Scheme of Members' Allowances
- 3.8. determining any expenditure that does not keep to financial regulations or is not included in the annual revenue budget or capital programme
- 3.9. determining any process for the selection, appointment, payment, disciplinary action or dismissal of the Chief Executive or Directors
- 3.10. approving any significant changes in operating models including, but not limited to, outsourcing or co-operating/ co-ordinating with other local authorities in providing services
- 3.11. determining any issues relating to the maintenance of standards and conduct;
- 3.12. first granting of all new licences in respect of applications for sex establishments

Delegation to deal with any matter shall not supersede the Council's power, or that of relevant Committees.

The Council is only permitted to do what statute empowers it to do and certain elements of the Council's statutory powers cannot be delegated.



#### 4. Committees

Scrutiny delegations to Committees are contained in each Committee's terms of reference, which are set out in Appendices 1 – 6.

In addition, in order to speed up decision making, Committees are delegated with Council powers to:

- 4.1. Award all contracts over the statutory limit of £50,000 (as revised from time to time), including contract extensions and approvals for joint committees to award;
- 4.2. Grant licences of less than 9 months, which are not effectively disposals and which are not subject to the Business Tenancies Order, in relation to land and/or property which comply with the Council's Land and Property Policy.
- 4.3. Approve travel outside the UK and Ireland.
- 4.4. Approve charging schedules in line with the Charging and Income Policy.
- 4.5. Approve grants schemes in line with the Grants Policy.
- 4.6. Grant new licences in respect of applications for entertainment, cinemas, street trading, pavement cafes, places of marriage and civil partnerships and amusement permits for which objections have been received.
- 4.7. Instruct officers to write letters on matters of interest to Council (eg. to Government departments or Ministers).

#### 5. Planning Delegations

These are set out in [Appendix 8](#).

#### 6. Chief Executive

The Chief Executive shall retain authority for all decisions on significant matters associated with the professional management of the Council within the strategic and policy context set by Council and in support of the achievement of the Council's vision.

#### 7. Corporate Leadership Team

The Corporate Leadership Team shall retain authority for decisions on significant cross Council initiatives within current policy frameworks.

#### 8. Directors

Individual Directors retain authority for decisions affecting multiple Service Units within their Directorate or those affecting a single Service Unit of strategic importance.

### **9. Heads of Service Team**

The Heads of Service Team (HoST) shall focus on, and retain authority for, decisions on operational cross-cutting Service matters, within the strategic and policy context set by Council and in support of the achievement of the Council's vision.

### **10. Heads of Service**

Individual Heads of Service shall retain authority for decisions affecting multiple Service Units within their Service or those affecting a single Service Unit of significant operational importance.

### **11. Service Unit Managers**

Individual Service Unit Managers shall retain authority for decisions affecting their Service Unit.



## 12. Officer Delegations

Ref	Wording	Authority	Committee	CLT	CEO	Director	HoST	HoS	SUMs	Notes
Adm1	Resolve complaints in line with policy	Complaints				Stage 2		Stage 2	Stage 1	Stage 1 — frontline response
Adm2	Instructing solicitors to take legal proceedings where there is no wide significance to the Council.	Purchasing and Payments Policy				No limit		≤ £30k	≤ £10k	CLT or Council for potentially significant financial or public relations impacts
Emg1	Invoking, and making whatever arrangements are necessary, for action under the Council's Emergency Plan and Business Continuity Plan.	Emergency Plan Business Continuity Plan				Duty Director				
Emg2	Taking decisions on any urgent or pressing matter deemed appropriate or necessary where there is insufficient time for Committee/Council approval to be obtained, subject to	Standing Order 31			CEO					or Director appointed by CEO, except for reserved matters

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Ref	Wording	Authority	Committee	CLT	CEO	Director	HoST	HoS	SUMs	Notes
	seeking retrospective approval thereafter.									
Fin1	Approving business cases for	Budgeting Policy		No Limit						All business cases must be reviewed by the Investment Assurance Panel except those going through the Project Management Process
	a. Strategic Funds within budgets			≤ £250k						
	b. Strategic Funds outside budgets									
	c. Approving applications for apprenticeships etc				DCS					
	d. Staffing and other expenditure			≤ £1M		≤ £250k		≤ £100k		
Fin2	Approving budget transfers between	Budgeting Policy				No Limit		≤ £30k	≤ £10k	In consultation with the Performance Accountant
Fin3	Approving charging schedules	Charging and Income Policy	Major Deviations			Minor Deviations		In line with policy		
Fin4	Writing off	Charging and Income	>£10k			≤ £10k DCS		≤ £3k HoF	≤ £1k FOA	≤ £25 Scale 6 in appropriate Service (such as till overs and unders)
	a. Loss of money and bad debts									
	a. Loss of stores	Charging and Income	>£10k			≤ £10k		≤ £10k	≤ £1k	≤ £25 Storeman In conjunction with Corporate Accountant

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### Appendix 1 Audit Committee Terms of Reference

#### Authority

#### Authority

Under the Local Government Act (Northern Ireland) 2014 11 (1) “for the purpose of discharging any functions in pursuance of arrangements made under this part (a) a Council may appoint a committee of the council ...Subject to this Act the number of members of a committee appointed under subsection (1), their term of office and the area (if restricted) within which the committee is to exercise its authority must be fixed by the appointing council ..”

#### Overall Purpose and Objectives

The Audit Committee will assist Council in fulfilling its oversight responsibilities and has primary responsibility for overseeing the governance process. The Committee will agree and annual work plan which will include the review of the system of internal control and management of risks; the financial reporting process; the audit process and the Council’s processes for monitoring compliance with laws and regulations and compliance with its own Standing Orders, policies and procedures.

In reaching its decisions the Audit Committee will have due regard to its impact on, and implications for the Council’s commitment to ensuring equality of opportunity and, where possible and practicable, to ensure that the actions of the Committee are proactive in this respect.

The Committee is a main committee of the Council and is independent of all other operational committees of the Council. The Committee will report to Council and accordingly Council authorises the Committee, within the scope of its responsibilities, to:

- Seek any information it requires from any Council employee or external party;
- Obtain external legal or professional advice as appropriate;
- Ensure the attendance of Council Officers at meetings as appropriate;
- Approve the annual governance statement and financial statements;
- Receive reports from the external auditor (in respect of financial and performance improvement audits) and the internal auditor;
- Approve the appointment of an Internal Auditor and receive regular reports therefrom;
- Receive notification of all significant fraud, whistleblowing or data protection incidents and reports connected to these issues.

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~~Receive progress reports & any investigation reports as part of the Council's Fraud Response Plan into any significant incident of potential Fraud, Bribery or Corruption.~~

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- Regularly meet with the External and Internal Auditors in the absence of management and no less than once per year in line with best practice.

Correspondingly, all employees are directed by Council to co-operate with any request made by the Committee.

### Standing Delegations

The following standing delegations apply to this Committee insofar as the activity falls within the scope of the Committee as set out above and do not require ratification by Council:

- award internal audit contracts over the ~~statutory tender limit of £50,000~~ (as revised from time to time)

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### Membership

#### The Audit Committee will comprise:

- 10 Members who are appointed by Council for a four-year term for the purposes of continuity of expertise and knowledge plus one independent member, appointed through public advertisement;
- Membership should not include Mayor or Deputy Mayor, ~~chairs of Committees or Sub committees.~~
- Council will nominate the Chair of the Committee in accordance with the procedures for appointing positions of responsibility.

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### Meetings

The Audit Committee will meet ~~five times per year~~ in Church Street, Newtownards, at 7.00pm in March, ~~May~~, June, September and December ~~or January~~.

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Special meetings may be convened as required.

The Chief Executive, Director of Corporate Services and Head of Finance will attend all meetings.

External and Internal Auditors will be invited to attend all meetings and the Audit Committee can invite other persons as it deems necessary, who may be asked to make presentations to the Committee as appropriate.

The Audit Committee will comply with the Council's ~~e~~Standing ~~e~~Orders.

## Appendix 2 Active and Health Communities Terms of Reference

### Authority

Under the Local Government Act (Northern Ireland) 2014 11 (1) *“for the purpose of discharging any functions in pursuance of arrangements made under this part (d) a Council may appoint a committee of the council ...*

*... Subject to this Act the number of members of a committee appointed under subsection (1), their term of office and the area (if restricted) within which the committee is to exercise its authority must be fixed by the appointing council ..”*

### Overall Purpose and Objectives

The Active and Healthy Communities Committee will assist Council in fulfilling its role in the areas of:

- Community Development
- **Community Safety**
- Environmental Health
- Good Relations
- Leisure facilities
- Peace IV
- Policing and Community Safety Partnership (PCSP)
- Sports development
- Licensing
- Markets
- Neighbourhood Environment
- anything else appropriate delegated to it by Council

In reaching its decisions the Active and Healthy Communities Committee will have due regard to its impact on, and implications for the Council's commitment to ensuring equality of opportunity and, where possible and practicable, to ensure that the actions of the Committee are proactive in this respect.

The Committee is a main committee of the Council and is independent of all other operational committees of the Council. The Committee will report to Council and accordingly Council authorises the Committee, within the scope of its responsibilities, to:

- Seek any information it requires from any Council employee or external party;
- Obtain external legal or professional advice as appropriate; and
- Ensure the attendance of Council Officers at meetings as appropriate.

Correspondingly, all employees are directed by Council to co-operate with any request made by the Committee.



### Standing Delegations

The following standing delegations apply to this Committee insofar as the activity falls within the scope of the Committee as set out above and do not require ratification by Council:

- award all contracts over the statutory limit of £50,000 (as revised from time to time);
- grant leases and licences over land that comply with Lands and Property Policy.
- approve travel outside the UK and Ireland;
- grant new licences in respect of applications for entertainment, cinemas, street trading, pavement cafes, places of marriage and civil partnerships and amusement permits for which objections have been received; and
- Instruct officers to write letters on matters of interest to Council (e.g. to Government departments or Ministers).

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### Membership

The Active and Healthy Communities Committee will comprise of 16 Members who are appointed by Council on an annual basis.

Council will appoint the Chair of the Active and Healthy Communities Committee on an annual basis in accordance with the procedures for appointing positions of responsibility.

### Meetings

The Active and Healthy Communities Committee will meet in Church Street, Newtownards, at 7.00pm on the second Wednesday of each month except during July and August. Special meetings may be convened as required.

The Active and Healthy Communities Committee will comply with the Council's Standing Orders.

## Appendix 3 Corporate Services Terms of Reference

### Corporate Services Committee

#### Authority

Under the Local Government Act (Northern Ireland) 2014 11 (1) *“for the purpose of discharging any functions in pursuance of arrangements made under this part (a) a Council may appoint a committee of the council ...*

*... Subject to this Act the number of members of a committee appointed under subsection (1), their term of office and the area (if restricted) within which the committee is to exercise its authority must be fixed by the appointing council ..”*

#### Overall Purpose and Objectives

The Corporate Services Committee will assist Council in fulfilling its role in the areas of:

• Administration	• Health and Safety
• Asset management	• Human Resources
• Business Continuity	• Digital
• Community Planning	• Legal
• Corporate strategy	• Organisational Development
• Corporate Plan	• Performance Management
• Communications and Marketing	• Policy and Governance
• Customer Service	• Procurement
• Efficiency and Transformation	• Special Projects
• Emergency Planning	• Sustainable Development
• Equality	• Climate Change and Sustainability
• Finance	• Bangor Marina
	• anything else appropriate delegated to it by Council

In reaching its decisions, the Corporate Services Committee will have due regard to its impact on, and implications for the Council's commitment to ensuring equality of opportunity and, where possible and practicable, to ensure that the actions of the Committee are proactive in this respect.

