



<b>Title:</b>	<b>Council Constitution - Review and Amendments</b>
<b>Committee Report Submitted To:</b>	<b>Corporate Policy and Resources Committee</b>
<b>Date of Meeting:</b>	<b>24<sup>th</sup> October 2023</b>
<b>For Decision or For Information</b>	<b>For decision</b>
<b>To be discussed In Committee</b>	<b>NO</b>

<b>Linkage to Council Strategy (2021-25)</b>	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them.
Lead Officer	Head of Policy and Community Planning

<b>Budgetary Considerations</b>	
Cost of Proposal	
Included in Current Year Estimates	<b>YES/NO</b>
Capital/Revenue	
Code	
Staffing Costs	

<b>Legal Considerations</b>	
Input of Legal Services Required	<b>NO</b>
Legal Opinion Obtained	<b>NO</b>

<b>Screening Requirements</b>	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	Yes/No	Date:
	EQIA Required and Completed:	Yes/No	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No	Date:
	RNA Required and Completed:	Yes/No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No	Date:
	DPIA Required and Completed:	Yes/No	Date:

## 1.0 **Purpose of Report**

- 1.1 A Council is required, under section 2 of the Local Government Act (Northern Ireland) 2014, to prepare and keep up-to-date a Constitution.
- 1.2 Causeway Coast and Glens Borough Council agreed their new Constitution in October 2015. This governs how the Council operates, how decisions are made, and the procedures which are to be followed to ensure efficiency, transparency and accountability to local people. Some of these processes are required by the law, while others are a matter for the Council to choose.
- 1.3 The Council's Constitution is divided into sixteen Articles which set out the basic rules governing the Council's business. More detailed procedures and codes of practice are provided in separate Rules and Protocols at the end of the document.

## 2.0 **Proposed Amendments to Council Constitution**

- 2.1 Please see below proposed amendments to the Council Constitution:

<b>Item</b>	<b>Proposed Amendment</b>
Part 2 - Responsibility for Functions	<p>Annex 2 – revised Terms of Reference for the following Council Committees have been approved by Council and are now included in the Constitution document:</p> <ul style="list-style-type: none"><li>• Environmental Services Committee</li><li>• Leisure and Development Committee</li><li>• Corporate Policy and Resources Committee</li><li>• Planning Committee</li><li>• Audit Committee</li><li>• Finance Committee</li></ul> <p>Annex 4 - Link to revised Scheme of Delegation included.</p> <p>Annex 4 – Link to revised Protocol for Planning Committee included.</p>
Part 3 - Rules and Procedures	Link to revised Standing Orders included.
Part 5 – Scheme of Allowances	Link to updated Scheme of Allowances for Councillors included.

## 3.0 **Recommendation**

**It is recommended** that the Corporate Policy and Resources Committee recommends to Council approval of the proposed amendments to the Council Constitution as outlined in item 2.1.



# COUNCIL CONSTITUTION

<b>Version 1 - Adopted by Causeway Coast &amp; Glens Borough Council on:</b>		<b>22 September 2015</b>
<b>Version No.</b>	<b>Revision Date</b>	<b>Revised By</b>
<i>2</i>	<i>9 June 2016</i>	<i>E Beattie</i>
<i>3</i>	<i>25 Oct 2016</i>	<i>E Beattie</i>
<i>4</i>	<i>25 May 2017</i>	<i>E Beattie</i>
<i>5</i>	<i>January 2018</i>	<i>E Beattie</i>
<i>6</i>	<i>October 2018</i>	<i>E Beattie</i>
<i>7</i>	<i>April 2019</i>	<i>E Beattie</i>
<i>8</i>	<i>November 2019</i>	<i>E Beattie</i>
<i>9</i>	<i>June 2020</i>	<i>E Beattie</i>
<i>10</i>	<i>November 2020</i>	<i>E Beattie</i>
<i>11</i>	<i>January 2022</i>	<i>E Beattie</i>
<i>12</i>	<i>March 2023</i>	<i>E Beattie</i>
<i>13</i>	<i>October 2023</i>	<i>E Beattie</i>

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# SUMMARY AND EXPLANATION

## The Council's Constitution

A Council is required, under section 2 of the Local Government Act (Northern Ireland) 2014, to prepare and keep up to date a Constitution. Causeway Coast and Glens Borough Council has agreed a new Constitution which governs how the Council operates, how decisions are made, and the procedures which are to be followed to ensure efficiency, transparency and accountability to local people. Some of these processes are required by the law, while others are a matter for the Council to choose.

The Constitution is divided into sixteen Articles which set out the basic rules governing the Council's business. More detailed procedures and codes of practice are provided in separate Rules and Protocols at the end of the document.

## What's in the Constitution?

Article 1 of the Constitution commits the Council to provide clear leadership; support the active involvement of its citizens; help Councillors represent their constituents more effectively; enable decisions to be taken efficiently and effectively; create a means of holding decision-makers to public account; ensure that no one will review or scrutinise decisions in which they were directly involved; ensure that decision makers are clearly identifiable; and provide a means of improving the delivery of services.

Articles 2 to 13 explain the rights of citizens and how the key parts of the Council operate. These are:-

- Members of the Council (Article 2)
- Citizens and the Council (Article 3)
- The Council meeting (Article 4)
- Chairing the Council (Article 5)
- Decision Making Structures (Article 6)
- Regulatory and other committees (Article 7)
- Joint arrangements (Article 8)
- Officers (Article 9)
- Procedures for Decision making (Article 10)
- Finance, contracts and legal matters (Article 11)
- Review and revision of the Constitution (Article 12)
- Suspension, interpretation and publication of the Constitution (Article 13)

In the event of a conflict in any respect between the Articles and the Annexes to the Constitution, a Council shall have regard to the provisions set out in the Articles.

