



Newry, Mourne and Down District Council

Scheme of Delegation

For Officers

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SECTION 1: Purpose & Interpretation

Legislative Provisions

- 1.1 The Scheme is made in accordance with Section 7 (arrangements for discharge of functions of Council) of the Local Government (Northern Ireland) Act 2014 as provided at **Appendix I**.
- 1.2 Part 8, paragraph 49(2) of The Local Government (Northern Ireland) Act 2014 requires local authorities to maintain a list:
 - a) specifying those **powers** of the Council which are **exercisable by officers** of the Council; in pursuance of arrangements made under this Act or any other statutory provisions for their discharge by those Officers; and
 - b) stating the **title of the officer** by whom each of the powers so specified is so exercisable. (Except in cases where the arrangements for the discharge by Officers are for a specified period not exceeding six months.)
- 1.3 This Scheme **does not** consider the separate Scheme of Delegation that must be produced by a Council detailing the planning application decisions that can be delegated to officers, as provided for by Section 31(1) of The Planning (Northern Ireland) Act 2011.

Purpose of the Scheme of Delegation

- 1.4 The purpose of this Scheme of Delegation (“the Scheme”) is to set out the decisions and authorisations which officers can make or grant without any further reference to Council or Committees, subject to Committees being regularly advised on the exercise of these delegated powers, as outlined at **Appendix III**.
- 1.5 The Scheme is designed to aid the integrated management of the organisation, the effective deployment of resources as well as the efficient delivery of services, by enabling Elected Members to concentrate on strategic matters relating to policy development, implementation and scrutiny, thereby reducing the administrative burden on the democratic process. Consequently, the Scheme enables officers to address matters of an operational nature.

Interpreting the Scheme of Delegation

- 1.6 In this Scheme, the term “Director” includes those titled officers as specified at **Appendix II**.
- 1.7 The Scheme **does not** delegate to officers any matter reserved to Council and which by law may not be delegated, as set out in Section 7(3) The Local Government (Northern Ireland) Act 2014.
- 1.8 An officer shall only exercise a delegated power under this Scheme subject to, and in accordance with:
- the agreed plans (including but not limited to Corporate and Department Plans), policies, programmes and objectives approved by the Council;
 - the Standing Orders, Financial Regulations, Equality Scheme, Codes of Conduct and any other relevant governance policies contained within the Council’s Constitution; and
 - the agreed budget for his / her Department.
- 1.9 Authority to take decisions and other actions pursuant to the Scheme shall be exercised in the name of the delegated officer but not necessarily personally by him / her. In the absence of the officer to whom a function is delegated, the function may be exercised by the officer(s) responsible for the performance of the duties of that officer.
- 1.10 Delegation to deal with any matter shall not derogate from the power of the Council or that of relevant Committees, to call for a report on any decision or action taken under the Scheme.
- 1.11 An officer shall, notwithstanding delegated powers, refer a matter to the relevant Committee in any case involving controversy or unusual circumstances.
- 1.12 In any case where the exercise of a delegated power involves considerations within the remit of another officer, the officer exercising the power shall consult with that other officer prior to taking any final decision.
- 1.13 Any reference in the Scheme to a statutory enactment shall be deemed to include any modification or re-enactment or any regulations thereof.
- 1.14 Authority to exercise any delegated power shall include authority to take all reasonable necessary actions of an incidental or consequential nature.

- 1.15 Where the exercise of a delegated power requires consultation with the Chairperson of a Committee, the Deputy Chairperson may act in the absence or non-availability of the Chairperson.
- 1.16 Decisions made by officers under delegated authority are not subject to reconsideration under “Call-in” Part 7, paragraph 41 which applies only to decisions made by the Council or a Committee of Council.

PART 2: General Delegated Functions

All officers, as specified at **Appendix II**, have delegated authority to exercise the following general functions:

2.1 General Management

All of the delegations listed below shall be exercised in accordance with relevant Council policies.

- 2.1.1 Taking all necessary action for the effective day-to-day management, administration and supervision of the Department and its services and facilities for which the officer is responsible.
- 2.1.2 Implementing those strategies, programmes, actions, events and initiatives which the officer is responsible for, as set out in agreed Council plans (refer to 1.8) subject to regular reporting to the relevant Committee and to the expenditure being within agreed budgets.
- 2.1.3 Engaging and procuring consultancy, research and other such assistance, up to a maximum value of £2,000, in the discharge of the Department's services and facilities.
- 2.1.4 Responding to consultation documents on matters which are routine or which do not have significant policy or financial implications for the Council.
- 2.1.5 Making initial applications for grant funding from external bodies (provided there is no financial commitment for the Council) where time constraints prohibit Council approval and any decision to proceed remains subject to Committee approval.
- 2.1.6 Developing and implementing specific promotions, schemes and events (including the provision of small scale prizes up to a maximum of £100).
- 2.1.7 In consultation with the Council's Legal Adviser(s), initiating legal proceedings in regard to the recovery of debt(s), the enforcement of contractual rights, the service of notices, the prosecution of statutory offences and the instituting and defending of claims and proceedings affecting the officer's Department.
- 2.1.8 Entering into pre-contract discussions with external agencies and other organisations concerning the provision of services and facilities.

- 2.1.9 In consultation with the Chief Executive, seeking legal advice on behalf of the Council.

2.2 Finance

All of the delegations listed below shall be exercised in accordance with relevant Council policies, in particular the requirements of the Financial Regulations.