The Committee is a main committee of the Council and is independent of all other operational committees of the Council. The Committee will report to Council and accordingly Council authorises the Committee, within the scope of its responsibilities, to:

- Seek any information it requires from any Council employee or external party.
- Obtain external legal or professional advice as appropriate; and
- Ensure the attendance of Council Officers at meetings as appropriate.



Correspondingly, all employees are directed by Council to co-operate with any request made by the Committee.

### Standing Delegations

The following standing delegations apply to this Committee insofar as the activity falls within the scope of the Committee as set out above and do not require ratification by Council:

- award all contracts over the statutory limit of £50,000 (as revised from time to time);
- grant leases and licences over land that comply with Lands and Property Policy.
- approve travel outside the UK and Ireland;
- grant new licences in respect of applications for entertainment, cinemas and street trading;
- Instruct officers to write letters on matters of interest to Council (e.g. to Government departments or Ministers).

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### Membership

The Corporate Services Committee will comprise 16 Members who are appointed by Council on an annual basis. Council will appoint the Chair of the Corporate Services Committee on an annual basis in accordance with the procedures for appointing positions of responsibility.

### Meetings

The Corporate Committee will meet in Church Street, Newtownards, at 7.00pm on the second Tuesday of each month except during July and August. Special meetings may be convened as required.

The Corporate Services Committee will comply with the Council's Standing Orders.

## Appendix 4 Environment Committee Terms of Reference

### Environment Committee

#### Authority

Under the Local Government Act (Northern Ireland) 2014 11 (1) *“for the purpose of discharging any functions in pursuance of arrangements made under this part*

*(b) a Council may appoint a committee of the council ...*

*... Subject to this Act the number of members of a committee appointed under subsection (1), their term of office and the area (if restricted) within which the committee is to exercise its authority must be fixed by the appointing council ..”*

#### Overall Purpose and Objectives

The Environment Committee will assist Council in fulfilling its role in the areas of:

- Building maintenance
- Car parks
- Estate management/maintenance
- Marinas and harbours ([not including Banor Marina](#))
- Public conveniences
- Recycling
- Waste management and cleansing
- Biodiversity
- Cemeteries
- Play grounds Parks
- Parks and Open Spaces
- Countryside
- anything else appropriate delegated to it by Council

In reaching its decisions the Environment Committee will have due regard to its impact on, and implications for the Council's commitment to ensuring equality of opportunity and, where possible and practicable, to ensure that the actions of the Committee are proactive in this respect.

The Committee is a main committee of the Council and is independent of all other operational committees of the Council. The Committee will report to Council and accordingly Council authorises the Committee, within the scope of its responsibilities, to:

- Seek any information it requires from any Council employee or external party;
- Obtain external legal or professional advice as appropriate; and
- Ensure the attendance of Council Officers at meetings as appropriate.

Correspondingly, all employees are directed by Council to co-operate with any request made by the Committee.

7a. Appendix 1 - Scheme Of Delegation V5.0(Tracked)



### Standing Delegations

The following standing delegations apply to this Committee insofar as the activity falls within the scope of the Committee as set out above and do not require ratification by Council:

- award all contracts over the statutory limit of £50,000 (as revised from time to time)
- grant leases and licences over land that comply with Lands and Property Policy.
- approve travel outside the UK and Ireland.
- Grant new licences in respect of applications for entertainment, cinemas, street trading, pavement cafes, places of marriage and civil partnerships and amusement permits for which objections have been received.
- Instruct officers to write letters on matters of interest to Council (e.g. to Government departments or Ministers).

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### Membership

The Environment Committee will comprise of 16 Members who are appointed by Council on an annual basis.

Council will appoint the Chair of the Environment Committee on an annual basis in accordance with the procedures for appointing positions of responsibility.

### Meetings

The Environment Committee will meet in Church Street, Newtownards, at 7.00pm on the first Wednesday each month except during July and August. Special meetings may be convened as required.

The Environment Committee will comply with the Council's Standing Orders.

## Appendix 5 Place and Prosperity Terms of Reference

### Place and Prosperity Committee

#### Authority

Under the Local Government Act (Northern Ireland) 2014 11 (1) *“for the purpose of discharging any functions in pursuance of arrangements made under this part (c) a Council may appoint a committee of the council ...*

*... Subject to this Act the number of members of a committee appointed under subsection (1), their term of office and the area (if restricted) within which the committee is to exercise its authority must be fixed by the appointing council ..”*

#### Overall Purpose and Objectives

The Place and Prosperity Committee will assist Council in fulfilling its role in the areas of:

- Economic Development
- EU Funds and Projects
- Regeneration
- Rural Development
- Tourism Development and Visitor Servicing
- Tourism Events
- Tourism Facilities (including Exploris and Pickie Funpark ~~and Banger Marina~~)
- Capital Projects
- Subsidy Control
- Arts and Museum
- ~~Building Control~~
- anything else appropriate delegated to it by Council

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In reaching its decisions the Place and Prosperity Committee will have due regard to its impact on, and implications for the Council's commitment to ensuring equality of opportunity and, where possible and practicable, to ensure that the actions of the Committee are proactive in this respect.

The Committee is a main committee of the Council and is independent of all other operational committees of the Council. The Committee will report to Council and accordingly Council authorises the Committee, within the scope of its responsibilities, to:

- Seek any information it requires from any Council employee or external party;
- Obtain external legal or professional advice as appropriate; and
- Ensure the attendance of Council Officers at meetings as appropriate.

Correspondingly, all employees are directed by Council to co-operate with any request made by the Committee.

7a. Appendix 1 - Scheme Of Delegation V5.0(Tracked)



### Membership

The Place and Prosperity Committee will comprise of 16 Members who are appointed by Council on an annual basis. Council will appoint the Chair of the Place and Prosperity Committee on an annual basis in accordance with the procedures for appointing positions of responsibility.

### Standing Delegations

The following standing delegations apply to this Committee insofar as the activity falls within the scope of the Committee as set out above and do not require ratification by Council:

- award all contracts over the statutory limit of £50,000 (as revised from time to time)
- grant leases and licences over land that comply with Lands and Property Policy.
- approve travel outside the UK and Ireland.
- grant new licences in respect of applications for entertainment, cinemas and street trading.
- Instruct officers to write letters on matters of interest to Council (eg. to Government departments or Ministers).

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### Meetings

The Place and Prosperity Committee will meet in Church Street, Newtownards, at 7.00pm on the first Thursday each month except during July and August. Special meetings may be convened as required.

The Place and Prosperity Committee will comply with the Council's Standing Orders.

## Appendix 6 Planning Committee Terms of Reference

### Planning Committee

#### **Authority**

Under the Local Government Act (Northern Ireland) 2014 11 (1) *“for the purpose of discharging any functions in pursuance of arrangements made under this part (c) a Council may appoint a committee of the council ...*

*... Subject to this Act the number of members of a committee appointed under subsection (1), their term of office and the area (if restricted) within which the committee is to exercise its authority must be fixed by the appointing council ..”*

#### **Overall Purpose and Objectives**

The Planning Committee will assist Council in fulfilling its role in the areas of:

- Planning
- Building Control
- anything else appropriate delegated to it by Council

The main role of the Planning Committee is to consider planning applications made to the Council as the local planning authority and decide whether or not they should be approved. To this end, the Planning Committee of Ards and North Down Borough Council has full delegated authority, meaning that the decisions of the Committee, in respect of planning applications, will not go to the full Council for ratification.

The Planning Committee's role in relation to the Local Development Plan is to contribute to the development of and approve the Local Development Plan before it is passed by resolution of the Council. The Planning Committee should also ensure that the Local Development Plan is monitored annually, particularly in terms of the availability of housing and economic development land, and that it is reviewed every five years, giving consideration to whether there is a need to change the Plan Strategy, or the zonings, designations and policies as contained in the Local Policies Plan.

The enforcement of planning controls is delegated to appointed officers with the Planning Committee receiving regular reports on the progress of enforcement activities.

#### **Membership**

The Planning Committee will comprise of 16 Members with no substitutions being permitted.

#### **Meetings**

The Planning Committee will meet in Church Street, Newtownards, at 7.00pm on the first Tuesday of each month except January. Special meetings may be convened as required.



The Planning Committee operates under Council's Protocol for the Operation of the Planning Committee and in line with its Planning Scheme of Delegation.

## Appendix 7 Statutory Powers and Duties of the Council

1. In exercise of its powers under Section 7 of The Local Government Act (Northern Ireland) 2014, Council delegates its functions under the following provisions to the Director of Active and Healthy Communities and the Head of Environmental Health & Regulatory Services, who may authorise persons and officers pursuant to the relevant legislation for the purpose of exercising any statutory power;

1. Belfast Corporation Act 1930 (in respect of illegal shellfish gathering from the Belfast Lough Foreshore)
2. Caravans Act (Northern Ireland) 1963
3. Caravans Act (Northern Ireland) 2011
4. Clean Air (Northern Ireland) Order 1981
5. Clean Neighbourhoods and Environment Act (Northern Ireland) 2011
6. Consumer Rights Act 2015
7. Cosmetic Products Enforcement Regulations 2013
8. Council Bye-Laws
9. Criminal Justice and Police Act 2001
10. Electrical Equipment (Safety) Regulations 2016
11. Electromagnetic Compatibility Regulations 2016
12. Explosives Act (NI) 1970
13. Food & Environment Protection Act 1985 Part III
14. Food Hygiene Rating Act (Northern Ireland) 2016
15. Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018
16. Health (Miscellaneous Provisions) Act (Northern Ireland) 2016
17. Health and Safety at Work (Northern Ireland) Order 1978
18. High Hedges Act (Northern Ireland) 2011
19. Houses in Multiple Occupation Act (Northern Ireland) 2016
20. Housing (Northern Ireland) Order 1981 (re fitness standard)
21. Intoxicating Substances (Supply) Act 1985
22. Licensing of Pavement Cafés Act (Northern Ireland) 2014
23. Local Government Act (Northern Ireland) 1972
24. Noise Act 1996
25. Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001
26. Office and Shops Premises Act (Northern Ireland) 1966
27. Personal Protective Equipment (Enforcement) Regulations 2018
28. Petroleum (Consolidation) Act (Northern Ireland) 1929 (as amended)
29. Petroleum Regulation Acts (Northern Ireland) 1929 & 1937
30. Poisons (Northern Ireland) Order 1976
31. Pollution Control and Local Government (NI) Order 1978

7a. Appendix 1 - Scheme Of Delegation V5.0(Tracked)