## How the Council Operates

The Council is composed of forty Councillors with elections to the Council taking place every four years. Councillors are democratically accountable to residents of their District Electoral Area. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for

them. Councillors have to agree to follow a mandatory Code of Conduct to ensure high standards in the way they undertake their duties.

All Councillors meet together as the Council. Meetings of the Council are normally open to the public. Here Councillors decide certain Council policies and set the budget each year. The Council is also responsible for electing the Mayor of the Council, adopting and changing this Constitution and it is the forum for holding Council committees to account.

Meetings of the Council are normally open to the public except when the Council decides a matter is of a confidential/sensitive nature and in this situation the meeting is declared "in committee".

### **How Decisions Are Made**

The Council's decision-making structures are based on the traditional committee structure.

### **The Council's Staff**

The Council has people working for it (called 'officers') to give advice, implement decisions and manage the day-to-day delivery of its services. Some officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely. A Protocol governs the relationships between Councillors and officers.

### **Citizens' Rights**

Citizens have a number of rights in their dealings with the Council. These are set out in more detail in Article 3. Some of these are legal rights while others depend on the Council's own processes.

Citizens have the right to:

- vote at local elections if they are registered;
- contact their local councillor about any matters of concern to them;
- obtain a copy of the Constitution;
- attend meetings of the Council and its committees except where, for example, personal or confidential matters are being discussed;
- inspect agendas and reports except those which contain, for example, personal and confidential matters;
- see reports and background papers, and any record of decisions made by the Council and its Committees except where confidential or exempt information is likely to be disclosed;
- exercise their rights under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 to obtain information held by the Council;
- complain to the Council under the Council's own complaints process;



- complain to the Northern Ireland Ombudsman if they think the Council has not followed its procedures properly. However, they should only do this after using the Council's own complaints process;
- inspect the Council's accounts and make their views known to the external auditor.

The Council welcomes participation by its citizens in its work.

# **PART 1**

# **ARTICLES OF THE CONSTITUTION**

## **Article 1 - The Constitution**

### **1.1 Powers of the Council**

The Council will exercise all its powers and duties in accordance with the law and this Constitution.

### **1.2 The Constitution**

This Constitution (including all its appendices) is the Constitution of Causeway Coast and Glens Borough Council.

### **1.3 Purpose of the Constitution**

The purpose of the Constitution is to:

- (a) enable the Council to provide clear leadership to the community, in partnership with local people, businesses and a wide range of other organisations;
- (b) support the active involvement of local people in the process of Council decision making;
- (c) help Councillors represent their constituents more effectively;
- (d) enable decisions to be taken efficiently and effectively;
- (e) create a powerful and effective means of holding decision-makers to public account;
- (f) ensure that those responsible for decision-making are clearly identifiable to local people and that the decision-makers explain the reasons for decisions;
- (g) provide a means of helping improve the delivery of services to the community.

### **1.4 Interpretation and Review of the Constitution**

Where the Constitution permits the Council to choose between different courses of action, the Council will always choose that option which it thinks is closest to the statements of purpose in paragraph 1.3 above.

The Council will monitor and evaluate the operation of the Constitution. The Council will monitor and review its Constitution on a regular basis during the first term of the Council's operation. Following this first term of operation, the Council will receive a review report from the Chief Executive on an annual basis with a full in-depth review of the Constitution carried out after every local government election.

## **Article 2 - Members of the Council**

### **2.1 Composition and Eligibility**

The Causeway Coast and Glens Borough Council is comprised of 40 elected members, called Councillors. Councillors are elected by the voters of each district electoral area in the Council area in accordance with a scheme drawn up by the Electoral Office of Northern Ireland.

To be eligible to stand as a candidate at a Council election a person must, on the day they are nominated, be:

- at least 18 years old
- a British or Irish citizen, or a citizen of another member state of the European Union or the Commonwealth
- not be disqualified from being a councillor.

In addition, a person must fulfil one of the following three conditions:

- be registered to vote in the district in which they are standing
- have lived in the area for one year preceding the day of the election
- have worked in the area for that period.

Where an individual ceases to be a Councillor, whether by resignation or through other circumstances, the vacancy on the Council will be filled by the co-option of an individual nominated by the political party in whose name the previous individual stood at the last local general election.

### **2.2 Election and Terms of Councillors**

The regular election of Councillors will be held on the first Thursday in May every four years. The term of office of Councillors will start on the fourth day after being elected and will finish on the fourth day after the date of the next regular election.

### **2.3 Roles and Duties of all Councillors**

#### Key Roles

(a) All councillors will have the following key roles:

- Councillors will collectively be the ultimate policy-makers and carry out a number of strategic and corporate management functions.
- Councillors will represent their communities and bring their views into the Council's decision-making process.
- Councillors will deal with individual issues and act as an advocate for constituents in resolving particular concerns or grievances.
- Councillors will balance different interests identified within the Council area and represent the area as a whole.
- Councillors will be involved in decision-making.

- Councillors will be available to represent the Council on other bodies.
- Councillors will maintain the highest standards of conduct and ethics.

### Rights and Duties

(b) All Councillors will have the following rights and duties:

- Councillors will have such rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law.
- Councillors will not make public information which is confidential or exempt (as defined in the Access to Information Rules in **Part 3.1** of this Constitution), without the consent of the Council or divulge information given in confidence to anyone other than a Councillor or officer entitled to know it.

### **2.4 Conduct**

Councillors will at all times observe the Northern Ireland Local Government Code of Conduct for Councillors, issued under section 53 of the Local Government Act (Northern Ireland) 2014, and also the Protocol on Member/Officer Relations (see **Part 4** of this Constitution).