- 2.2.1 In consultation with the Senior Finance Officer¹, writing off any loss of money (including bad debts) and loss of stores and obsolete equipment and materials in accordance with the limits outlined in the Financial Regulations.
- 2.2.2 In consultation with the Senior Finance Officer, authorising the transfer of a budget from one budget heading to another within the agreed budgets for the Department and in accordance with the limits outlined in the Financial Regulations.
- 2.2.3 Authorising appropriate payments to employees in the Department in respect of telephone, travel and subsistence allowances, standby and call out allowances, overtime, additional duties, costs of study courses and removal and relocation expenses, in accordance with Council policies.
- 2.2.4 Paying the cost of an employee's professional fees where it is legally necessary for the employee to perform their duties.

2.3 In Cases of Emergency / Urgency

The exercise of the following delegated powers concerns cases of emergency or urgency (exceptional circumstances) to ensure service and business continuity in the discharge of the Council's services and facilities.

- 2.3.1 In consultation with the Chief Executive, taking such measures, including incurring expenditure, as may be required in emergency situations or cases of urgency, subject to advising the appropriate Chairperson and reporting to the appropriate Committee as soon as possible.
- 2.3.2 Where such measures involve the Council incurring expenditure of an amount that is likely to result in expenditure exceeding the approved budget, then the officer should advise the Senior Finance Officer and submit a report to the relevant Committee as soon as possible. The Senior Finance Officer should inform the Strategic Planning and Performance Committee accordingly as soon as possible.

¹ Defined as the Senior Professionally Qualified Accountant within the Council

- 2.3.3 Approving the allocation or awarding of financial assistance (small grants) in line with the award criteria of the Financial Assistance Policy (up to a maximum level of £300), subject to regular reporting to the relevant Committee on the exercise of this delegated power.

2.4 Management of Land & Facilities

The exercise of the following delegated powers concerns the management of the Council's land and facilities (e.g. leisure centres, community centres, parks and open spaces etc)

The use of these delegated powers is subject to paragraph 1.7 that there is no disposal, holding or acquisition of land involved.

All the delegations listed below shall be exercised in accordance with relevant Council policies.

- 2.4.1 Permitting the use of such facilities by Council Departments and services and outside bodies in accordance with any relevant Council policies.
- 2.4.2 Varying the opening times of, or restricting access to, or closing such facilities in special circumstances (for example to permit maintenance or other operational reasons) in consultation with the Chairperson of the relevant Committee.
- 2.4.3 Varying the fees, charges and concessions of the services linked to such facilities (e.g. cost of an adult swim).
- 2.4.4 Approving the holding of non-controversial events, conferences and promotions in such facilities and applying any necessary hire and/or admission charges or discounted pricing.
- 2.4.5 Approving, after consultation with the Chairperson of the relevant Standing Committee, requests received in respect of potentially controversial events and activities in such facilities, where there is not sufficient time for Council approval to be obtained, subject to a report being taken to Committee as soon as possible thereafter
- 2.4.6 Granting temporary licences for the use of Council facilities for the purpose of events/car parking or other temporary uses on appropriate commercial terms, subject to consultation with the Head of Estates and Project Management and the Council's Legal Adviser(s).

- 2.4.7 Requiring unauthorized persons to leave Council property under the Public Order (NI) 1987 Articles 7 [Part II], 18, 19, 20, 21, 22 and 23 [Part IV].

2.5 Human Resources

All the delegations listed below shall be exercised in accordance with relevant Council policies and in consultation with the Head of Human Resources.

Employee changes that result in an increase in the approved employee establishment and budget for a Department and / or which effect any changes to posts at Tier Three (3) (Assistant Director / Head of Service level) and above shall be subject to approval by the Strategic Planning and Performance Committee.

- 2.5.1 Undertaking service reviews, including the deletion of permanent and temporary posts and the creation of new permanent and temporary posts, provided that there is no increase in the Department's approved employee establishment and budget.
- 2.5.2 Approving the use of agency resources.
- 2.5.3 Appointing successful applicants to posts as recommended by the selection panel.
- 2.5.4 Agreeing to an overlap period for the appointment of employees provided that this can be accommodated within budget.
- 2.5.5 Determining the grading of any post below the level of Tier Four (4) positions.
- 2.5.6 Implementation of nationally or locally agreed changes to Terms and Conditions for employment.
- 2.5.7 Approving the payment of honoraria to an employee and subject to paragraph 2.5.5.
- 2.5.8 Granting paid special leave to an employee in exceptional circumstances, and approving other paid or unpaid leave of absence.
- 2.5.9 Authorising any employees to attend training and development events, technical visits and courses, including conferences, exhibitions, workshops and seminars and meetings of appropriate professional associations in Northern Ireland, the Republic of Ireland and Great Britain, provided there is no increase in the approved budget.

2.6 Purchasing

The exercise of delegated powers in respect of purchasing is considered by the Council's agreed Purchasing Policy.

PART 3: Specific Delegated Functions

The following specific functions are delegated to the specified officers below:

3.1 Chief Executive

All the delegations listed below shall be exercised in accordance with relevant Council policies.

Furthermore, the Chief Executive shall also have authority to authorise any officer to act on behalf of any other officer in order to discharge the delegated powers as authorised in this Scheme.

The exercise of the following functions is delegated to the Chief Executive.

- 3.1.1 Discharging all functions and responsibilities in terms of all relevant legislation and regulations, and within policy and agreed budgets, for the following functions:
- Strategic Planning and Performance
 - Enterprise, Regeneration & Tourism
 - Active & Healthy Communities
 - Regulatory & Technical Services
 - Corporate Services
- 3.1.2 Acting in the place of any officer having delegated authority in accordance with this Scheme.
- 3.1.3 Authorised as the Deputy Returning Officer for the Newry, Mourne & Down District Council area to discharge all functions and responsibilities granted to the postholder by The Electoral Office for Northern Ireland, for the purposes of the smooth and efficient operation of Local Council Elections.
- 3.1.4 Making arrangements for the admission of the public and press to meetings of Council in accordance with The Local Government (Northern Ireland) Act 2014.
- 3.1.5 Settling, in consultation with the Council Chairperson and Head of Democratic Services, any points requiring interpretation or clarification in the practical application of this Scheme.
- 3.1.6 In consultation with the relevant statutory agencies agreeing to involve outside agencies in matters of fraud.
- 3.1.7 Signing and executing legal documents on behalf of the Council.