32. Pressure Equipment (Safety) Regulations 2016
33. Private Tenancies Act (Northern Ireland) 2022
34. Public Health Acts 1878-1967
35. Pyrotechnic Articles (Safety) Regulations 2015
36. Radio Equipment Regulations 2017
37. Rats & Mice (Destruction) Act 1919
38. Regulation (EU) 2019/1020 on Market Surveillance and Compliance of Products
39. Regulations (EC) No 765/2008 setting out the Requirement for Accreditation and Market Surveillance of Products Regulations (Northern Ireland) 2018
40. Rent (Northern Ireland) Order 1978
41. Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010
42. Simple Pressure Vessels (Safety) Regulations 2016
43. Street Trading Act (NI) 2001
44. Sunbeds (Northern Ireland) Act 2011
45. Supply of Machinery (Safety) Regulations 2008
46. The Anti-Social Behaviour (Northern Ireland) Order 2004
47. The Betting, Gaming, Lotteries & Amusements (Northern Ireland) Order 1985
48. The Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations (Northern Ireland) 2013
49. The Biocidal Products Regulations (NI) 2001
50. The Children & Young Persons (Protection from Tobacco) (Northern Ireland) Order
51. The Cinemas (Northern Ireland) Order 1991
52. The Classification, Labelling and Packaging Regulations EC 1272/2008
53. The Construction Products (Amendment etc.) (EU Exit) Regulations 2020
54. The Construction Products Regulations 2013
55. The Consumer Protection Act 1987 and any orders or regulations made thereunder or relating to the foregoing or having effect, by virtue of the European Communities Act 1972
56. The Controls on Ozone-Depleting Substances Regulations (NI) 2011
57. The Dangerous Dogs (Compensation and Exemption Schemes) Order (Northern Ireland) 2024
58. The Dangerous Dogs (Northern Ireland) Order 1991
59. The Detergents Regulations 2010
60. The Dogs (Northern Ireland) Order 1983
61. The Environment (Northern Ireland) Order 2002
62. The European Withdrawal Act 2018 (as amended)
63. The Fire and Rescue Services (Northern Ireland) Order 2006 Part III
64. The Fluorinated Greenhouse Gases Regulations (Northern Ireland) 2009
65. The Food Safety (Northern Ireland) Order 1991 (as amended) and any orders or regulations made thereunder or relating to the foregoing or having effect by

virtue of European Union (Withdrawal) Act 2018 and modification or re-enactment to the foregoing

66. The General Product Safety Regulations 2005
67. The Hairdressers Act (Northern Ireland) 1939
68. The Health and Personal Social Services (Northern Ireland) Order 1978
69. The Health and Safety (Enforcing Authority) Regulations (Northern Ireland) 1999 to act on behalf of the Council in relation to Transfer and Assignment Arrangements (Regulation 7 and 8)
70. The Health and Safety at Work (Northern Ireland) Order 1978
71. The Housing (Amendment) Act (Northern Ireland) 2011
72. The Housing (Northern Ireland) Order 2003 (for Rent Book Regulation enforcement)
73. The Industrial Pollution Control (Northern Ireland) Order 1997
74. The Landlord Registration Scheme Regulations (Northern Ireland) 2014
75. The Lift Regulations 2016
76. The Litter (Northern Ireland) Order 1994
77. The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985
78. The Local Government (Northern Ireland) Order 2005
79. The Market Surveillance (Northern Ireland) Regulations 2021
80. The Medical Devices Regulations 2002
81. The Official Controls (Animal, Feed and Food) Regulations (NI) 2019
82. The Organic Product Regulations (NI) 2020
83. The Pollution Prevention and Control (Industrial Emissions) (Amendment)
84. The Pollution Prevention and Control (Industrial Emissions) Regulations Northern Ireland) 2013
85. The Private Tenancies (Northern Ireland) Order 2006
86. The Private Water Supplies Regulations (Northern Ireland) 2009
87. The REACH Enforcement Regulations 2008
88. The Recreational Craft Regulations 2017
89. The Road Traffic Regulation (Northern Ireland) Order 1997
90. The Safety of Sport Grounds (Northern Ireland) Order 2006
91. The Shops (Sunday Trading & c) (Northern Ireland) Order 1997
92. The Smoking (Northern Ireland) Order 2006
93. The Solvent Emissions Regulations (NI) 2004
94. The Standardised Packaging of Tobacco Products Regulations 2015
95. The Sunbeds (Northern Ireland) Act 2011
96. The Tenancy Deposit Schemes Regulations (Northern Ireland) 2012
97. The Volatile Organic Compounds in Paint, Varnishes and Vehicle Refinishing Products Regulations 2012.
98. The Waste & Contaminated Land (Northern Ireland) Order 1997 (including Article 44 Part II of the Order - obtaining of information)

7a. Appendix 1 - Scheme Of Delegation V5.0(Tracked)



99. Tobacco Advertising and Promotion Act 2002
100. Tobacco Retailers Act (Northern Ireland) 2014
101. Toys (Safety) Regulations 2011
102. Welfare of Animals (Northern Ireland) Act 2011
103. Welfare Services Act (NI) 1971

The discharge of the function of granting of new licences in respect of applications for places of entertainment, cinemas, street trading, pavement cafes, places of marriage and civil partnerships and amusement permits under the above legislation, is only delegated in instances where no objections have been received. Where objections have been received, this is delegated to the Active and Healthy Communities Committee.

The Council further delegates its function to institute legal proceedings pursuant to offences committed under the provisions delegated above to Director of Active and Healthy Communities and the Head of Environmental Health & Regulatory Services. Such delegated authority will be exercised in accordance with the Council's Enforcement Policy on Regulatory Functions. Such legal proceedings will be subject to consultation with the Council's solicitors as appropriate.

2. In exercise of its powers under Section 7 of The Local Government Act (Northern Ireland) 2014, Council delegates its functions under the following provisions to the Director of Environmental Services and the Head of Estates who may authorise persons and officers pursuant to the relevant legislation for the purpose of exercising any statutory power;

1. The Road Traffic Regulation (Northern Ireland) Order 1997
2. Traffic Management (Northern Ireland) Order 2005
3. Ards and North Down Off-Street Parking (Public Car Parks) Order 2024
4. Ards and North Down Off-Street Parking (Public Car Parks) Order 2025
5. Council Bye-Laws relating to Car Parks and Harbours

The Council further delegates its function to institute legal proceedings pursuant to offences committed under the provisions delegated above to Director of Environmental Services and the Head of Estates. Such delegated authority will be exercised in accordance with the Council's Enforcement Policy on Regulatory Functions. Such legal proceedings will be subject to consultation with the Council's solicitors as appropriate.

3. In exercise of its powers under Section 7 of The Local Government Act (Northern Ireland) 2014, Council delegates its functions under the following provisions to the Director of Place and Prosperity and the Head of Planning and Building Control who may authorise persons and officers pursuant to the relevant legislation for the purpose of exercising any statutory power:

7a. Appendix 1 - Scheme of Delegation v5.0(tracked)

- The Building Regulations (Northern Ireland) 2012 (As Amended)
- The Building Regulations (Northern Ireland) Order 1979 (as amended)
- Building (Prescribed Fees) (Amendment) Regulations (Northern Ireland) 2013 (As amended)
- The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 As Amended
- Town Improvements Clauses Act, 1847 – Section 75 as adopted by Towns Improvement (Ireland) Act, 1854 – Section 39 (Ruinous and Dangerous Buildings)
- The Planning Act (NI) 2011
- The Planning Compensation (NI) Order 1982
- The Planning Blight (Compensation) (NI) Order 1981
- The Enterprise Zones (NI) Order 1981
- The Private Streets (NI) Order 1980
- The Land Acquisition and Compensation (NI) Order 1973
- The Planning and Land Compensation Act (NI) 1971
- The Land Development Values (Compensation) Act (NI) 1965
- The Lands Tribunal and Compensation Act (NI) 1964
- Caravans Act (NI) 1963
- The Planning (Local Development Plan) Regulations (NI) 2015
- The Planning (Statement of Community Involvement) Regulations (NI) 2015
- The Planning (General Permitted Development) Order (NI) 2015
- The Planning (Miscellaneous Amendments) Regulations (NI) 2025
- The Planning (Development Management) Regulations (NI) 2015
- The Planning (General Development Procedure) Order (NI) 2015
- The Planning (Use Classes) Order (NI) 2015
- The Planning General Regulations (NI) 2015
- The Planning (Conservation Areas) (Consultation) Regulations (NI) 2015
- The Planning (Conservation Areas) (Demolition) Regulations (NI) 2015
- The Planning (Listed Buildings) Regulations (NI) 2015
- Planning Appeals Commission (Decisions on Appeals and Making of Reports) (No. 2) Rules (NI) 2006
- The Planning (Inquiry Procedure) Rules (NI) 2015
- The Planning Fees (Deemed Planning Applications and Appeals) Regulations (NI) 2015
- The Planning (Fees) Regulations (NI) 2015
- The Planning Act 2011 (Review) Regulations (NI) 2020
- The Planning (Claims for Compensation) Regulations (NI) 2015
- The Planning (Control of Advertisements) Regulations (NI) 2015
- The Planning (Modification and Discharge of Planning Agreements) Regulations (NI) 2015
- The Planning (Simplified Planning Zones) Regulations (NI) 2015

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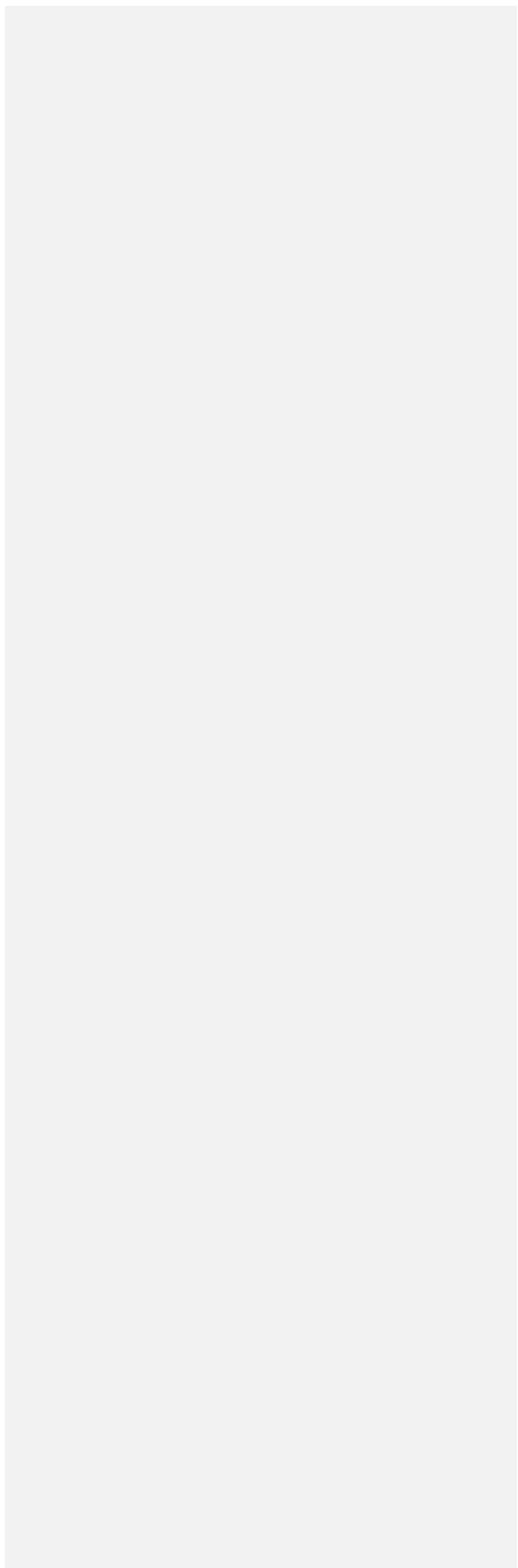


- The Planning (Trees) Regulations (NI) 2015
- The Environmental Assessment of Plans and Programmes Regulations (NI) 2004
- The Conservation (Natural Habitats, etc.) Regulations (NI) 1995
- The Planning (Hazardous Substances) (No.2) Regulations (NI) 2015
- The Planning (Environmental Impact Assessment) Regulations (NI) 2017
- The Planning (Management of Waste from Extractive Industries) Regulations (NI) 2015

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The Council further delegates its function to institute legal proceedings pursuant to offences committed under the provisions delegated above to Director of Place and Prosperity and the Head of Planning and Building Control. Such delegated authority will be exercised in accordance with the Council's Enforcement Policy on Regulatory Functions [\(in respect of Building Control\)](#) and the [Council's Planning Enforcement Strategy \(in respect of Planning\)](#). Such legal proceedings will be subject to consultation with the Council's solicitors as appropriate.