### **2.5 Allowances**

Councillors will be entitled to receive allowances in accordance with the Members Allowances Scheme set out in **Part 5** of this Constitution.

## **Article 3 - Citizens and the Council**

### **3.1 Citizens Rights**

Local people and others who avail of the Council's services have the following rights in relation to the operation of Causeway Coast & Glens Council. Rights to information and to attend meetings of the Council or its committees are explained in more detail in the Access to Information Rules in **Part 3.1** of this Constitution.

#### (a) Information

Citizens have the right to:

- attend meetings of the Council and its committees except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private;
- see reports and background papers, and any records of decisions made by the Council and its Committees except where confidential or exempt information is likely to be disclosed.

#### (b) Complaints

Citizens have the right to complain to:

- the Council itself under its complaints scheme; or
- the Northern Ireland Local Government Commissioner for Standards in respect of an allegation that a Councillor (or former Councillor) failed, or may have failed, to comply with the Northern Ireland Local Government Code of Conduct for Councillors.

### **3.2 Citizens Responsibilities**

Citizens must not be violent, abusive or threatening to Councillors or Council Officers and must not wilfully harm things owned by the Council, Councillors or officers.

## **Article 4 - The Council**

### **4.1 Meanings**

#### **(a) Policy Framework**

The policy framework means the following plans and strategies:-

- (i) Those required by Schedule 3 to the Local Government (Executive Arrangements) Regulations (Northern Ireland) 2014 which are:
  - Causeway Coast & Glens Borough Council Corporate Strategy
  - Causeway Coast & Glens Borough Council Performance Improvement Plan
- (ii) Those other plans and strategies prescribed in legislation to be adopted by the Council:
  - Community Plan
  - Local Development Plan
  - Equality Scheme and Equality Action Plan
  - Disability Action Plan
  - Health and Safety Policy Statement
  - Local Biodiversity Strategy and Action Plan
  - Area Plans and Local Plans
  - Conservation Area Design Guides (Ballycastle; Ballymoney; Bushmills; Cushendall; Cushendun)
  - Scheme of Delegation for Development Management, Development Plan, Enforcement and other Planning Functions.
- (iii) Other plans and strategies which the Council may decide should be adopted by the Council as a matter of local choice:

- Emergency Plan
- Good Relations Strategy
- Economic Development Strategy
- Community Development Strategy
- Tourism and Destination Management Strategy
- Arts and Heritage Strategy
- Capital Development Plan
- Sports Development Strategy
- Communications and Engagement Strategy
- Waste Management Strategy
- Harbours and Marinas Strategy
- Enforcement Strategy – which sets out how the Council’s Planning Department deals with enforcement complaints
- Conservation Strategy

(b) Budget

The Council’s budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the council’s rate base, setting the Borough rate and decisions relating to the control of the Council’s borrowing requirement, the control of its capital expenditure and the setting of virement limits.

## 4.2 Functions of the Council

The full details of the functions and powers of Causeway Coast & Glens Borough Council are set out in **Part 2** of this Constitution. They include:

- Approving and amending all key plans and strategies collectively known as the Policy Framework
- Approving the budget
- Adopting and amending the Constitution
- Establishing committees, agreeing their terms of reference, deciding their composition and making appointments to them
- Appointing the Mayor and Deputy Mayor of the Council
- Appointing Committee Chairmen and Deputy Chairmen
- Appointing the Head of Paid Service (the Chief Executive of Council)
- Adopting a Members’ Allowances scheme

### **4.3 Responsibility for Functions**

The Council discharges other functions through committees and officers. **Part 2** of this Constitution sets out full details of the committees and officers who discharge those functions.

### **4.4 Council Meetings**

There are three types of Council meeting:

- (a) the annual meeting;
- (b) ordinary meetings; and
- (c) extraordinary meetings

These meetings will be conducted in accordance with the Council Standing Orders as contained in **Part 3.4** of this Constitution.

## **Article 5 - Chairing the Council**

### **5.1 Title of the Person Chairing Council Meetings**

The Mayor of Council will chair meetings of full Council and the Mayor will be elected by Council annually at the Council's Annual General Meeting.

### **5.2 Role and Function of the Mayor of Council**

The Mayor of the Council and, in their absence, the Deputy Mayor will have the following roles and functions:

(a) Ceremonial Role

Attend such civic and ceremonial functions as the Council and he/she determines to be appropriate.

(b) Chairing the Council Meeting

The Mayor will be the person presiding over Council meetings.

The Mayor will have the following responsibilities:

- to preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the local community;
- to ensure that the Council meeting is a forum for the debate of matters of concern to the local community;



- to uphold and promote the purposes of the Constitution, and to interpret the Constitution when necessary;
- to promote public involvement in the Council's activities.

(c) Committee Chairs will be appointed to preside over meetings of the Council Committees as outlined in 6.1.

## **Article 6 – Decision-Making Structures**

Causeway Coast & Glens Borough Council has adopted the traditional committee structure from the decision making structures options provided in section 19 of the Local Government Act (Northern Ireland) 2014.

### **6.1 Form**

The Council meets once per month on the 1<sup>st</sup> Tuesday of each month at 7.00 pm (with the exception of agreed recess periods).

As the Council has adopted the traditional committee structure, the Council has put in place the following Committees:

<b>Council/Committee</b>	<b>Number of Members</b>	<b>Schedule</b>	<b>Start Time</b>
Environmental Services Committee	16 members	2 <sup>nd</sup> Tuesday of the month	7.00 pm
Leisure and Development Committee	16 members	3 <sup>rd</sup> Tuesday of the month	7.00 pm
Corporate Policy and Resources Committee	16 members	4 <sup>th</sup> Tuesday of the month	7.00 pm
Planning Committee (with full Council powers)	16 members	4 <sup>th</sup> Wednesday of the month	10.30 am
Finance Committee	16 members	2 <sup>nd</sup> Thursday of the month	7.00 pm
Audit Committee	16 members	2 <sup>nd</sup> Wednesday of the month on a quarterly basis	7.00 pm

## 6.2 Terms of Reference and Role

**Part 2, Annex 2** (“Responsibility for Functions”) of this Constitution gives details of each Committee established by the Council, their terms of reference and the powers, duties and functions of those Committees.