- 3.1.8 Authorising the obtaining of communications data, by way of applications under the Regulation of Investigatory Powers Act 2000 which have been assessed and verified by the Single Point of Contact (SPoC).
- 3.1.9 Approving, in consultation with the Council Chairperson, the attendance of the Chairperson and Deputy Chairperson (or nominees) of any of the Standing Committees at any Conference or Seminar in Northern Ireland, the Republic of Ireland and Great Britain where there is insufficient time for Council approval to be obtained.
- 3.1.10 Invoking and making whatever arrangements are necessary for action under the Council's Emergency Plan.
- 3.1.11 Where appropriate defending all claims made, or legal proceedings instituted against the Council. The power to compromise or settle same as appears necessary or desirable in the best interests of the Council, shall be taken by the Chief Executive and reported to Council including where claims or proceedings are of an unusual or controversial nature.
- 3.1.12 In consultation with the Council Chairperson have delegated authority to cover the summer recess.

3.2 Director of Strategic Planning & Performance (Deputy Chief Executive)

All the delegations listed below shall be exercised in accordance with relevant Council policies.

The exercise of the following functions is delegated to the Director of Strategic Planning & Performance (Deputy Chief Executive).

- 3.2.1 The Director of Strategic Planning & Performance is designated as the Deputy Chief Executive and in the absence of the Chief Executive is authorised to discharge all functions and responsibilities of that position (as listed at 3.1).
- 3.2.2 The Director of Strategic Planning & Performance is authorised to discharge all functions and responsibilities in terms of all relevant legislation and regulations, and within policy and agreed budgets, for the following functions:
- Corporate Planning & Policy
 - Community Planning
 - Transformation, Innovation & Performance

3.3 Director of Enterprise, Regeneration & Tourism

All the delegations listed below shall be exercised in accordance with relevant Council policies.

The exercise of the following functions is delegated to the Director of Enterprise, Regeneration and Tourism.

3.3.1 The Director of Enterprise, Regeneration & Tourism is authorised to discharge all functions and responsibilities in terms of all relevant legislation and regulations, and within policy and agreed budgets, for the following functions:

- Enterprise, Employment & Regeneration
- Tourism, Culture & Events

3.3.2 Discharge of functions relating to the legislative provisions outlined at **Appendix IV**.

3.4 Director of Active & Healthy Communities

All the delegations listed below shall be exercised in accordance with relevant Council policies.

The exercise of the following functions is delegated to the Director of Active & Healthy Communities.

3.4.1 The Director of Active & Healthy Communities is authorised to discharge all functions and responsibilities in terms of all relevant legislation and regulations, and within policy and agreed budgets, for the following functions:

- Health & Wellbeing (including Environmental Health)
- Leisure & Sport
- Community Engagement

3.4.2 Discharge of functions relating to the legislative provisions outlined at **Appendix V** and the legislation made thereunder.

3.4.3 The functions listed at (a) to (h) below concerning the application of the legislation outlined at Appendix V for which the Active & Healthy Communities Committee has responsibility:

- a) Enforcing all regulations, orders and bye-laws;
- b) Issuing and serving certificates and notices;
- c) Granting, withdrawing, suspending and refusing authorisations, approvals and consents, and rejecting plans;
- d) Exercising all powers in relation to the issue (but not refusal) of permits and licences;
- e) Effecting (but not cancelling or refusing to effect) registrations and maintaining statutory registers;
- f) In consultation with the Council's Legal Adviser(s), instituting legal proceedings and making legal applications on behalf of the Council;
- g) Authorising persons and officers pursuant to relevant legislation for the purpose of exercising statutory powers;
- h) Executing works where the responsible party is in default of compliance with any notice or Order and in an emergency where empowered by statute and recovering costs; and

3.4.5 Authorising under Article 22 (2)(c)(i) of the Health and Safety at Work (Northern Ireland) Order 1978 on behalf of the Council, suitable persons to accompany inspectors who have been appointed by the Council under Article 21 of the said Order.

- 3.4.6 Agreeing any transfer or assignment of enforcement responsibility under Regulation 7 and Regulation 8(1) of the Health and Safety (Enforcing Authority) Regulations (Northern Ireland) 1999.
- 3.4.7 Authorising persons, other than officers of the Council, for the purposes of Section 10(2) of the Noise Act 1996 (as amended)
- 3.4.8 Enforcing all bye-laws made for the protection of the Council's parks and other amenity facilities.
- 3.4.9 Protecting public rights of way and generally enforcing the Access to the Countryside (Northern Ireland) Order 1983.
- 3.4.10 Enforcing the provisions of the High Hedges Act (NI) 2011 and carrying out a series of functions associated with performing the Council's statutory role under the High Hedges legislation. These are:
- Enforcing all Regulations or Acts made and remedial notices under the High Hedges Act (NI) 2011
 - Issuing and serving remedial notices
 - Exercising all powers in relation to the High Hedges Act (NI) 2011
 - In conjunction with the Council's Legal Advisor(s), instituting legal proceedings and making legal applications on behalf of the Council
 - Authorising individual officers for the purpose of exercising any statutory power under the High Hedges Act (NI) 2011.