4. The Council's delegations to Officers as above, to take action under a particular statutory provision, or relevant local authority bye-law, shall be deemed to authorise action under any statutory re-enactment or amendment of that provision, and any statutory regulations, order, or direction made under that provision both before and after the date of this Scheme. References to statutory requirements in this scheme include relevant European legislation and directives as applicable.





## Appendix 8 Planning Scheme of Delegation

### Part A – Mandatory applications for determination by Planning Committee

By statute certain types of application must be determined by the Planning Committee and therefore cannot be delegated to officers:

- Applications which fall within the Major category of development as specified within the Planning (Development Management) Regulations (NI) 2015;
- Applications where the application is made by the Council or an elected member of the Council;
- Applications relating to land in which the Council has an estate.

### Part B – Non-Mandatory applications for determination by Planning Committee

- A Local development application attracting six or more separate individual objections which are contrary to the officer's recommendation, and where a material planning matter has been raised.

In determining if the threshold of six or more separate objections is met, the following clarification shall apply for the purposes of the calculation:

- Multiple letters of objection from one individual person (or body including any corporate entity) will constitute one objection;
  - Multiple letters of objection from one address (whether by one individual or more) will constitute one objection;
  - Pro-forma objection letters will constitute one objection;
  - Petitions will constitute one objection;
  - Objection(s) to an application by any statutory or non-statutory consultee will not count toward the threshold and for the avoidance of doubt be excluded from any such calculation. A 'consultee' being a body consulted by the Council to ascertain their expert view on the merits of a planning application.
- A Local development application which is a significant departure from the Local Development Plan which is recommended for approval (the Head of Planning to adjudicate on this where necessary in liaison with the Chair).
  - A Local development application called-in to Planning Committee by the Head of Planning;
  - A Local development application called-in to Planning Committee from the delegated list<sup>1</sup> as set out in the Council's Protocol for the Operation of the Planning Committee by a member of that Committee – a sound material planning reason having been given for such a referral;

- A Local development application called-in by any Councillor within 25 working days<sup>2</sup> of the application being validated – a sound material planning reason having been given for such a referral (as set out in the Council’s Protocol for the Operation of the Planning Committee);
- A planning (legal) agreement or modification to a legal agreement is required.

#### Part C – Delegated Applications

The appointed officer is the Head of Planning within the Council and any officer nominated by the Head of Planning, who will be responsible for determining the following:

- All Local development applications whether for approval or refusal, with the exceptions listed at Part B above.

#### Part D – Enforcement and Determination of Other Planning Matters

In relation to other planning responsibilities, the following matters are delegated to the appointed officer:

- All investigation of breaches of planning control and decisions on enforcement to include:
  - Service of an Enforcement Notice;
  - Service of a Listed Building Enforcement Notice;
  - Service of Hazardous Substances Contravention Notice;
  - Service of a Stop Notice;
  - Service of a Temporary Stop Notice;
  - Service of a Breach of Condition Notice;
  - Service of Tree Replanting Notice;
  - Withdrawal/modification of any of the Notices specified above, as appropriate;
  - Service of Warning Letters and Planning Contravention Notices;
  - Determination of applications for Certificates of Lawfulness of Existing Use or Development;
  - Service of a Fixed Penalty Notice, except in circumstances where the person appointed considers the breach of planning control could result in immediate public danger or development which may result in permanent damage to the environment. Examples include: the demolition of, or works to, a listed building; the felling of protected trees; the demolition of a building in a conservation area; or the commencement of building operations without permission;
  - Service of a Discontinuance Order;
  - The instigation of court proceedings e.g. prosecution for non-compliance with a statutory notice or injunction proceedings.



<sup>1</sup> Paragraph 25 of the Protocol for the Operation of the Planning Committee

<sup>2</sup> Paragraph 24 of The Protocol for the Operation of the Planning Committee

Other planning matters to include:

- The determination of applications for Certificates of Lawfulness of Proposed Use or Development;
- The serving/affixing of a Building Preservation Notice;
- The withdrawal of a Building Preservation Notice;
- The making and serving of a provisional Tree Preservation Order;
- The making and serving of a Tree Preservation Order;
- Revocation of a Tree Preservation Order;
- Determination of any application to carry out works to a protected tree (i.e. a tree the subject of a Tree Preservation Order or within a Conservation Area);
- Determination as to appropriate replanting in relation to tree(s) the subject of a Tree Preservation Order or within a Conservation Area;
- Determination of non-material change applications to planning permissions;
- Determination of any application for Conservation Area consent;
- Determination of any application for advertisement consent;
- Determination of any application for listed building consent;
- Determination of any application for hazardous substances consent;
- Revocation or modification of any of the above consents;
- Issuance of Urgent Works Notice;
- The screening of and determination decisions on development proposals required under the Environmental Impact Assessment or Habitats Regulations;
- Discharge of planning conditions;
- Determination of any application for variation or removal of condition(s) previously attached to permission to develop land;
- Drafting of legal agreements.

#### Part E – Legal Challenge

The Council provides delegated authority to the Head of Planning to instigate or defend judicial review proceedings on behalf of the Council, and instruct such Counsel or experts in association with the Council's solicitor deemed necessary to defend any decision of the Council, or a challenge to such a decision, the Head of Planning sees fit in the interests of the Council.

#### Part F – Publicity

7a. Appendix 1 - Scheme of Delegation v5.0(tracked)

The Council has made a copy of this Scheme of Delegation available on the Council's website at [www.ardsandnorthdown.gov.uk](http://www.ardsandnorthdown.gov.uk) and it is also available on request at the Council's offices at 2 Church Street, Newtownards, BT23 4AP.

## Document Control

Policy Title	Scheme of Delegation
Document Reference	CS-FIN02.05
Policy Summary	The purpose is to set a framework within which Council delegates authority to Committees and officers to ensure that services are delivered effectively and efficiently to achieve its corporate objectives, in line with its risk appetite.
Review Requirements	May 2026
Document Owner / Job Title	Head of Finance
Document Owner is responsible for ensuring that it is reviewed in line with the requirements of the Council's Policy Review Procedure and is kept up to date.	
Council Approval Date	Target 4 June 2026

## Version Control Record

Version Number	Version Date	Author(s)	Comments
2.0	2019	Andrew Scott	Periodic Review
3.0	July 2024	Stephen Grieve	Periodic Review
4.0	June 2025	Stephen Grieve	Annual Review
4.1	August 2025	Stephen Grieve	Aligning committee ToRs to new structure and amending approval thresholds for new FMS
5	June 2026	Stephen Grieve	Annual Review

## Consultation

	CLT	HOST	SCC	Unions
Date completed	22/05/2026	22/05/2026	-	-

## Screening

Reference No	338
EQIA Required?	No



The current version of this document is available to all individuals accessing the Council's information and other associated assets and is published on the Council's intranet.

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## 1. Purpose of the Scheme of Delegation

- 1.1. The Council is committed to setting and securing the highest standards in decision making and the Scheme of Delegation provides the framework and guidance for the powers delegated to Committees of Council and to management within the Council.
- 1.2. Like all local authorities, the Council is only able to do what the law empowers it to do. In the absence of a decision by the Council to the contrary, all of its powers would have to be exercised through meetings of the full Council.
- 1.3. Recognising that this would be unworkable and would detract from the achievement of the Council's objectives and values, the Council has chosen to exercise one of the powers available to it – the power to delegate. There are, however, some powers that the law says cannot be delegated and others that the Council chooses to keep for itself.
- 1.4. The Local Government Act (Northern Ireland) 2014 requires local authorities to maintain a list specifying those powers of the Council that are exercisable by Officers of the Council and stating the title of the Officer by whom each of the powers so specified is so exercisable (except in cases where the arrangements for discharge by Officers are for a specified period not exceeding six months).
- 1.5. The Planning Act (Northern Ireland) 2011 also sets out provisions relating to the exercise of the Planning functions. The Scheme of Delegation for Planning is set out in Appendix 8.
- 1.6. Every decision taken under delegated power is considered to be a decision of the Council.
- 1.7. By delegating responsibility for specific duties to Officers, Members will have more opportunity to concentrate on the most important strategic decisions of Council Policy, including both corporately significant decisions and service delivery issues. This will allow Officers to deal with operational issues in a more expedient way and reduce the overall administrative burden on the political process.
- 1.8. Delegation also provides Officers confidence in the parameters within which they are working and the knowledge of when matters need to be escalated.
- 1.9. Delegated authority is designed to aid the integrated management of the organisation, the effective deployment of resources and the efficient delivery of services and this Scheme should be considered in that light. The delegations in this Scheme should be interpreted widely to assist with the smooth running of the organisation, the effective deployment of resources, the efficient delivery of services, and the achievements of the Council's vision and objectives.
- 1.10. The purpose of the Scheme is, therefore, to set out the decisions and authorisations that Members agree can be made or granted without any

further reference to Council. This authorisation will be conditional upon Council receiving regular assurance on the delivery of Council services. Assurance should be provided to Council through the various elements of the Council's governance framework, including performance reports, health and safety reports, finance reports, statements of assurance, internal audit reports and risk management reports.

- 1.11. Decisions made by Officers under delegated authority are not subject to reconsideration under 'Call-in' Part 7, paragraph 41 of the Local Government Act (NI) 2014, which applies only to decisions made by the Council or a Committee of the Council.
- 1.12. For the purposes of this Scheme, 'Officers' refers to those Council Officers undertaking roles to which powers are delegated i.e. the Chief Executive, Directors, Heads of Service and Service Unit Managers. Authority to take decisions and other actions under the Scheme should be exercised in the name of the delegated Officer but not necessarily personally by them. In the absence or unavailability of the Officer to whom a function is delegated, the function may be exercised by the Officer(s) responsible for the performance of their duties during such absence.
- 1.13. In a case where the exercise of a delegated power involves considerations within the remit of another Officer(s), the Officer exercising the power shall consult with that Officer(s) prior to taking any final decision.
- 1.14. Delegations under this Scheme are subject to and in accordance with:
  - the agreed plans (including but not limited to Community, Corporate, Service and Improvement Plans), strategies, policies, programmes and objectives approved by the Council;
  - approved financial budgets;
  - the due process set out in Standing Orders, Financial Regulations, Human Resources policies, Equality Scheme, Codes of Conduct and other relevant governance policies contained within the Council's Constitution;
- 1.15. An Officer must always escalate for advice and/ or direction any circumstance where they have doubt with respect to the appropriateness of a decision being proposed to be taken.
- 1.16. In exercising these delegated powers, broad discretion may be used to obtain the most efficient and effective means available, including the deployment of staffing and other resources within their control and the procurement of other resources as considered necessary.
- 1.17. Each Officer should consult the
  - a. Director of Corporate Service or Head of Finance in relation to any matter within his or her area of responsibility which is likely to have a material impact on the finances of the Council before incurring any commitment or liability, whether provisional or otherwise, and by

- reporting the matter to a Committee in accordance with the Financial Regulations as appropriate.
- b. Director of Corporate Services or Head of Human Resources and Organisational Development for any item that is likely to have a significant employee relations impact for Council.
  - c. Head of Communications and Marketing for any item that is likely to have a significant reputational impact on the Council.
- 1.18. Authority to exercise any delegated power includes the authority to take all reasonable, necessary actions of an incidental or consequential nature and to take all operational decisions, within agreed policies, in relation to the Services for which they are responsible.
  - 1.19. Officers may, if they choose, and notwithstanding their power of delegation, refer any delegated matter to the relevant Committee in any case. Any decision that would otherwise be delegated under the Scheme should be reported to the relevant Committee if it is high profile; politically contentious; sensitive; there is a need, or it is considered prudent to raise public awareness; or if it is otherwise in the public interest to do so.
  - 1.20. Any reference in the Scheme to a statutory enactment should be taken to include any subsequent modification, re-enactment, regulations or subordinate legislation made thereunder.
  - 1.21. The Chief Executive shall be responsible for ensuring that assurance is provided to Members on the use of the Scheme of Delegation and that any developments and amendments to the Scheme are correctly recorded so that it remains relevant and up to date.
  - 1.22. Delegated matters are governed by robust policies covering financial regulations, procurement, human resources, ICT, enforcement etc. Key policy areas are subject to periodic internal audit and external audit review. In addition, the governance framework is reviewed and reported annually in the Annual Governance Statement that forms part of the published financial statements.
  - 1.23. The table below outlines delegations at Service Unit Manager and above. Should the delegated decision involve the SUM, HoS, Director or CEO, the delegated power will fall to the next level of seniority (e.g. when a Service Unit Manager makes a request for flexible working, this will be determined by their Head of Service in accordance with policy, in consultation with Human Resources Manager – Resourcing or if a purchase order is placed by a SUM this will need approved by a Head of Service).
  - 1.24. Nothing in the Scheme of Delegation shall impair the discharge of the direct accountability to the Council by the Chief Executive and the Corporate Leadership Team (CLT).