## 6.3 Proceedings of the Committees

Proceedings of the Council’s Committees shall take place in accordance with the Council’s Standing Orders which are set out in **Part 3.4** of this Constitution.

# Article 7 - Policy and Other Committees

## 7.1 Policy and Other Committees

The implementation of the Council’s budget and policy framework, and the discharge of its regulatory functions, is undertaken by a number of Committees which have powers delegated from the full Council.

**Part 2, Annex 2** (“Responsibility for Functions”) of this Constitution gives details of each Committee established by the Council and the powers, duties and functions of those Committees.

At each Annual General Meeting the Council will make appointments to Committees for the subsequent Council year. Changes to membership of Committees will be made by the relevant Party.

The Council also has Joint Committees established with other organisations. A list of these is set out in Article 8, with detailed terms of reference and delegated powers contained in **Part 2, Annex 3** of this Constitution.

## 7.2 Regulatory and Other Committees

**Part 2, Annex 2** (“Responsibility for Functions”) of this Constitution gives details of each Committee established by the Council and the powers, duties and functions of those Committees.

# Article 8 - Joint Arrangements

## 8.1 Joint Arrangements

- (a) The Council may establish joint arrangements with one or more local authorities to exercise the discharge of certain functions. Such arrangements may involve the appointment of a joint committee with these other local authorities.

- (b) Details of any joint arrangements, including any delegations to joint committees, will be found in **Part 2, Annex 2** (“Responsibility for Functions”).

## **8.2 Access to Information**

The Access to Information Rules in **Part 3** of this Constitution apply.

## **8.3 Delegation To and From Other Councils**

- (a) The Council may delegate the discharge of functions to another local authority and such a decision shall be made by full Council.
- (b) The decision whether or not to accept such a delegation from another local authority shall be a decision made by full Council.

## **8.4 Contracting Out**

Causeway Coast & Glens Borough Council currently has no Council service or function contracted out to another organisation.

# **Article 9 - Officers**

## **9.1 Management Structure**

The management structure of the Council is set out in **Part 6** of this Constitution.

## **9.2 Functions of the Chief Executive and Clerk to the Council**

As Head of the Paid Service the Chief Executive has the following roles:

- (1) overall corporate management and operational responsibility (including overall management responsibility for all staff);
- (2) the provision of professional advice to all parties in the Council's decision making process;
- (3) together with the Director for Corporate Services, responsibility for a system of record keeping for all the local authority's decisions;
- (4) representing the Council on partnership and external bodies (as required by statute or the Council);
- (5) The Chief Executive will report to the Council on:
  - (a) the manner in which the discharge by the authority of its functions is co-ordinated
  - (b) the number and grades of staff required by the authority for the discharge of its functions

- (c) the organisation of the authority's staff
  - (d) the appointment and proper management of the authority's staff.
- (6) to support and advise the Council and its Committees on policy and service delivery in order that Members' decisions are well informed;
  - (7) to ensure that the policies and decisions of the Council are formulated and delivered effectively and efficiently;
  - (8) to provide strong managerial leadership and direction, foster cross departmental working and implement organisational improvement;
  - (9) to set high standards and drive up the performance, effectiveness and reputation of the Council;
  - (10) to work with outside bodies and access additional funds and resources in order to support the Council's programmes of work.

### **9.3 Functions of the Chief Financial Officer**

The Chief Financial Officer to the Council is the officer appointed by the Council to that position and, under current arrangements, is the Chief Executive of the Council. The Chief Financial Officer is responsible for the proper administration of the Council's financial affairs and for execution of all duties of the Chief Financial Officer as set out in the Local Government Finance Act (Northern Ireland) 2011.

### **9.4 Duty to Provide Sufficient Resources to the Chief Financial Officer**

The Council will provide the Chief Executive and Directors of Council with such officers, accommodation and other resources as are, in its opinion, sufficient to allow their duties to be performed.

### **9.5 Conduct**

Officers will comply with the Officers' Code of Conduct and the Local Government Employee and Councillor Working Relationship Protocol as set out in **Part 4** of this Constitution.

## **Article 10 – Decision-Making**

### **10.1 Responsibility for Decision-Making**

The Council may determine whether to delegate decisions to committees, sub-committees and/or officers, or to joint committees or joint arrangements or other councils. These delegations will be recorded in the Council's Constitution and this must be kept up to date.

### **10.2 Principles of Decision-Making**

All decisions of the Council will be made in accordance with the following principles:-

- (a) lawfulness – the decision will accord with the law and if there is ambiguity about the legal consequences, full consideration has been given to the risks;
- (b) due consultation and the taking of professional advice from officers;
- (c) clarity and cost effectiveness – the aims of the decision are clear and the most cost effective method of implementation are proposed;
- (d) a presumption in favour of openness.

### **10.3 Decisions to be taken by a Qualified Majority**

The decisions of a Council that must be taken by a qualified majority, i.e. by 80 per cent of the votes of the members present and voting, are set out in the Council Standing Orders as contained in **Part 3** of this Constitution.

### **10.4 Decision Making by the Council**

Council meetings will follow the Council’s agreed Standing Orders set out in **Part 3** of this Constitution when considering any matter.

### **10.5 Decision Making by Other Committees and Sub-Committees Established by the Council**

Council Committees and sub-committees will follow those parts of the Council Standing Orders set out in **Part 3** of this Constitution as apply to them.