3.5 Director of Regulatory & Technical Services

All the delegations listed below shall be exercised in accordance with relevant Council policies.

The exercise of the following functions is delegated to the Director of Regulatory & Technical Services.

3.5.1 The Director of Regulatory & Technical Services is authorised to discharge all functions and responsibilities in terms of all relevant legislation and regulations, and within policy and agreed budgets, for the following functions:

- Waste Management
- Building Control & Regulation (including Licensing)
- Planning²
- Facilities Management & Maintenance

3.5.2 Discharge of functions relating to the legislative provisions outlined at **Appendix VI**.

3.5.3 The functions listed at (a) to (p) below concerning the application of the legislation outlined at **Appendix VI** for which the Regulatory & Technical Services Committee has responsibility:

- a) Enforcing all regulations, orders and bye-laws;
- b) Issuing and serving certificates and notices;
- c) Granting, withdrawing, suspending and refusing authorisations, approvals and consents, and rejecting plans;
- d) Exercising all powers in relation to the issue (but not refusal) of permits and licences;
- e) Deeming as refused, any Entertainments License application where all of the necessary supporting documentation, including a Fire Risk Assessment, has not been provided to the Council within six weeks from the date of receipt of that application or if the application is otherwise incomplete, inaccurate or falsified;
- f) Effecting (but not cancelling or refusing to effect) registrations and maintaining statutory registers;
- g) In consultation with the Council's Legal Adviser(s), instituting legal proceedings and making legal applications on behalf of the Council;
- h) Authorising persons and officers pursuant to relevant legislation for the purpose of exercising statutory powers;

² A separate Scheme of Delegation exists for delegated matters relating to Planning

- i) Dispensing with or relaxing or refusing to dispense with or relax, Building Regulations and inviting representations thereon;
- j) Executing works where the responsible party is in default of compliance with any notice or Order and in an emergency where empowered by statute and recovering costs;
- k) Making Orders for the charges to be paid in connection with the use of an off-street parking place;
- l) Appointing and authorising such persons as may be necessary for the superintendence of parking spaces;
- m) Making Orders for the use of any parking place and the conditions on which it may be used;
- n) Making Orders restricting the use of a specified parking place;
- o) Making Orders to authorise the use of a part of an off-street parking place for the collection of recyclable material, for advertising or for displaying information to the public; and
- p) Making Orders for the suspension of the use of a parking place or any part of it for specified occasions or circumstances

3.5.4 In consultation with the Council's Legal Adviser(s), lodging objections in relation to notices of applications received under the following legislation:

- Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 as amended by the Betting and Gaming (NI) Order 2004
- Licensing (Northern Ireland) Order 1996
- Registration of Clubs (Northern Ireland) 1996.

3.4.6 Detaining a dog or causing a dog to be disposed of, sold or destroyed in accordance with Articles 23 or 48 of the Dogs (Northern Ireland) Order 1983.

3.5.6 Issuing Property Certificates.

3.5.7 Approving exceptions to the imposition of charges for the collection of commercial waste where such waste appears to be arising from premises occupied for charitable purposes and the temporary nature of occupation prevents the granting of relief from the payment of Rates under Article 41(2)(C) of the Rates (Northern Ireland) Order 1977.

3.5.8 Exercising powers under Article 18 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 in relation to the removal or obliteration of graffiti, placards or posters.

3.5.9 Signing on behalf of the Council, licence agreements for the use of lands to be utilised for the installation of mini-bring recycling facilities.

3.5.10 Arranging burials and cremations under Section 25 of the Welfare Services Act (Northern Ireland) 1971.

3.5.11 Enforcing the Burial Grounds Regulations.

3.5.12 Maintaining a Register of Burials.

3.5.13 Allocating grave spaces and issuing grants of right of burial.

3.6 Director of Corporate Services

All the delegations listed below shall be exercised in accordance with relevant Council policies.

The exercise of the following functions is delegated to the Director of Corporate Services.

3.6.1 The Director of Corporate Services is authorised to discharge all functions and responsibilities in terms of all relevant legislation and regulations, and within policy and agreed budgets, for the following functions:

- Finance³
- Human Resources
- Estates & Project Management
- Administration

³ For the purpose of Section 1 of The Local Government Finance Act (Northern Ireland) 2011, the Senior Finance Officer is designated responsible for the administration of the Council's financial affairs.

Section 7 of the Local Government (Northern Ireland) Act 2014

Arrangements for discharge of functions of Council

7. (1) A Council may arrange for the discharge of any of its functions—

- (a) by a committee, a sub-committee or an officer of the Council; or
- (b) by any other Council.

(2) Subsection (1) is subject to any express provision contained in this Act or any Act passed after this Act.

(3) A Council's functions with respect to—

- (a) making a district rate under the Rates (Northern Ireland) Order 1977;
- (b) making a determination under section 13(1) of the Local Government Finance Act (Northern Ireland) 2011 (affordable borrowing limit) and monitoring an amount determined under that subsection;
- (c) borrowing money; and
- (d) acquiring or disposing of land, may only be discharged by the Council itself.

(4) Where by virtue of this section any functions of a Council may be discharged by a committee of the Council, the committee may arrange for the discharge of any of those functions by—

- (a) a sub-committee; or
- (b) an officer of the Council.

(5) Subsection (4) is subject to any contrary direction by the Council.

(6) Where by virtue of this section any functions of a Council may be discharged by a sub-committee of the Council, the sub-committee may arrange for the discharge of any of those functions by an officer of the Council.

(7) Subsection (6) is subject to any contrary direction by the Council or the committee.