## 2. Definitions

Term or Abbreviation	Meaning												
Financial Regulations	The collective term for all of the following policies (whether or not under the control of the Finance Service): <ul style="list-style-type: none"> <li>• Anti-fraud, bribery, corruption</li> <li>• Asset Management</li> <li>• Budgeting</li> <li>• Charging and Income</li> <li>• Employment Payments (in development)</li> <li>• Grants</li> <li>• Inventories</li> <li>• Procurement</li> <li>• Purchasing and Payments</li> <li>• Reserves</li> <li>• Sustainable Travel and Expenses (in development)</li> <li>• Treasury Management Policy Statement</li> <li>• Capital Strategy</li> </ul>												
Regulatory Services	Defined in Appendix 7												
Strategic Funds	Includes those set out in the Reserves Policy: <ul style="list-style-type: none"> <li>• Transformation Fund</li> <li>• Sustainability Fund</li> <li>• Tax Base Development Fund</li> <li>• Capital Fund</li> <li>• Multi-Year Budgeting Fund</li> </ul>												
DCS	Director of Corporate Services												
HoF	Head of Finance												
HoCG	Head of Corporate Governance												
HoPC	Head of Parks and Cemeteries												
CEO	Chief Executive												
Duty Director	Nominated Director per the Emergency Plan rota												
FOA	Financial Operations Accountant												
HoS	Head of Service												
SUM	Service Unit Manager												
Investment Assurance Panel	Panel established in the Budgeting Policy to improve the quality of business cases. Its composition is as follows: <table border="1" data-bbox="434 1778 1385 2054"> <thead> <tr> <th>Business Area</th> <th>Head of Service</th> </tr> </thead> <tbody> <tr> <td>Staffing</td> <td>HR and Finance</td> </tr> <tr> <td>Transformation</td> <td>Strategic Change and Finance</td> </tr> <tr> <td>Sustainability</td> <td>Community Planning &amp; Climate and Finance</td> </tr> <tr> <td>Tax Base Development</td> <td>Finance + another</td> </tr> <tr> <td>Capital</td> <td>Finance + another</td> </tr> </tbody> </table>	Business Area	Head of Service	Staffing	HR and Finance	Transformation	Strategic Change and Finance	Sustainability	Community Planning & Climate and Finance	Tax Base Development	Finance + another	Capital	Finance + another
Business Area	Head of Service												
Staffing	HR and Finance												
Transformation	Strategic Change and Finance												
Sustainability	Community Planning & Climate and Finance												
Tax Base Development	Finance + another												
Capital	Finance + another												

Term or Abbreviation	Meaning
	Other
	Finance + another

### 3. Council Reserved Matters

The Scheme does not delegate:

- 3.1. any matter reserved to full Council and which, by law, may not be delegated - that is, the power of setting the district rate, or of borrowing money or of acquiring, holding or disposing of land;
- 3.2. the adoption of any new policy, or major change to an existing agreed Council policy, strategy, organisational structure or similar corporate document.
- 3.3. electing the Mayor/ Deputy Mayor and Aldermen
- 3.4. establishing Committees and determining the delegation of functions to these
- 3.5. appointing Members to serve on Committees and as Chairs and Vice Chairs
- 3.6. appointing Members to serve on Sub Committees, Joint Committees and external organisations
- 3.7. approving, reviewing and amending the Council's Standing Orders, Constitution, Scheme of Delegation and Scheme of Members' Allowances
- 3.8. determining any expenditure that does not keep to financial regulations or is not included in the annual revenue budget or capital programme
- 3.9. determining any process for the selection, appointment, payment, disciplinary action or dismissal of the Chief Executive or Directors
- 3.10. approving any significant changes in operating models including, but not limited to, outsourcing or co-operating/ co-ordinating with other local authorities in providing services
- 3.11. determining any issues relating to the maintenance of standards and conduct;
- 3.12. first granting of all new licences in respect of applications for sex establishments

Delegation to deal with any matter shall not supersede the Council's power, or that of relevant Committees.

The Council is only permitted to do what statute empowers it to do and certain elements of the Council's statutory powers cannot be delegated.

## 4. Committees

Scrutiny delegations to Committees are contained in each Committee's terms of reference, which are set out in Appendices 1 – 6.

In addition, in order to speed up decision making, Committees are delegated with Council powers to:

- 4.1. Award all contracts over the statutory limit of £50,000 (as revised from time to time), including contract extensions and approvals for joint committees to award;
- 4.2. Grant licences of less than 9 months, which are not effectively disposals and which are not subject to the Business Tenancies Order, in relation to land and/or property which comply with the Council's Land and Property Policy.
- 4.3. Approve travel outside the UK and Ireland.
- 4.4. Approve charging schedules in line with the Charging and Income Policy.
- 4.5. Approve grants schemes in line with the Grants Policy.
- 4.6. Grant new licences in respect of applications for entertainment, cinemas, street trading, pavement cafes, places of marriage and civil partnerships and amusement permits for which objections have been received.
- 4.7. Instruct officers to write letters on matters of interest to Council (eg. to Government departments or Ministers).

## 5. Planning Delegations

These are set out in [Appendix 8](#).

## 6. Chief Executive

The Chief Executive shall retain authority for all decisions on significant matters associated with the professional management of the Council within the strategic and policy context set by Council and in support of the achievement of the Council's vision.

## 7. Corporate Leadership Team

The Corporate Leadership Team shall retain authority for decisions on significant cross Council initiatives within current policy frameworks.

## 8. Directors

Individual Directors retain authority for decisions affecting multiple Service Units within their Directorate or those affecting a single Service Unit of strategic importance.

## **9. Heads of Service Team**

The Heads of Service Team (HoST) shall focus on, and retain authority for, decisions on operational cross-cutting Service matters, within the strategic and policy context set by Council and in support of the achievement of the Council's vision.

## **10. Heads of Service**

Individual Heads of Service shall retain authority for decisions affecting multiple Service Units within their Service or those affecting a single Service Unit of significant operational importance.

## **11. Service Unit Managers**

Individual Service Unit Managers shall retain authority for decisions affecting their Service Unit.

## 12. Officer Delegations

Ref	Wording	Authority	Committee	CLT	CEO	Director	HoST	HoS	SUMs	Notes
Adm1	Resolve complaints in line with policy	Complaints				Stage 2		Stage 2	Stage 1	
Adm2	Instructing solicitors to take legal proceedings where there is no wide significance to the Council.	Purchasing and Payments Policy				No limit		≤ £30k	≤ £10k	CLT or Council for potentially significant financial or public relations impacts
Emg1	Invoking, and making whatever arrangements are necessary, for action under the Council's Emergency Plan and Business Continuity Plan.	Emergency Plan Business Continuity Plan				Duty Director				
Emg2	Taking decisions on any urgent or pressing matter deemed appropriate or necessary where there is insufficient time for Committee/Council approval to be obtained, subject to	Standing Order 31			CEO					or Director appointed by CEO, except for reserved matters

Ref	Wording	Authority	Committee	CLT	CEO	Director	HoST	HoS	SUMs	Notes
	seeking retrospective approval thereafter.									
Fin1	Approving business cases for	Budgeting Policy		No Limit						All business cases must be reviewed by the Investment Assurance Panel except those going through the Project Management Process
	a. Strategic Funds within budgets			≤ £250k						
	b. Strategic Funds outside budgets					DCS				
	c. Approving applications for apprenticeships etc									
	d. Staffing and other expenditure			≤ £1M		≤ £250k		≤ £100k		
Fin2	Approving budget transfers between	Budgeting Policy				No Limit		≤ £30k	≤ £10k	In consultation with the Performance Accountant
Fin3	Approving charging schedules	Charging and Income Policy	Major Deviations			Minor Deviations		In line with policy		
Fin4	Writing off									
	a. Loss of money and bad debts	Charging and Income	>£10k			≤ £10k DCS		≤ £3k HoF	≤ £1k FOA	≤ £25 Scale 6 in appropriate Service (such as till overs and unders)
	a. Loss of stores	Charging and Income	>£10k			≤ £10k		≤ £10k	≤ £1k	≤ £25 Storeman In conjunction with Corporate Accountant



Ref	Wording	Authority	Committee	CLT	CEO	Director	HoST	HoS	SUMs	Notes
	b. Obsolete equipment	Asset Management						No Limit	≤ £10k	In conjunction with the Capital Accountant
Fin5	Approving travel		Outside UK and Ireland					Within UK	Within NI and ROI	
Fin6	Approving the award of grants	Grants Policy				No limit		≤ £100k	≤ £25k	≤ £5k Scale PO2 ≤ £3k Scale SO2 ≤ £1k Scale 6
Fin7	Approving expenditure and signing contracts (incl. for sale of land)	Procurement Policy, Purchasing and Payments Policy				No limit		≤ £100k	≤ £25k	≤ £5k Scale PO2 ≤ £3k Scale SO2 ≤ £1k Scale 6
Fin8	Signing letters of offer and claims, where permitted by the external funder, (for approved programmes).	Charging and Income				No limit		≤ £100k	≤ £25k	≤ £5k Scale PO2 ≤ £3k Scale SO2 ≤ £1k Scale 6
Fin9	Signing letters of offer issued by Council	Grants				No limit		≤ £100k	≤ £25k	≤ £5k Scale PO2 ≤ £3k Scale SO2 ≤ £1k Scale 6
Fin10	Approving									
	a. Settlement of insurance claims	Purchasing and Payments				DCS No Limit		HoCG ≤ £100k		
	b. Approving of loan repayments	Purchasing and Payments				DCS No Limit		HoF ≤ £100k		

Ref	Wording	Authority	Committee	CLT	CEO	Director	HoST	HoS	SUMs	Notes
	c. car loan applications							HoF		
Fin11	Approving borrowing applications	Treasury Management Policy & Strategy Statement			CEO	DCS		HoF		Any two
Fin12	Approving budget transfers	Budgeting				No limit		≤ £100k	≤ £25k	
Fin13	Approving urgent unbudgeted expenditure				✓					In consultation with party leaders group where possible.
HR1	a. Determining requests for flexible working	Agile Working						HoS		With HR Manager
	b. flexible retirement (with no actuarial costs)	Pension Scheme Discretions						HoS		With HR Manager
	c. flexible retirement (with actuarial costs)	Pension Scheme Discretions	>£250k			<£250k				With HR Manager subject to business case
HR2	Conducting disciplinary investigations in respect of employees	Disciplinary Policy								Line manager or equivalent with Human Resources