### **10.6 Reconsideration of Decisions**

The procedures to be followed in relation to a requisition for the reconsideration of a decision (ie the “Call In” process) are set out in the relevant Council Standing Order in **Part 3** of this Constitution.

## **Article 11 - Finance, Contracts and Legal Matters**

### **11.1 Financial Management**

The management of the Council’s financial affairs will be conducted in accordance with the Financial Procedures Rules set out in **Part 3.5** of this Constitution.

### **11.2 Contracts**

Every contract made by the Council will comply with the Contracts Procedure Rules (Procurement Policy) set out in **Part 3.3** of this Constitution.

### **11.3 Legal Proceedings By and Against the Council**

The Chief Executive is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council.

Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Chief Executive or some other person duly authorised by the Council or the Chief Executive, unless any enactment otherwise authorises or requires.

#### **11.4 Common Seal of the Council**

The Common Seal of the Council will be kept in a safe place in the custody of the Deputy Chief Executive. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Chief Executive should be sealed. The affixing of the Common Seal will be attested by the Chief Executive or some other person authorised by him/her.

### **Article 12 - Review and Revision of the Constitution**

#### **12.1 Duty to Keep the Constitution Up To Date**

The Council from time to time will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.

This will require the conduct of an annual review of the Constitution in November each year with a report submitted to the Chief Executive and Senior Leadership Team for their consideration. If required, a report will then be submitted by the Chief Executive to Council for consideration.

#### **12.2 Changes to the Constitution**

The Council's Standing Orders requires that only full Council will approve any changes proposed to the Council Constitution. Any proposed changes to the Constitution must have a proposer and seconder and be agreed by Council.

The Council will review the Constitution annually and consider for approval any changes arising from this review. Any proposed changes to the Constitution arising from this review must have a proposer and seconder and be agreed by Council.

## Article 13 – Suspension and Publication of the Constitution

### 13.1 Suspension of the Constitution

#### (a) Limit to Suspension

The Articles of this Constitution may not be suspended.

The Standing Orders contained in **Part 3** may be suspended by the full Council to the extent permitted within those Standing Orders and the law.

#### (b) Procedure to Suspend Standing Orders

The procedure to suspend Standing Orders is outlined in Standing Orders.

### 13.2 Interpretation

The ruling of the Mayor/Chair in relation to the interpretation or application of this Constitution, or as to any proceedings of the Council, shall not be challenged at any meeting of the Council. Such interpretation will have regard to the purpose of this Constitution contained in Article 1.

### 13.3 Publication

A printed copy of this Constitution will be given to each member of the Council upon delivery to the Clerk and Chief Executive of the Council of that individual's declaration of acceptance of office on the member first being elected to the Council.

A copy of this Constitution will be available for public inspection and can be purchased by the local press and the public on payment of a reasonable fee. The Constitution will be freely available on the Council's website [www.causewaycoastandglens.gov.uk](http://www.causewaycoastandglens.gov.uk)

# Part 2

# Responsibility for Functions



## **Annex 1 – Principles of Delegation**

Causeway Coast & Glens Borough Council is only permitted to do what statute empowers it to do and certain elements of the Council's statutory powers cannot be delegated by full Council.

The Council has chosen, however, to exercise its discretion under section 18(1) of the Local Government (Northern Ireland) Act 1972 to delegate powers to discharge certain of its functions to various Committees of Council.

## **Annex 2 – Responsibilities for Council Functions**

In exercising this discretion under section 18(1) of the Local Government (Northern Ireland) Act 1972, the Council has delegated the following powers, duties and functions to various Committees of Council:

Committee	Terms of Reference	Powers Delegated to Committee
Planning Committee	<p>The Planning Committee (“the Committee”) will have full delegated powers for taking key decisions and actions required to be taken specifically in relation to the work of the Planning Department. This will include:</p> <ul style="list-style-type: none"> <li>• Taking decisions on planning applications and other planning related decisions as set out in the Scheme of Delegation</li> <li>• Recommending to Council the LDP for public consultation and adoption</li> <li>• Approving and overseeing the delivery of any relevant service strategies for the Planning Department</li> <li>• Approving relevant policies and procedures to improve performance of the Planning Department</li> <li>• Monitoring and reviewing business and service delivery plans for the Planning Department</li> <li>• Approving the establishment of external partnerships relevant to the role of the Planning Department</li> <li>• Approving the resolution of any associated issues</li> <li>• Considering resource implications of any recommendations</li> </ul> <p>At full Council meeting held 1 August 2023, it was resolved that approval of future changes to the organisational structure of the Planning Department and associated budget implications will fall within the remit of the Corporate Policy and Resources Committee.</p> <p><b>Membership</b> - The Committee is comprised of sixteen Elected Members appointed to the Committee at the Annual General Meeting of Council each year with no substitutions permitted unless there are exceptional circumstances and agreed with the Chair. A quorum of 4 Committee Members (as set out in Council’s Standing PC 230823 Page 3 of 5 Orders) is required for the Planning Committee to convene. Business shall not be transacted unless a quorum of the Committee are present.</p> <p>Members are required to attend mandatory training prior to taking their seat on the Planning Committee and attend other mandatory training as necessary. Members may be required to represent the Committee and Council at pertinent consultation and capacity building events.</p>	Full Council Powers