Specified Officer Positions

The officers to which this Scheme applies are specified as follows:

- i. The Chief Executive
- ii. Director of Strategic Planning & Performance (Deputy Chief Executive)
- iii. Director of Enterprise, Regeneration & Tourism
- iv. Director of Active & Healthy Communities
- v. Director of Regulatory & Technical Services
- vi. Director of Corporate Services

Arrangements for Monitoring and Review

Each Department shall appoint an officer with the responsibility for maintaining a register of delegated decisions. Reports on the register shall be brought to relevant Committees on a bi-annual basis.

A corporate register of delegated decisions shall be maintained by the Head of Democratic Services which can be requested to be produced by any Committee of Council at any time. The Head of Democratic Services is the responsible officer for ensuring this register remains current and accurate at all times.

Schedule of Delegated Decisions for Reporting

The following delegated decisions or authorisations are to be reported monthly (unless otherwise specified) to the relevant Committee by the officer responsible for making or granting.

1. Engaging consultancy assistance below the delegated level of £2,000;
2. Decision to commence formal restructuring within a Department or Departments;
3. Consultation responses other than technical responses where officers asked for Member views;
4. Decisions arising from external report on significant Health and Safety at Work;
5. In cases of emergency, the allocation or awarding of financial assistance (small grants) to external groups or organisations below the delegated level of £300; and
6. Other decisions such as those with political, media or industrial relations implications that Directors consider Members should be aware of.

APPENDIX IV

Note these are the principal legislative provisions under which the Council derives its functions. The provisions listed are not exhaustive and responsibility for relevant legislation not expressly referred to will also delegate to the relevant Officers.

Enterprise, Regeneration & Tourism

- The Museums (Northern Ireland) Order 1981
- The Tourism (Northern Ireland) Order 1992 article 30(3)

Environmental Health

- The Animal By Products Regulations (NI) 2003
- The Caravans Act (Northern Ireland) 1963
- The Children and Young Persons (Protection from Tobacco) (Northern Ireland) Order 1991
- The Clean Air (Northern Ireland) Order 1981
- The Clean Neighbourhoods and Environment Act (NI) 2011
- The Construction Products Regulations 1991
- The Consumer Protection Act 1987
- European Communities Act 1972
- The Food and Environment Protection Act 1985
- The Food (Northern Ireland) Order 1989
- Food Hygiene Rating Act (NI) 2016
- The Food Hygiene Regulations (NI) 2006
- The Food Safety (Northern Ireland) Order 1991
- The General Product Safety Regulations 2005
- The Hairdressers Act (NI) 1939
- The Health and Safety at Work (Northern Ireland) Order 1978
- The Health and Personal Social Services (NI) Order 1978
- The High Hedges Act (NI) 2011
- The Housing of the Working Classes Act 1885
- The Litter (Northern Ireland) Order 1994 - Excluding Article 10
- The Local Government Act (Northern Ireland) 1972
- The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985
- The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992
- The Poisons (Northern Ireland) Order 1976
- The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013
- The Pollution Control and Local Government (Northern Ireland) Order 1978
- The Private Tenancies (NI) Order 2006
- The Public Health Acts 1878 to 1971
- The Public Health and Local Government (Miscellaneous Provisions) Act 1949
- The Rats and Mice Destruction Act 1919
- The REACH Enforcement Regulations 2008
- The Regulation of Investigatory Powers Act 2000
- The Rent (Northern Ireland) Order 1978
- The Shops (Sunday Trading etc) (Northern Ireland) Order 1997

- The Smoking (NI) Order 2006
- The Safety of Sports Grounds (Northern Ireland) Order 2006
- The Sun beds Act (Northern Ireland) 2011
- The Controls on Ozone-Depleting Substances Regulations (Northern Ireland) 2011
- The Ozone-Depleting Substances (Qualifications) Regulations (Northern Ireland) 2011
- The Fluorinated Greenhouse Gases Regulations (Northern Ireland) 2009
- The Transmissible Spongiform Encephalopathy Regulations (NI) 2006
- The Anti-Social Behaviour (NI) Order 2004
- The Noise Act 1996
- The Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations 2005
- The Waste and Contaminated Land (NI) Order 1997
- The Welfare of Animals Act (NI) 2011
- The Welfare Services Act (Northern Ireland) 1971
- Regulation (EC) No 2017/625 Official Controls Performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products.
- Dogs (Guard Dog Kennels) Regulations (Northern Ireland) 2013
- Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations (Northern Ireland) 2013

Leisure

- The Recreation and Youth Service (NI) Order 1986 Article 10
- The Nature Conservation and Amenity Lands (NI) Order 1985 Article 4
- The Registration of Clubs (Northern Ireland) 1987

Community Engagement

- The Justice Act (Northern Ireland) 2011 ((functions of the Newry, Mourne & Down Policing and Community Safety Partnership (PCSP))