Ref	Wording	Authority	Committee	CLT	CEO	Director	HoST	HoS	SUMs	Notes
HR3	Conducting disciplinary hearings, in conjunction with Human Resources Manager	Disciplinary policy				Stage 4 Director to nominate Hearing lead				Stages 1, 2 and 3 - Senior to Investigating Officer
HR4	Conducting disciplinary appeal hearings, in conjunction with Human Resources Manager	Disciplinary policy				Stage 4		Stage 3		Stages 1 and 2 - Manager more Senior to Disciplining Officer
HR5	Taking action, including terminating or varying contracts of employment in respect of employees, following consultation	Disciplinary				Stage 4 Appeal		Stage 4		With HoHR
HR6	Approving the award of honorarium to an employee	Honoraria and Acting Up Allowances						✓		With HR Manager
HR7	Part-time Study Applications, in line	Learning and Development						✓		With OD Manager
HR8	Approving the re-grading or re-evaluation of any post			✓						With DCS
HR9	Authority to recruit agency staff	Agency Workers						✓		

Ref	Wording	Authority	Committee	CLT	CEO	Director	HoST	HoS	SUMs	Notes
HR10	Authority to recruit posts within approved establishment numbers and budgets					For HoS		✓		With HR Manager for staff only.
HR11	Approval payments in lieu of notice								✓	With HROD Manager
HR12	Approval of individual training requests and development events	Learning and Development			For Directors	For HoS		For SUM	✓	
HR13	Approval of Training and Development plan	Learning and Development					✓			
HR14	Appointment of successful applicants to agreed establishment posts									Delegated to properly constituted recruitment panels
HR15	Conclusion of negotiations on settlement of Employment Tribunal and legal matters					DCS				
HR16	Agreeing severance payments, which are not explicitly covered by a formal business case.	Redundancy Policy	✓							
Op1	Authorising or withdrawing authorisation of an Officer to fulfil the Council's responsibilities as listed in Appendix 7.					✓				

Ref	Wording	Authority	Committee	CLT	CEO	Director	HoST	HoS	SUMs	Notes
Op2	Signatory on Cemetery Grave Certificates							HoPC		
Op3	Agreement on corporate/ cross-cutting content in Service Plans.	HoST Terms of Reference					✓			
Op4	Responding on behalf of the Council to consultation documents on operational and technical matters that do not have local or regional significance or financial implications.					✓		✓		All response requirements to be determined by CLT

## Appendix 1 Audit Committee Terms of Reference

### Authority

#### Authority

Under the Local Government Act (Northern Ireland) 2014 11 (1) “for the purpose of discharging any functions in pursuance of arrangements made under this part (a) a Council may appoint a committee of the council ...Subject to this Act the number of members of a committee appointed under subsection (1), their term of office and the area (if restricted) within which the committee is to exercise its authority must be fixed by the appointing council ..”

#### Overall Purpose and Objectives

The Audit Committee will assist Council in fulfilling its oversight responsibilities and has primary responsibility for overseeing the governance process. The Committee will agree and annual work plan which will include the review of the system of internal control and management of risks; the financial reporting process; the audit process and the Council's processes for monitoring compliance with laws and regulations and compliance with its own Standing Orders, policies and procedures.

In reaching its decisions the Audit Committee will have due regard to its impact on, and implications for the Council's commitment to ensuring equality of opportunity and, where possible and practicable, to ensure that the actions of the Committee are proactive in this respect.

The Committee is a main committee of the Council and is independent of all other operational committees of the Council. The Committee will report to Council and accordingly Council authorises the Committee, within the scope of its responsibilities, to:

- Seek any information it requires from any Council employee or external party;
- Obtain external legal or professional advice as appropriate;
- Ensure the attendance of Council Officers at meetings as appropriate;
- Approve the annual governance statement and financial statements;
- Receive reports from the external auditor (in respect of financial and performance improvement audits) and the internal auditor;
- Approve the appointment of an Internal Auditor and receive regular reports therefrom;
- Receive notification of all significant fraud, whistleblowing or data protection incidents and reports connected to these issues.
- Regularly meet with the External and Internal Auditors in the absence of management and no less than once per year in line with best practice.

Correspondingly, all employees are directed by Council to co-operate with any request made by the Committee.

### **Standing Delegations**

The following standing delegations apply to this Committee insofar as the activity falls within the scope of the Committee as set out above and do not require ratification by Council:

- award internal audit contracts over the tender limit of £50,000 (as revised from time to time)

### **Membership**

#### **The Audit Committee will comprise:**

- 10 Members who are appointed by Council for a four-year term for the purposes of continuity of expertise and knowledge plus one independent member, appointed through public advertisement;
- Membership should not include Mayor or Deputy Mayor.
- Council will nominate the Chair of the Committee in accordance with the procedures for appointing positions of responsibility.

### **Meetings**

The Audit Committee will meet five times per year in Church Street, Newtownards, at 7.00pm in March, May, June, September and December.

Special meetings may be convened as required.

The Chief Executive, Director of Corporate Services and Head of Finance will attend all meetings.

External and Internal Auditors will be invited to attend all meetings and the Audit Committee can invite other persons as it deems necessary, who may be asked to make presentations to the Committee as appropriate.

The Audit Committee will comply with the Council's Standing Orders.

## Appendix 2 Active and Health Communities Terms of Reference

### Authority

Under the Local Government Act (Northern Ireland) 2014 11 (1) *“for the purpose of discharging any functions in pursuance of arrangements made under this part (d) a Council may appoint a committee of the council ...*

*... Subject to this Act the number of members of a committee appointed under subsection (1), their term of office and the area (if restricted) within which the committee is to exercise its authority must be fixed by the appointing council ..”*

### Overall Purpose and Objectives

The Active and Healthy Communities Committee will assist Council in fulfilling its role in the areas of:

- Community Development
- Community Safety
- Environmental Health
- Good Relations
- Leisure facilities
- Peace IV
- Policing and Community Safety Partnership (PCSP)
- Sports development
- Licensing
- Markets
- Neighbourhood Environment
- anything else appropriate delegated to it by Council

In reaching its decisions the Active and Healthy Communities Committee will have due regard to its impact on, and implications for the Council’s commitment to ensuring equality of opportunity and, where possible and practicable, to ensure that the actions of the Committee are proactive in this respect.

The Committee is a main committee of the Council and is independent of all other operational committees of the Council. The Committee will report to Council and accordingly Council authorises the Committee, within the scope of its responsibilities, to:

- Seek any information it requires from any Council employee or external party;
- Obtain external legal or professional advice as appropriate; and
- Ensure the attendance of Council Officers at meetings as appropriate.

Correspondingly, all employees are directed by Council to co-operate with any request made by the Committee.

## Standing Delegations

The following standing delegations apply to this Committee insofar as the activity falls within the scope of the Committee as set out above and do not require ratification by Council:

- award all contracts over the statutory limit of £50,000 (as revised from time to time);
- grant leases and licences over land that comply with Lands and Property Policy.
- approve travel outside the UK and Ireland;
- grant new licences in respect of applications for entertainment, cinemas, street trading, pavement cafes, places of marriage and civil partnerships and amusement permits for which objections have been received; and
- Instruct officers to write letters on matters of interest to Council (e.g. to Government departments or Ministers).

## Membership

The Active and Healthy Communities Committee will comprise of 16 Members who are appointed by Council on an annual basis.

Council will appoint the Chair of the Active and Healthy Communities Committee on an annual basis in accordance with the procedures for appointing positions of responsibility.

## Meetings

The Active and Healthy Communities Committee will meet in Church Street, Newtownards, at 7.00pm on the second Wednesday of each month except during July and August. Special meetings may be convened as required.

The Active and Healthy Communities Committee will comply with the Council's Standing Orders.

## Appendix 3 Corporate Services Terms of Reference

### Corporate Services Committee

#### Authority

Under the Local Government Act (Northern Ireland) 2014 11 (1) *“for the purpose of discharging any functions in pursuance of arrangements made under this part (a) a Council may appoint a committee of the council ...*

*... Subject to this Act the number of members of a committee appointed under subsection (1), their term of office and the area (if restricted) within which the committee is to exercise its authority must be fixed by the appointing council ..”*

#### Overall Purpose and Objectives

The Corporate Services Committee will assist Council in fulfilling its role in the areas of:

• Administration	• Health and Safety
• Asset management	• Human Resources
• Business Continuity	• Digital
• Community Planning	• Legal
• Corporate strategy	• Organisational Development
• Corporate Plan	• Performance Management
• Communications and Marketing	• Policy and Governance
• Customer Service	• Procurement
• Efficiency and Transformation	• Special Projects
• Emergency Planning	• Sustainable Development
• Equality	• Climate Change and Sustainability
• Finance	• Bangor Marina
	• anything else appropriate delegated to it by Council

In reaching its decisions, the Corporate Services Committee will have due regard to its impact on, and implications for the Council’s commitment to ensuring equality of opportunity and, where possible and practicable, to ensure that the actions of the Committee are proactive in this respect.

The Committee is a main committee of the Council and is independent of all other operational committees of the Council. The Committee will report to Council and accordingly Council authorises the Committee, within the scope of its responsibilities, to:

- Seek any information it requires from any Council employee or external party.
- Obtain external legal or professional advice as appropriate; and
- Ensure the attendance of Council Officers at meetings as appropriate.

Correspondingly, all employees are directed by Council to co-operate with any request made by the Committee.

### **Standing Delegations**

The following standing delegations apply to this Committee insofar as the activity falls within the scope of the Committee as set out above and do not require ratification by Council:

- award all contracts over the statutory limit of £50,000 (as revised from time to time);
- grant leases and licences over land that comply with Lands and Property Policy.
- approve travel outside the UK and Ireland;
- grant new licences in respect of applications for entertainment, cinemas and street trading;
- Instruct officers to write letters on matters of interest to Council (e.g. to Government departments or Ministers).

### **Membership**

The Corporate Services Committee will comprise 16 Members who are appointed by Council on an annual basis. Council will appoint the Chair of the Corporate Services Committee on an annual basis in accordance with the procedures for appointing positions of responsibility.

### **Meetings**

The Corporate Committee will meet in Church Street, Newtownards, at 7.00pm on the second Tuesday of each month except during July and August. Special meetings may be convened as required.

The Corporate Services Committee will comply with the Council's Standing Orders.

## Appendix 4 Environment Committee Terms of Reference

### Environment Committee

#### Authority

Under the Local Government Act (Northern Ireland) 2014 11 (1) *“for the purpose of discharging any functions in pursuance of arrangements made under this part*

*(b) a Council may appoint a committee of the council ...*

*... Subject to this Act the number of members of a committee appointed under subsection (1), their term of office and the area (if restricted) within which the committee is to exercise its authority must be fixed by the appointing council ..”*

#### Overall Purpose and Objectives

The Environment Committee will assist Council in fulfilling its role in the areas of:

- Building maintenance
- Car parks
- Estate management/maintenance
- Marinas and harbours (not including Banor Marina)
- Public conveniences
- Recycling
- Waste management and cleansing
- Biodiversity
- Cemeteries
- Play Parks
- Parks and Open Spaces
- Countryside
- anything else appropriate delegated to it by Council

In reaching its decisions the Environment Committee will have due regard to its impact on, and implications for the Council’s commitment to ensuring equality of opportunity and, where possible and practicable, to ensure that the actions of the Committee are proactive in this respect.