	<p><b>Chair</b> - The Committee will appoint a Chair and Deputy Chairperson. In the absence of the Chairperson, the Committee will be chaired by the Deputy Chairperson. In the absence of the Deputy Chairperson, a chair for the meeting will be agreed by the Members present.</p> <p><b>Meetings</b> - the Planning Committee will normally meet on the fourth Wednesday of the month at 10.30am except in the months of July and December when there will be no meeting held as agreed by Council. All meetings of the Committee will be governed by the Council’s Standing Orders, The Protocol for the Operation of the Planning Committee, the Scheme of Delegation for the Planning Department and the Local Government Code of Conduct for Councillors.</p> <p><b>Sub-Committees and Working Groups</b> - the Committee has the facility, if it so wishes, to establish and appoint any number of Sub-Committees and Working Groups it deems necessary to consider in more detail the work of the Committee concerning specific issues related to the Planning Department.</p> <p><b>Communication and Reporting</b> - the minutes of the Committee will be ratified by the Committee, and reported for noting at the monthly Full Council meeting. The minutes will be published on Councils website.</p>	
<p>Environmental Services Committee</p>	<p>The Environmental Services Committee (“the Committee”) will be responsible for recommending to Council the key decisions and actions required to be taken specifically in relation to the work of the Environmental Services Directorate. This will include:</p> <ul style="list-style-type: none"> <li>• The future development of the organisational structure for the Environmental Services Directorate;</li> <li>• Overseeing the delivery of any relevant service strategies for the Environmental Services Directorate and making appropriate recommendations to Council;</li> <li>• Recommending to Council relevant policies and procedures for the Environmental Services Directorate;</li> <li>• Monitoring and reviewing business and service delivery plans for the Environmental Services Directorate;</li> <li>• Recommending to Council the establishment of external partnerships where considered relevant to the role of the Environmental Services Directorate;</li> </ul>	<p>Recommendations to be ratified by full Council</p>

	<ul style="list-style-type: none"> <li>• Making recommendations to Council regarding capital projects by the Environmental Services Directorate and monitoring the implementation of any capital projects by the Environmental Services Directorate;</li> <li>• Making recommendations to Council and monitoring funding sources and mechanisms to assist with various initiatives, projects and actions within the remit of the Environmental Services Directorate;</li> <li>• Recommending to Council the resolution of any associated issues;</li> <li>• Considering the resource implications of any recommendations.</li> </ul> <p><b>Membership</b> - the Committee is comprised of the sixteen Elected Members appointed each year at the Annual General Meeting of Council.. Members may be required to represent the Committee and Council at pertinent consultation and capacity building events.</p> <p><b>Chair</b> - the Committee will appoint a Chair and Deputy Chairperson. In the absence of the Chairperson, the Committee will be chaired by the Deputy Chairperson. In the absence of the Deputy Chairperson, a chair for the meeting will be agreed by the Members present.</p> <p><b>Meetings</b> - the Environmental Services Committee will normally meet on the second Tuesday of each month at 7.00 pm except when this falls within a recess period agreed by Council. All meetings of the Committee will be governed by the Council’s Standing Orders and the Local Government Code of Conduct for Councillors.</p> <p><b>Sub-Committees and Working Groups</b> -the Committee has the facility, if it so wishes, to establish and appoint any number of Sub-Committees and Working Groups it deems necessary to consider in more detail the work of the Committee concerning specific issues related to the Environmental Services Directorate.</p> <p><b>Communication and Reporting</b> - the Minutes of the Committee will be reported at each meeting of Causeway Coast and Glens Borough Council by the Chair of the Committee.</p>	
Leisure and Development Committee	The Leisure and Development Committee (“the Committee”) will be responsible for recommending to Council the key decisions and actions required to be taken specifically in relation to the work of the Leisure and Development (L&D) Directorate. This will include:	Recommendations to be ratified by full Council

	<ul style="list-style-type: none"> <li>• The oversight of the following service areas, including financial performance: <ul style="list-style-type: none"> <li>o Community and Culture.</li> <li>o Prosperity and Place.</li> <li>o Tourism and Recreation.</li> <li>o Sport and Wellbeing.</li> <li>o The Funding Unit.</li> <li>o The Council's Growth Deal.</li> </ul> </li> <li>• Overseeing the delivery of the aforementioned services and strategies for the L&amp;D Directorate and making appropriate recommendations to Council;</li> <li>• Recommending to Council relevant policies and procedures for the L&amp;D Directorate;</li> <li>• The future development of the organisational structure for the L&amp;D Directorate;</li> <li>• Developing, Monitoring and Reviewing annual business and service delivery plans for the L&amp;D Directorate;</li> <li>• Recommending to Council the establishment of external partnerships where considered relevant to the role of the L&amp;D Directorate;</li> <li>• The development and delivery of Capital Projects that exist within the scope of L&amp;D Directorate;</li> <li>• Making recommendations to Council and monitoring funding sources and mechanisms to assist with various initiatives, projects and actions within the remit of the L&amp;D Directorate;</li> <li>• Recommending to Council the resolution of any associated issues;</li> <li>• Considering the resource implications of any recommendations.</li> </ul> <p><b>Membership</b> - the Committee is comprised of the sixteen Elected Members appointed each year at the Annual General Meeting of Council. Members may be required to represent the Committee and Council at pertinent consultation and capacity building events.</p> <p><b>Chair</b> - the Committee will appoint a Chair and Deputy Chairperson. In the absence of the Chairperson, the Committee will be chaired by the Deputy Chairperson. In the absence of the Deputy Chairperson, a chair for the meeting will be agreed by the Members present.</p> <p><b>Meetings</b> - the L&amp;D Committee will normally meet on the third Tuesday of each month at 7.00 pm except when this falls within a recess period agreed by Council. All meetings of the</p>	
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	<p>Committee will be governed by the Council's Standing Orders and the Local Government Code of Conduct for Councillors.</p> <p><b>Sub-Committees and Working Groups</b> - the Committee has the facility, if it so wishes, to establish and appoint any number of Sub-Committees and Working Groups it deems necessary to consider in more detail the work of the Committee concerning specific issues related to the Leisure &amp; Development Directorate.</p> <p><b>Communication and Reporting</b> - the Minutes of the Committee will be reported at each meeting of Causeway Coast and Glens Borough Council by the Chair of the Committee.</p>	
<p>Corporate Policy and Resources Committee</p>	<p>The Corporate Policy and Resources Committee ("the Committee") will be responsible for recommending to Council the key decisions and actions required to be taken specifically in relation to the work of the Corporate Services Directorate, Performance Services and Legal Services. This will include:</p> <ul style="list-style-type: none"> <li>• The future development of the organisational structure for the Corporate Services Directorate, Performance, Legal Services and Planning;</li> <li>• Overseeing the delivery of any relevant service strategies for the Corporate Services Directorate, Performance and Legal Services, and making appropriate recommendations to Council;</li> <li>• Recommending to Council, relevant policies and procedures for the Corporate Services Directorate, Performance and Legal Services;</li> <li>• Monitoring and reviewing business and service delivery plans for the Corporate Services Directorate, Performance and Legal Services;</li> <li>• Recommending to Council, the establishment of external partnerships where considered relevant to the role of the Corporate Services Directorate, Performance and Legal Services;</li> <li>• Making recommendations to Council regarding Capital Projects by the Corporate Services Directorate, Performance and Planning and monitoring the implementation of any capital projects by the Corporate Services Directorate, Performance and Legal Services;</li> <li>• Making recommendations to Council and monitoring funding sources and mechanisms to assist with various initiatives, projects and actions within the remit of the Corporate Services Directorate, Performance and Legal Services;</li> </ul>	<p>Recommendations to be ratified by full Council</p>