Waste Management

- Article 41(2)(C) of the Rates (Northern Ireland) Order 1977
- Animal By-Products (Enforcement) (Amendment) Regulations (Northern Ireland) 2014/184
- Animal By-Product (Enforcement) Regulation Northern Ireland 2011 SR 124
- Animal By-Products (Enforcement) (Amendment) Regulations (Northern Ireland) 2011 SR 258
- Single Use Carrier Bags Charge Regulations (Northern Ireland) 2013 SR 4
- Carrier Bags Act (Northern Ireland) 2014
- Controlled Waste (Amendment) Regulations (Northern Ireland) 2003 SR 404
- Controlled Waste (Duty of Care) Regulations (Northern Ireland) 2002 SR 271
- Controlled Waste (Duty of Care) (Amendment) Regulations (Northern Ireland) 2004 SR 277
- Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations (Northern Ireland) 1999 SR 362
- Controlled Waste and Duty of Care Regulations (Northern Ireland) 2013 SR 255
- Controlled Waste Duty of Care (Amendment) Regulations (Northern Ireland) 2014 SR 117
- Controlled Waste (Seizure of Property) Regulations (Northern Ireland) 2013 SR 260
- End of Life Vehicles Regulations 2003 SI 2635
- End-of-Life Vehicles (Amendment) Regulations 2010 SI 1094
- End-of-Life Vehicles (Producer Responsibility) Regulations 2005 SI 263
- End-of-Life Vehicles (Producer Responsibility) (Amendment) Regulations 2010 SI 1095
- Environment (Northern Ireland) Order 2002 SI 3153 (NI 7) (including amendments up to 2004)
- Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (Northern Ireland) Regulations 2000 SR 232
- EU Regulations 592/2014 amending EU142/2011 as regards the use of animal by-products and derived products as a fuel in combustion plants
- EU Regulation laying down health rules as regards animal by-products and derived products not intended for human consumption 1069/2009
- EU Regulation on Shipments of Waste 1013/2006
- Hazardous Waste Regulations (Northern Ireland) 2005 SR 300
- Hazardous Waste (Amendment) Regulations (Northern Ireland) 2005 SR 461
- Landfill Regulations (Northern Ireland) 2003 SR 496
- Landfill (Amendment) Regulations (Northern Ireland) 2004 SR 297
- Landfill (Amendment) Regulations (Northern Ireland) 2007 SR 179
- Landfill (Amendment No 2) Regulations (Northern Ireland) 2007 SR 258

- Landfill (Amendment) Regulations (Northern Ireland) 2011 SR 101
- Landfill (Amendment) Regulations (Northern Ireland) 2013 SR 161
- List of Wastes Regulations (Northern Ireland) 2005 SR 301
- List of Wastes (Amendment) Regulations (Northern Ireland) 2005 SR 462
- Packaging (Essential Requirements) Regulations 2003 SI 1941
- Packaging (Essential Requirements) (Amendment) Regulations 2004 SI 1188
- Packaging (Essential Requirements) (Amendment) Regulations 2006 SI 1492
- Packaging (Essential Requirements) (Amendment) Regulations 2009 SI 1504
- Planning (Management of Waste from Extractive Industries) Regulations (Northern Ireland) 2010 SR 64
- Pollution Control and Local Government (Northern Ireland) Order 1978 SR 1049 (NI 19)
- Pollution Prevention Control (Industrial Emissions) Regulations (Northern Ireland) 2013 SR 160
- Producer Responsibility Obligations (Northern Ireland) Order 1998 SI 1762 (Northern Ireland 16) (including amendments up to 2004)
- Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007 SR 198
- Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2008 SR 373
- Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations (Northern Ireland) 2008 SR 77
- Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations (Northern Ireland) 2010 SR 396
- Producer Responsibility obligations (Packaging Waste) (Amendment) Regulations (Northern Ireland) 2013 SR 262
- Tran frontier Shipment of Radioactive Waste and Spent Fuel Regulations 2008 SI 3087
- Tran frontier Shipment of Waste Regulations 2007 SI 1711
- Tran frontier Shipment of Waste (Amendment) Regulations 2008 SI 9
- Tran frontier Shipment of Waste (Amendment) Regulations 2014 SI 861
- Waste (Amendment)(Northern Ireland) Order 2007 SI 611
- Waste Batteries and Accumulators Regulations 2009 SI 890 (Adobe PDF - 276KB)
- Waste Batteries and Accumulators (Charges) Regulations (Northern Ireland) 2009
- Waste Batteries and Accumulators (Treatment and Disposal) Regulations (Northern Ireland) 2009
- Waste and Contaminated Land (Northern Ireland) Order 1997 SI 2778 (NI 19) (including updates)
- Waste and Contaminated Land (Amendment) Act (Northern Ireland) 2011
- Waste Electrical and Electronic Equipment Regulations 2013 SI 3113
- Waste Electrical and Electronic Equipment (Charges) Regulations (Northern Ireland) 2014 SR 202
- Waste Electrical and Electronic Equipment (Waste Management Licensing) Regulations (Northern Ireland) 2006 SR 519

- Waste Management Regulations (Northern Ireland) 2006 SR 280
- Waste Management (Miscellaneous Provisions) Regulations (Northern Ireland) 2008 SR 18
- Waste Management Licensing Regulations (Northern Ireland) 2003 SR 493
- Waste Management Licensing (Amendment) Regulations (Northern Ireland) 2009 SR 76
- Waste Management Licensing (Amendment) Regulations (Northern Ireland) 2011 SR 403
- Waste (Northern Ireland) Regulations 2011 SR 127
- Waste (Amendment) Regulations (Northern Ireland) 2013 SR 241
- Batteries and Accumulators (Placing on the Market) (Amendment) Regulations 2012 SI 1139

Licensing

- Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985
- Cinemas (Northern Ireland) Order 1991
- Petroleum (Regulation) Ads (Northern Ireland) 1929 and 1937
- Registration of Clubs (Northern Ireland) Order 1996
- Town Improvement Clauses Act 1847

Building Control

- The Building Regulations (Northern Ireland) Order 1979
- The Building Regulations (Northern Ireland) 1990
- The Building Regulations (Northern Ireland) 2000.
- The Building (prescribed Fees) Regulations (Northern Ireland) 1997
- Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008
- The Towns Improvement (Ireland) Act 1854, Section 39
- The Towns Improvement Clauses Act 1947
- The Public Health Acts Amendments 1907, Section 30
- The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985
- The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995

Planning

- The Planning Act (Northern Ireland) 2011
- The Planning (Northern Ireland) Order 1991