The Committee is a main committee of the Council and is independent of all other operational committees of the Council. The Committee will report to Council and accordingly Council authorises the Committee, within the scope of its responsibilities, to:

- Seek any information it requires from any Council employee or external party;
- Obtain external legal or professional advice as appropriate; and
- Ensure the attendance of Council Officers at meetings as appropriate.

Correspondingly, all employees are directed by Council to co-operate with any request made by the Committee.

## Standing Delegations

The following standing delegations apply to this Committee insofar as the activity falls within the scope of the Committee as set out above and do not require ratification by Council:

- award all contracts over the statutory limit of £50,000 (as revised from time to time)
- grant leases and licences over land that comply with Lands and Property Policy.
- approve travel outside the UK and Ireland.
- Grant new licences in respect of applications for entertainment, cinemas, street trading, pavement cafes, places of marriage and civil partnerships and amusement permits for which objections have been received.
- Instruct officers to write letters on matters of interest to Council (e.g. to Government departments or Ministers).

## Membership

The Environment Committee will comprise of 16 Members who are appointed by Council on an annual basis.

Council will appoint the Chair of the Environment Committee on an annual basis in accordance with the procedures for appointing positions of responsibility.

## Meetings

The Environment Committee will meet in Church Street, Newtownards, at 7.00pm on the first Wednesday each month except during July and August. Special meetings may be convened as required.

The Environment Committee will comply with the Council's Standing Orders.

## Appendix 5 Place and Prosperity Terms of Reference

### Place and Prosperity Committee

#### **Authority**

Under the Local Government Act (Northern Ireland) 2014 11 (1) *“for the purpose of discharging any functions in pursuance of arrangements made under this part (c) a Council may appoint a committee of the council ...*

*... Subject to this Act the number of members of a committee appointed under subsection (1), their term of office and the area (if restricted) within which the committee is to exercise its authority must be fixed by the appointing council ..”*

#### **Overall Purpose and Objectives**

The Place and Prosperity Committee will assist Council in fulfilling its role in the areas of:

- Economic Development
- EU Funds and Projects
- Regeneration
- Rural Development
- Tourism Development and Visitor Servicing
- Tourism Events
- Tourism Facilities (including Exploris and Pickie Funpark)
- Capital Projects
- Subsidy Control
- Arts and Museum
- anything else appropriate delegated to it by Council

In reaching its decisions the Place and Prosperity Committee will have due regard to its impact on, and implications for the Council's commitment to ensuring equality of opportunity and, where possible and practicable, to ensure that the actions of the Committee are proactive in this respect.

The Committee is a main committee of the Council and is independent of all other operational committees of the Council. The Committee will report to Council and accordingly Council authorises the Committee, within the scope of its responsibilities, to:

- Seek any information it requires from any Council employee or external party;
- Obtain external legal or professional advice as appropriate; and
- Ensure the attendance of Council Officers at meetings as appropriate.

Correspondingly, all employees are directed by Council to co-operate with any request made by the Committee.



## Membership

The Place and Prosperity Committee will comprise of 16 Members who are appointed by Council on an annual basis. Council will appoint the Chair of the Place and Prosperity Committee on an annual basis in accordance with the procedures for appointing positions of responsibility.

## Standing Delegations

The following standing delegations apply to this Committee insofar as the activity falls within the scope of the Committee as set out above and do not require ratification by Council:

- award all contracts over the statutory limit of £50,000 (as revised from time to time)
- grant leases and licences over land that comply with Lands and Property Policy.
- approve travel outside the UK and Ireland.
- grant new licences in respect of applications for entertainment, cinemas and street trading.
- Instruct officers to write letters on matters of interest to Council (eg. to Government departments or Ministers).

## Meetings

The Place and Prosperity Committee will meet in Church Street, Newtownards, at 7.00pm on the first Thursday each month except during July and August. Special meetings may be convened as required.

The Place and Prosperity Committee will comply with the Council's Standing Orders.

## Appendix 6 Planning Committee Terms of Reference

### Planning Committee

#### **Authority**

Under the Local Government Act (Northern Ireland) 2014 11 (1) *“for the purpose of discharging any functions in pursuance of arrangements made under this part (c) a Council may appoint a committee of the council ...*

*... Subject to this Act the number of members of a committee appointed under subsection (1), their term of office and the area (if restricted) within which the committee is to exercise its authority must be fixed by the appointing council ..”*

#### **Overall Purpose and Objectives**

The Planning Committee will assist Council in fulfilling its role in the areas of:

- Planning
- Building Control
- anything else appropriate delegated to it by Council

The main role of the Planning Committee is to consider planning applications made to the Council as the local planning authority and decide whether or not they should be approved. To this end, the Planning Committee of Ards and North Down Borough Council has full delegated authority, meaning that the decisions of the Committee, in respect of planning applications, will not go to the full Council for ratification.

The Planning Committee’s role in relation to the Local Development Plan is to contribute to the development of and approve the Local Development Plan before it is passed by resolution of the Council. The Planning Committee should also ensure that the Local Development Plan is monitored annually, particularly in terms of the availability of housing and economic development land, and that it is reviewed every five years, giving consideration to whether there is a need to change the Plan Strategy, or the zonings, designations and policies as contained in the Local Policies Plan.

The enforcement of planning controls is delegated to appointed officers with the Planning Committee receiving regular reports on the progress of enforcement activities.

#### **Membership**

The Planning Committee will comprise of 16 Members with no substitutions being permitted.

#### **Meetings**

The Planning Committee will meet in Church Street, Newtownards, at 7.00pm on the first Tuesday of each month except January. Special meetings may be convened as required.



The Planning Committee operates under Council's Protocol for the Operation of the Planning Committee and in line with its Planning Scheme of Delegation.

## Appendix 7 Statutory Powers and Duties of the Council

1. In exercise of its powers under Section 7 of The Local Government Act (Northern Ireland) 2014, Council delegates its functions under the following provisions to the Director of Active and Healthy Communities and the Head of Environmental Health & Regulatory Services, who may authorise persons and officers pursuant to the relevant legislation for the purpose of exercising any statutory power;

1. Belfast Corporation Act 1930 (in respect of illegal shellfish gathering from the Belfast Lough Foreshore)
2. Caravans Act (Northern Ireland) 1963
3. Caravans Act (Northern Ireland) 2011
4. Clean Air (Northern Ireland) Order 1981
5. Clean Neighbourhoods and Environment Act (Northern Ireland) 2011
6. Consumer Rights Act 2015
7. Cosmetic Products Enforcement Regulations 2013
8. Council Bye-Laws
9. Criminal Justice and Police Act 2001
10. Electrical Equipment (Safety) Regulations 2016
11. Electromagnetic Compatibility Regulations 2016
12. Explosives Act (NI) 1970
13. Food & Environment Protection Act 1985 Part III
14. Food Hygiene Rating Act (Northern Ireland) 2016
15. Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018
16. Health (Miscellaneous Provisions) Act (Northern Ireland) 2016
17. Health and Safety at Work (Northern Ireland) Order 1978
18. High Hedges Act (Northern Ireland) 2011
19. Houses in Multiple Occupation Act (Northern Ireland) 2016
20. Housing (Northern Ireland) Order 1981 (re fitness standard)
21. Intoxicating Substances (Supply) Act 1985
22. Licensing of Pavement Cafés Act (Northern Ireland) 2014
23. Local Government Act (Northern Ireland) 1972
24. Noise Act 1996
25. Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001
26. Office and Shops Premises Act (Northern Ireland) 1966
27. Personal Protective Equipment (Enforcement) Regulations 2018
28. Petroleum (Consolidation) Act (Northern Ireland) 1929 (as amended)
29. Petroleum Regulation Acts (Northern Ireland) 1929 & 1937
30. Poisons (Northern Ireland) Order 1976
31. Pollution Control and Local Government (NI) Order 1978

32. Pressure Equipment (Safety) Regulations 2016
33. Private Tenancies Act (Northern Ireland) 2022
34. Public Health Acts 1878-1967
35. Pyrotechnic Articles (Safety) Regulations 2015
36. Radio Equipment Regulations 2017
37. Rats & Mice (Destruction) Act 1919
38. Regulation (EU) 2019/1020 on Market Surveillance and Compliance of Products
39. Regulations (EC) No 765/2008 setting out the Requirement for Accreditation and Market Surveillance of Products Regulations (Northern Ireland) 2018
40. Rent (Northern Ireland) Order 1978
41. Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010
42. Simple Pressure Vessels (Safety) Regulations 2016
43. Street Trading Act (NI) 2001
44. Sunbeds (Northern Ireland) Act 2011
45. Supply of Machinery (Safety) Regulations 2008
46. The Anti-Social Behaviour (Northern Ireland) Order 2004
47. The Betting, Gaming, Lotteries & Amusements (Northern Ireland) Order 1985
48. The Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations (Northern Ireland) 2013
49. The Biocidal Products Regulations (NI) 2001
50. The Children & Young Persons (Protection from Tobacco) (Northern Ireland) Order
51. The Cinemas (Northern Ireland) Order 1991
52. The Classification, Labelling and Packaging Regulations EC 1272/2008
53. The Construction Products (Amendment etc.) (EU Exit) Regulations 2020
54. The Construction Products Regulations 2013
55. The Consumer Protection Act 1987 and any orders or regulations made thereunder or relating to the foregoing or having effect, by virtue of the European Communities Act 1972
56. The Controls on Ozone-Depleting Substances Regulations (NI) 2011
57. The Dangerous Dogs (Compensation and Exemption Schemes) Order (Northern Ireland) 2024
58. The Dangerous Dogs (Northern Ireland) Order 1991
59. The Detergents Regulations 2010
60. The Dogs (Northern Ireland) Order 1983
61. The Environment (Northern Ireland) Order 2002
62. The European Withdrawal Act 2018 (as amended)
63. The Fire and Rescue Services (Northern Ireland) Order 2006 Part III
64. The Fluorinated Greenhouse Gases Regulations (Northern Ireland) 2009
65. The Food Safety (Northern Ireland) Order 1991 (as amended) and any orders or regulations made thereunder or relating to the foregoing or having effect by

virtue of European Union (Withdrawal) Act 2018 and modification or re-enactment to the foregoing

66. The General Product Safety Regulations 2005
67. The Hairdressers Act (Northern Ireland) 1939
68. The Health and Personal Social Services (Northern Ireland) Order 1978
69. The Health and Safety (Enforcing Authority) Regulations (Northern Ireland) 1999 to act on behalf of the Council in relation to Transfer and Assignment Arrangements (Regulation 7 and 8)
70. The Health and Safety at Work (Northern Ireland) Order 1978
71. The Housing (Amendment) Act (Northern Ireland) 2011
72. The Housing (Northern Ireland) Order 2003 (for Rent Book Regulation enforcement)
73. The Industrial Pollution Control (Northern Ireland) Order 1997
74. The Landlord Registration Scheme Regulations (Northern Ireland) 2014
75. The Lift Regulations 2016
76. The Litter (Northern Ireland) Order 1994
77. The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985
78. The Local Government (Northern Ireland) Order 2005
79. The Market Surveillance (Northern Ireland) Regulations 2021
80. The Medical Devices Regulations 2002
81. The Official Controls (Animal, Feed and Food) Regulations (NI) 2019
82. The Organic Product Regulations (NI) 2020
83. The Pollution Prevention and Control (Industrial Emissions) (Amendment)
84. The Pollution Prevention and Control (Industrial Emissions) Regulations Northern Ireland) 2013
85. The Private Tenancies (Northern Ireland) Order 2006
86. The Private Water Supplies Regulations (Northern Ireland) 2009
87. The REACH Enforcement Regulations 2008
88. The Recreational Craft Regulations 2017
89. The Road Traffic Regulation (Northern Ireland) Order 1997
90. The Safety of Sport Grounds (Northern Ireland) Order 2006
91. The Shops (Sunday Trading & c) (Northern Ireland) Order 1997
92. The Smoking (Northern Ireland) Order 2006
93. The Solvent Emissions Regulations (NI) 2004
94. The Standardised Packaging of Tobacco Products Regulations 2015
95. The Sunbeds (Northern Ireland) Act 2011
96. The Tenancy Deposit Schemes Regulations (Northern Ireland) 2012
97. The Volatile Organic Compounds in Paint, Varnishes and Vehicle Refinishing Products Regulations 2012.
98. The Waste & Contaminated Land (Northern Ireland) Order 1997 (including Article 44 Part II of the Order - obtaining of information)

99. Tobacco Advertising and Promotion Act 2002
100. Tobacco Retailers Act (Northern Ireland) 2014
101. Toys (Safety) Regulations 2011
102. Welfare of Animals (Northern Ireland) Act 2011
103. Welfare Services Act (NI) 1971

The discharge of the function of granting of new licences in respect of applications for places of entertainment, cinemas, street trading, pavement cafes, places of marriage and civil partnerships and amusement permits under the above legislation, is only delegated in instances where no objections have been received. Where objections have been received, this is delegated to the Active and Healthy Communities Committee.