	<ul style="list-style-type: none"> <li>• Recommending to Council the resolution of any associated issues;</li> <li>• Considering the resource implications of any recommendations.</li> <li>• Consider recommendations from the Land and Property Sub-Committee in relation to matters dealt with by the Sub-committee under its Terms of Reference, and then make recommendation to full council.</li> <li>• Consider reports from working groups, and make recommendation to full council.</li> </ul> <p><b>Membership</b> - the Committee is comprised of the sixteen Elected Members appointed to the Committee using the quota greatest remainder formula. Members may be required to represent the Committee and Council at pertinent consultation and capacity building events.</p> <p><b>Chair</b> - the Committee will be chaired according to the D'Hondt formula for positions of responsibility. In the absence of the Chair, the Committee will be chaired by the Deputy Chairperson. In the absence of the Deputy Chairperson, a Chair for the meeting will be agreed by the Members present.</p> <p><b>Meetings</b> - meetings of the Committee will be held on the fourth Tuesday of each month at 7.00pm except when this falls within a recess period agreed by Council. All meetings of the Committee will be governed by the Council's Standing Orders and the Local Government Code of Conduct for Councillors.</p> <p><b>Sub-Committees and Working Groups</b> - the Committee has the facility, if it so wishes, to establish and appoint any number of Sub-Committees and Working Groups it deems necessary to consider in more detail the work of the Committee concerning specific issues related to the Corporate Services Directorate, Performance and Legal Services.</p> <p>The following is a Sub-Committees of Corporate Policy &amp; Resources Committee: Land and Property. The following are working groups which report to the Committee: Elected Member Development Working Group, Twinning Working Group, Women's Working Group.</p> <p><b>Communication and Reporting</b> - the Minutes of the Committee will be presented at each meeting of Causeway Coast and Glens Borough Council by the Chair of the Committee.</p>	
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<p>Audit Committee</p>	<p><b>Statement of Purpose</b></p> <p>1. The Audit Committee is a key component of Causeway Coast and Glens Borough Council's corporate governance arrangements. It provides an independent and highlevel focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.</p> <p>2. The purpose of the Audit Committee is to provide independent assurance to those charged with governance (Members and senior management) on the adequacy of the risk management framework and the internal control environment. It provides independent review of the council's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It will provide an independent scrutiny of the council's financial and non-financial performance to the extent that it exposes the council to risk and weakens the control environment. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.</p> <p><b>Governance, Risk and Control</b></p> <p>3. To review and monitor the effective development of the council's corporate governance arrangements against the good governance framework, including the ethical framework and consider annual governance assurances.</p> <p>4. To consider the council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.</p> <p>5. To consider the council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.</p> <p>6. To monitor the effective development and operation of risk management in the council, to include overseeing the council's risk, control and governance arrangements for health and safety.</p> <p>7. To approve the council's risk management strategy and monitor progress in addressing risk-related issues reported to the Committee, including the corporate risk register and assurance information on the management of key corporate risks.</p> <p>8. To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.</p> <p>9. To consider reports on the effectiveness of financial management arrangements, including compliance with CIPFA's Financial Management Code.</p>	<p>Recommendations to be ratified by full Council</p>
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	<p>10. To review the assessment of fraud risks and potential harm to the council from fraud and corruption.</p> <p>11. To approve the council's fraud and raising concerns (whistleblowing) policies and monitor the implementation of these policies, including the counter-fraud strategy, actions and resources.</p> <p>12. To oversee and monitor the Council's structures, processes, systems and related arrangements for performance management and to assure itself through receipt of regular reports on the planning, delivery, reporting and reviewing arrangements that appropriate plans and policies to support the performance management framework are in place and that its statutory responsibilities are being met.</p> <p>13. To review the governance and assurance arrangements for significant partnerships or collaborations.</p> <p><b>Governance Reporting</b></p> <p>14. To review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's annual opinion.</p> <p>15. To consider whether the annual evaluation for the Annual Governance Statement fairly concludes that governance arrangements are fit for purpose, supporting the achievement of the Council's objectives.</p> <p><b>Financial Reporting</b></p> <p>16. To monitor the arrangements and preparations of financial reporting to ensure that statutory requirements and professional standards can be met.</p> <p>17. To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council.</p> <p>18. To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.</p> <p><b>Internal Audit</b></p> <p>19. To approve the internal audit charter.</p> <p>20. To review the proposals in relation to the co-sourcing arrangements with an external provider of internal audit services and make recommendations.</p>	
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	<p>21. To approve the risk-based internal audit plan, including the internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.</p> <p>22. To approve significant interim changes to the risk-based internal audit plan and resource requirements.</p> <p>23. To make appropriate enquiries of both management and the Internal Auditor to determine if there are any inappropriate scope or resource limitations.</p> <p>24. To consider any impairments to the independence or objectivity of the head internal auditor arising from additional roles or responsibilities outside of internal auditing and to approve and periodically review safeguards to limit such impairments.</p> <p>25. To consider reports on Internal Audits performance during the year, including the performance of external providers of Internal Audit services.</p> <p>26. To consider the Internal Audit annual report: a) The statement of the level of conformance with the Public Sector Internal Audit Standards and Local Government Application Note and the results of the Quality Assurance and Improvement Programme that supports the statement – these will indicate the reliability of the conclusions of internal audit. b) The opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control together with the summary of the work supporting the opinion.</p> <p>27. To consider summaries of all internal audit reports on the Internal Audit Plan.</p> <p>28. To receive reports outlining the action taken where the Internal Auditor has concluded that management has accepted a level of risk that may be unacceptable to the Council or there are concerns about progress with the implementation of agreed actions.</p> <p>29. To contribute to the Quality Assurance and Improvement Programme, both to the internal quality assessment of internal audit and to the external quality assessment of internal audit that takes place at least once every five years.</p> <p>30. To consider a report on the effectiveness of internal audit to support the Annual Governance Statement, where required to do so by the Accounts and Audit Regulations.</p> <p>31. To provide free and unfettered access to the Audit Committee chair for the Audit Committee chair, including the opportunity for a private meeting with the Audit Committee.</p> <p><b>External Audit</b></p> <p>32. To support the independence of external audit through consideration of the external auditor's annual assessment of its independence.</p> <p>33. To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance.</p>	
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34. To consider specific reports as agreed with the external auditor.
35. To comment on the scope and depth of external audit work and to ensure it gives value for money.
36. To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.
37. To consider the external auditors report on performance management, specifically the annual improvement assessment and to consider the adequacy of management responses/action taken to address issues arising from these reports.
38. To provide free and unfettered access to the Audit Committee for the auditors, including the opportunity for a private meeting with the Committee.