Facilities Management & Maintenance

- The Burial Grounds Regulations (Northern Ireland) 1992

Dogs

- Dogs (Northern Ireland) Order 1983, as amended
- Control of Greyhounds etc. Act (Northern Ireland) 1950
- Dangerous Dogs Compensation and Exemption Schemes Order (Northern Ireland) 1991
- Dangerous Dogs (Northern Ireland) Order 1991

Off-Street Parking

- The Road Traffic Regulation (NI) Order 1997
- The Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010
- The Roads (Northern Ireland) Order 1993
- The Road Traffic Regulation (Northern Ireland) Order 1997

ENTERPRISE, REGENERATION & TOURISM COMMITTEE

-TERMS OF REFERENCE-

Scope

The **Enterprise, Regeneration & Tourism Committee** (“the Committee”) will be responsible for clustering enterprise, regeneration and tourism activity across the District in order to drive and support the local economy.

- Developing an integrated enterprise, regeneration and tourism product for the District;
- Making the District a premier tourism destination on the island of Ireland;
- Leading on the renewal, regeneration and development of the District’s City, Towns, Villages and rural settlements , and maximising and securing opportunities for job creation and retention throughout the district;
- Developing and implementing a vibrant cultural, arts and events programme for the District;
- Maximising and securing opportunities for regional, national and international investment for enterprise, regeneration and tourism;
- Leading on the promotion and marketing of the District, and the engagement of key stakeholders for enterprise, regeneration and tourism;
- Contributing to the delivery of both Corporate and Community Plan objectives as sole advocate and custodian of the economic strand;
- Leading on the development and implementation of suitable strategies, policies and programmes for enterprise, regeneration and tourism; and
- The effective stewardship of delegated responsibilities for the District’s resources and assets (physical, financial, people and property based) for enterprise, regeneration and tourism.

Membership

The Committee is comprised of the fifteen (15) Elected Members appointed to the Committee at the Annual General Meeting (AGM).

Chairperson

Arrangements for the appointment of a Committee Chairperson and Deputy Chairperson will be finalised at the AGM.

Meetings

Arrangements for future meetings will be confirmed at the inaugural meeting of the Committee.

All meetings of the Committee will be governed by the Council's Standing Orders and the N Ireland Code of Conduct for Councillors.

Sub-Committees & Working Groups

The Committee has the facility to establish and appoint any number of Sub-Committees and Working Groups, as are necessary, to consider in more detail the work of the Committee.

Communication & Reporting

The Minutes of the Committee will be reported at each meeting of the Council by the Committee Chairperson.

ACTIVE AND HEALTHY COMMUNITIES COMMITTEE

-TERMS OF REFERENCE-

Scope

The **Active and Healthy Communities Committee** (“the Committee”) will be responsible for improving the health, wellbeing and social cohesiveness of the District’s communities.

- Leading on the improvement of health outcomes and the facilitation of healthy lifestyles through leisure, sporting and recreation provision and through health promotion and prevention policies;
- Leading on the development and implementation of suitable strategies, policies and programmes for environmental education and protection and for biodiversity;
- Provision of environmental health services, including public health and safety and corporate health and safety;
- Tackling disadvantage and building active, engaged and responsible citizenship through the provision and support of community services, facilities and events;
- Implementation of the PEACE and Good Relations programmes
- Improving social and community cohesion through effective community relations and development and implementation of the voluntary contributions programme;
- Managing and overseeing local structures for Policing and Community Safety (PCSP);
- Maximising and securing opportunities for regional, national and international investment for community health, wellbeing and social cohesiveness and developing and implementing suitable strategies and programmes;
- Leading on the development and implementation of suitable strategies, policies and programmes for community health, wellbeing and social cohesiveness;
- Ensuring the design and delivery of Council functions and services are accessible to all citizens;
- Responsible for sports development, including leisure and recreation programmes and facilities;
- Responsible for parks and open spaces, including playing fields and play grounds
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- The effective stewardship of delegated responsibilities for the District’s resources and assets (financial, people and property based) for environmental protection and services; well being ;social cohesiveness and community engagement and leisure and sport.

Membership

The Committee is comprised of the fifteen (15) Elected Members appointed to the Committee at the Annual General Meeting (AGM).

Chairperson

Arrangements for the appointment of a Committee Chairperson and Deputy Chairperson will be finalised at the AGM.

Meetings

Arrangements for future meetings will be confirmed at the inaugural meeting of the Committee.

All meetings of the Committee will be governed by the Council's Standing Orders and the N Ireland Code of Conduct for Councillors.

Sub-Committees & Working Groups

The Committee has the facility to establish and appoint any number of Sub-Committees and Working Groups, as are necessary, to consider in more detail the work of the Committee.

Communication & Reporting

The Minutes of the Committee will be reported at each meeting of the Council by the Committee Chairperson.

REGULATORY AND TECHNICAL SERVICES COMMITTEE

-TERMS OF REFERENCE-

Scope

The **Regulatory and Technical Services Committee** (“the Committee”) will be responsible for protecting both the natural and built environment of the District in accordance with the discharge of specified statutory functions and services, including planning development management and control.

- Responsible for the provision of the Waste Management function, including waste management; waste disposal; recycling and environmental cleansing;
- Responsible for facilities management and maintenance, including grounds maintenance; facilities and buildings maintenance; cemeteries and public conveniences;
- Responsible for the Council’s domestic services function, including caretakers and security; canteens; corporate receptions and switchboards;
- Responsible for the provision of an Emergency Planning function;
- Responsible for the provision the Building Control function, including building regulations; safety in the build environment; licensing; postal numbering;
- Responsible for the provision of technical services, including grounds and fleet maintenance;
- Responsible for transferred roads functions;
- The effective stewardship of delegated responsibilities for the District’s resources and assets (physical, financial, people and property based) for waste management; building control and regulation; and facilities management and maintenance

Membership

The Committee is comprised of the fifteen (15) Elected Members appointed to the Committee at the Annual General Meeting (AGM).