The Council further delegates its function to institute legal proceedings pursuant to offences committed under the provisions delegated above to Director of Active and Healthy Communities and the Head of Environmental Health & Regulatory Services. Such delegated authority will be exercised in accordance with the Council's Enforcement Policy on Regulatory Functions. Such legal proceedings will be subject to consultation with the Council's solicitors as appropriate.

2. In exercise of its powers under Section 7 of The Local Government Act (Northern Ireland) 2014, Council delegates its functions under the following provisions to the Director of Environmental Services and the Head of Estates who may authorise persons and officers pursuant to the relevant legislation for the purpose of exercising any statutory power;

1. The Road Traffic Regulation (Northern Ireland) Order 1997
2. Traffic Management (Northern Ireland) Order 2005
3. Ards and North Down Off-Street Parking (Public Car Parks) Order 2024
4. Ards and North Down Off-Street Parking (Public Car Parks) Order 2025
5. Council Bye-Laws relating to Car Parks and Harbours

The Council further delegates its function to institute legal proceedings pursuant to offences committed under the provisions delegated above to Director of Environmental Services and the Head of Estates. Such delegated authority will be exercised in accordance with the Council's Enforcement Policy on Regulatory Functions. Such legal proceedings will be subject to consultation with the Council's solicitors as appropriate.

3. In exercise of its powers under Section 7 of The Local Government Act (Northern Ireland) 2014, Council delegates its functions under the following provisions to the Director of Place and Prosperity and the Head of Planning and Building Control who may authorise persons and officers pursuant to the relevant legislation for the purpose of exercising any statutory power:

- The Building Regulations (Northern Ireland) 2012 (As Amended)
- The Building Regulations (Northern Ireland) Order 1979 (as amended)
- Building (Prescribed Fees) (Amendment) Regulations (Northern Ireland) 2013 (As amended)
- The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 As Amended
- Town Improvements Clauses Act, 1847 – Section 75 as adopted by Towns Improvement (Ireland) Act, 1854 –Section 39 (Ruinous and Dangerous Buildings)
- The Planning Act (NI) 2011
- The Planning Compensation (NI) Order 1982
- The Planning Blight (Compensation) (NI) Order 1981
- The Enterprise Zones (NI) Order 1981
- The Private Streets (NI) Order 1980
- The Land Acquisition and Compensation (NI) Order 1973
- The Planning and Land Compensation Act (NI) 1971
- The Land Development Values (Compensation) Act (NI) 1965
- The Lands Tribunal and Compensation Act (NI) 1964
- Caravans Act (NI) 1963
- The Planning (Local Development Plan) Regulations (NI) 2015
- The Planning (Statement of Community Involvement) Regulations (NI) 2015
- The Planning (General Permitted Development) Order (NI) 2015
- The Planning (Miscellaneous Amendments) Regulations (NI) 2025
- The Planning (Development Management) Regulations (NI) 2015
- The Planning (General Development Procedure) Order (NI) 2015
- The Planning (Use Classes) Order (NI) 2015
- The Planning General Regulations (NI) 2015
- The Planning (Conservation Areas) (Consultation) Regulations (NI) 2015
- The Planning (Conservation Areas) (Demolition) Regulations (NI) 2015
- The Planning (Listed Buildings) Regulations (NI) 2015
- Planning Appeals Commission (Decisions on Appeals and Making of Reports) (No. 2) Rules (NI) 2006
- The Planning (Inquiry Procedure) Rules (NI) 2015
- The Planning Fees (Deemed Planning Applications and Appeals) Regulations (NI) 2015
- The Planning (Fees) Regulations (NI) 2015
- The Planning Act 2011 (Review) Regulations (NI) 2020
- The Planning (Claims for Compensation) Regulations (NI) 2015
- The Planning (Control of Advertisements) Regulations (NI) 2015
- The Planning (Modification and Discharge of Planning Agreements) Regulations (NI) 2015
- The Planning (Simplified Planning Zones) Regulations (NI) 2015

- The Planning (Trees) Regulations (NI) 2015
- The Environmental Assessment of Plans and Programmes Regulations (NI) 2004
- The Conservation (Natural Habitats, etc.) Regulations (NI) 1995
- The Planning (Hazardous Substances) (No.2) Regulations (NI) 2015
- The Planning (Environmental Impact Assessment) Regulations (NI) 2017
- The Planning (Management of Waste from Extractive Industries) Regulations (NI) 2015

The Council further delegates its function to institute legal proceedings pursuant to offences committed under the provisions delegated above to Director of Place and Prosperity and the Head of Planning and Building Control. Such delegated authority will be exercised in accordance with the Council's Enforcement Policy on Regulatory Functions (in respect of Building Control) and the Council's Planning Enforcement Strategy (in respect of Planning). Such legal proceedings will be subject to consultation with the Council's solicitors as appropriate.

4. The Council's delegations to Officers as above, to take action under a particular statutory provision, or relevant local authority bye-law, shall be deemed to authorise action under any statutory re-enactment or amendment of that provision, and any statutory regulations, order, or direction made under that provision both before and after the date of this Scheme. References to statutory requirements in this scheme include relevant European legislation and directives as applicable.

## Appendix 8 Planning Scheme of Delegation

### Part A – Mandatory applications for determination by Planning Committee

By statute certain types of application must be determined by the Planning Committee and therefore cannot be delegated to officers:

- Applications which fall within the Major category of development as specified within the Planning (Development Management) Regulations (NI) 2015;
- Applications where the application is made by the Council or an elected member of the Council;
- Applications relating to land in which the Council has an estate.

### Part B – Non-Mandatory applications for determination by Planning Committee

- A Local development application attracting six or more separate individual objections which are contrary to the officer's recommendation, and where a material planning matter has been raised.

In determining if the threshold of six or more separate objections is met, the following clarification shall apply for the purposes of the calculation:

- Multiple letters of objection from one individual person (or body including any corporate entity) will constitute one objection;
- Multiple letters of objection from one address (whether by one individual or more) will constitute one objection;
- Pro-forma objection letters will constitute one objection;
- Petitions will constitute one objection;
- Objection(s) to an application by any statutory or non-statutory consultee will not count toward the threshold and for the avoidance of doubt be excluded from any such calculation. A 'consultee' being a body consulted by the Council to ascertain their expert view on the merits of a planning application.

- A Local development application which is a significant departure from the Local Development Plan which is recommended for approval (the Head of Planning to adjudicate on this where necessary in liaison with the Chair).
- A Local development application called-in to Planning Committee by the Head of Planning;
- A Local development application called-in to Planning Committee from the delegated list<sup>1</sup> as set out in the Council's Protocol for the Operation of the Planning Committee by a member of that Committee – a sound material planning reason having been given for such a referral;

- A Local development application called-in by any Councillor within 25 working days<sup>2</sup> of the application being validated – a sound material planning reason having been given for such a referral (as set out in the Council’s Protocol for the Operation of the Planning Committee);
- A planning (legal) agreement or modification to a legal agreement is required.

### Part C – Delegated Applications

The appointed officer is the Head of Planning within the Council and any officer nominated by the Head of Planning, who will be responsible for determining the following:

- All Local development applications whether for approval or refusal, with the exceptions listed at Part B above.

### Part D – Enforcement and Determination of Other Planning Matters

In relation to other planning responsibilities, the following matters are delegated to the appointed officer:

- All investigation of breaches of planning control and decisions on enforcement to include:
  - Service of an Enforcement Notice;
  - Service of a Listed Building Enforcement Notice;
  - Service of Hazardous Substances Contravention Notice;
  - Service of a Stop Notice;
  - Service of a Temporary Stop Notice;
  - Service of a Breach of Condition Notice;
  - Service of Tree Replanting Notice;
  - Withdrawal/modification of any of the Notices specified above, as appropriate;
  - Service of Warning Letters and Planning Contravention Notices;
  - Determination of applications for Certificates of Lawfulness of Existing Use or Development;
  - Service of a Fixed Penalty Notice, except in circumstances where the person appointed considers the breach of planning control could result in immediate public danger or development which may result in permanent damage to the environment. Examples include: the demolition of, or works to, a listed building; the felling of protected trees; the demolition of a building in a conservation area; or the commencement of building operations without permission;
  - Service of a Discontinuance Order;
  - The instigation of court proceedings e.g. prosecution for non-compliance with a statutory notice or injunction proceedings.

<sup>1</sup> Paragraph 25 of the Protocol for the Operation of the Planning Committee

<sup>2</sup> Paragraph 24 of The Protocol for the Operation of the Planning Committee

Other planning matters to include:

- The determination of applications for Certificates of Lawfulness of Proposed Use or Development;
- The serving/affixing of a Building Preservation Notice;
- The withdrawal of a Building Preservation Notice;
- The making and serving of a provisional Tree Preservation Order;
- The making and serving of a Tree Preservation Order;
- Revocation of a Tree Preservation Order;
- Determination of any application to carry out works to a protected tree (i.e. a tree the subject of a Tree Preservation Order or within a Conservation Area);
- Determination as to appropriate replanting in relation to tree(s) the subject of a Tree Preservation Order or within a Conservation Area;
- Determination of non-material change applications to planning permissions;
- Determination of any application for Conservation Area consent;
- Determination of any application for advertisement consent;
- Determination of any application for listed building consent;
- Determination of any application for hazardous substances consent;
- Revocation or modification of any of the above consents;
- Issuance of Urgent Works Notice;
- The screening of and determination decisions on development proposals required under the Environmental Impact Assessment or Habitats Regulations;
- Discharge of planning conditions;
- Determination of any application for variation or removal of condition(s) previously attached to permission to develop land;
- Drafting of legal agreements.

## Part E – Legal Challenge

The Council provides delegated authority to the Head of Planning to instigate or defend judicial review proceedings on behalf of the Council, and instruct such Counsel or experts in association with the Council's solicitor deemed necessary to defend any decision of the Council, or a challenge to such a decision, the Head of Planning sees fit in the interests of the Council.

## Part F – Publicity



The Council has made a copy of this Scheme of Delegation available on the Council's website at [www.ardsandnorthdown.gov.uk](http://www.ardsandnorthdown.gov.uk) and it is also available on request at the Council's offices at 2 Church Street, Newtownards, BT23 4AP.