Chairperson

Arrangements for the appointment of a Committee Chairperson and Deputy Chairperson will be finalised at the AGM.

Meetings

Arrangements for future meetings will be confirmed at the inaugural meeting of the Committee.

All meetings of the Committee will be governed by the Council's Standing Orders and the NI Local Government Code of Conduct for Councillors.

Sub-Committees & Working Groups

The Committee has the facility to establish and appoint any number of Sub-Committees and Working Groups, as are necessary, to consider in more detail the work of the Committee.

Communication & Reporting

The Minutes of the Committee will be reported at each meeting of the Council by the Committee Chairperson.

STRATEGY POLICY & RESOURCES COMMITTEE

-TERMS OF REFERENCE-

Scope

The **Strategy Policy & Resources Committee** ("the Committee") will be responsible for the effective and efficient operation of the Council, as well as setting its future strategic direction.

- Responsible for the development of the key strategic plans of the Council, including the Corporate Plan, the Community Plan, the Improvement Plan and the Local Development Plan;
- Responsible for the effective planning and stewardship of the Council's entire resources and assets (financial, employees, information technology and land/property assets);
- Responsible for the management of the Council's policy development framework, including a statutory duty of Equality and development of policy on matters including the Irish language, youth and age friendly disability and safe guarding strategies;
- Responsible for the policy on consultation and engagement with the Council's key stakeholder groups and for public sector collaboration;
- Responsible for the Council's performance management framework, including the setting of performance targets and the oversight of performance across the organisation and for change management;
- Responsible for securing future organisational change in support of Council improvement and modernisation;
- Responsible for the development and delivery of key corporate projects;
- Responsible for the Council's corporate communications, public consultation; public relations and media; marketing and publications;
- Leading on the development and implementation of suitable strategies, policies and programmes to assist with the effective and efficient operation of the Council, to include matters relating to finance and systems; grants administration; human resources; estates and project management ; administration and registration;
- Responsible for the effective planning and stewardship of the Council's entire resources and assets.

Membership

The Committee is comprised of the fifteen (15) Elected Members appointed to the Committee at the Annual General Meeting (AGM).

Chairperson

Arrangements for the appointment of a Committee Chairperson and Deputy Chairperson will be finalised at the AGM.

Meetings

Arrangements for future meetings will be confirmed at the inaugural meeting of the Committee.

All meetings of the Committee will be governed by the Council's Standing Orders and the NI Local Government Code of Conduct for Councillors.

Sub-Committees & Working Groups

The Committee has the facility to establish and appoint any number of Sub-Committees and Working Groups, as are necessary, to consider in more detail the work of the Committee.

Communication & Reporting

The Minutes of the Committee will be reported at each meeting of the Council by the Committee Chairperson.

PLANNING COMMITTEE

TERMS OF REFERENCE

Scope

The Planning Committee will be responsible for the effective and efficient operation of the planning function and the discharge of its specified statutory functions.

- Responsible for determining all planning applications presented to the Council for decision.
- Responsible for the preparation of the local development plan.
- Responsible for oversight of planning enforcement within the Council area.
- Responsible for the approval of responses on behalf of the Council to consultation on planning applications being considered by other planning authorities.

Membership

The Committee is comprised of 12 Elected Members appointed to the Committee at the Annual General Meeting.

Meetings

Meetings of the planning committee will be held every four weeks.

All meetings will be governed by the Council's Standing Orders and the Code of Conduct for Councillors.

Communication and Reporting

The Minutes of the Committee will be reported at the next subsequent meeting of the Planning Committee by the Committee Chairperson.

AUDIT COMMITTEE

-TERMS OF REFERENCE –

Scope

The Audit Committee ("the Committee") will be responsible for assisting the Council in fulfilling its responsible for the integrity of the Council's financial and operational results, compliance with legal and regulatory requirements and performance of internal and external audit.

- To consider the effectiveness of the authority's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements
- To seek assurances that action is being taken on risk related issues identified by auditors and inspectors
- To be satisfied that the authority's assurance statements, including the statement on internal control, properly reflect the risk environment and any actions required to improve it
- To approve (but not direct) internal audit's strategy, plan and monitor performance
- To review summary internal audit reports and the main issues arising, and seek assurance that action has been taken where necessary
- To receive the annual report of the Head of Internal Audit
- To consider the findings of the review of the effectiveness of the systems of internal audit
- To consider the reports of external and inspection agencies
- To ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted
- To review the financial statement, external auditor's opinion and reports to members, and monitor management action in response to the issues raised by external audit.

Membership

The Committee is comprised of the ten (10) Elected Members appointed to the Committee at the Annual General Meeting (AGM), plus one independent suitability qualified person, who will be recruited for the 4-year term of the Council.

Chairperson

The Chairperson shall be the independent Member of the Committee and they shall serve as Chairperson for the 4-year term of the Committee

Meetings

The frequency of the meetings will be driven by the scale and nature of the business with the Committee meeting at least three times per year to enable it to discharge its duties adequately and effectively. In a normal year the Committee will meet four times.

All meetings of the Committee will be governed by the Council's Standing Orders and the N Ireland Code of Conduct for Councillors.

Communications & Reporting

The Minutes of the Committee will be reported at a Meeting of the Council by the Head of Finance or, in their absence, by an alternative Senior Office of Council.