**Membership**

39. The Committee is comprised of 16 Members in line with Council’s method of appointment to Committees, plus one independent suitably qualified person.

**Quorum**

40. No business shall be transacted unless at least 8 Members are present.

**Chairperson**

41. The Chairperson shall be a member of the Committee and they will be required to have knowledge of finance, audit regulations and principles of fraud awareness.
42. The Chairperson will be required to complete and answer enquiries with those charged with governance in respect of fraud, law and regulations.
43. In the absence of the Chairperson, the Committee will be chaired by the Deputy Chairperson. In the absence of the Deputy Chairperson, a chair for the meeting will be agreed by the Members present.
44. The Audit Risk and Governance Manager and the representative from Local Government Audit will have free and confidential access to the Chair of the Audit Committee.

**Meetings**

45. The frequency of the meetings will be driven by the scale and nature of the business with the Committee meeting at least four times per year to discharge its duties adequately and effectively. The chair of Audit Committee may convene additional meetings, as they deem necessary.

	<p>46. All meetings of the Committee will be governed by the Councils Standing Orders and the Northern Ireland Code of Conduct for Councillors.</p> <p>47. The Chief Executive, Director of Corporate Services and the Audit, Risk and Governance Manager will attend all meetings. The external provider for internal audit services will also be in attendance. The committee may also ask any other officials of the Council to attend to assist it with its discussion on any matter.</p> <p>48. The Committee extends an open invitation to any member of the Local Government Audit staff who wishes to attend.</p> <p><b>Communication and Reporting</b></p> <p>49. The Committee will provide the Council and the Chief Executive with an Annual Report, timed to support the Annual Governance Statement, summarising its conclusions from the work it has done during the year.</p>	
<p>Finance Committee</p>	<p>The Finance Committee (“the Committee”) will be responsible for recommending to Council the key decisions and actions required to be taken specifically in relation to the work of the Finance function within Council. This will include:</p> <ul style="list-style-type: none"> <li>• Leading on the annual Rates Estimate setting process</li> <li>• Monthly review of the management accounts; to include a summary by service area of income and expenditure, with commentary of positive or negative outcome on their budgets</li> <li>• Setting key finance targets and monitoring their delivery, including efficiency and income generation</li> <li>• All capital and resource expenditure to be reviewed by the committee before going to full council</li> <li>• To revise and manage the limits of authority on Officer spend</li> <li>• To investigate, review and set targets for efficiencies and income for each department.</li> <li>• To implement and review a 3-year rolling budget/forecast</li> <li>• Review and implementation of Medium Term Financial Plan annually</li> <li>• Monitoring capital asset realisation proceeds and expenditure</li> <li>• Recommend the annual limit of capital expenditure and reviewing debt/ borrowing on a quarterly basis</li> <li>• Oversight of Council’s treasury management</li> <li>• Seek external expertise as required</li> </ul>	<p>Recommendations to be ratified by full Council</p>

	<ul style="list-style-type: none"> <li>• The future development of the organisational structure for the Finance Service</li> <li>• Approving and overseeing the delivery of any relevant service strategies for the Finance Service</li> <li>• Approving relevant policies and procedures for the Finance Service</li> <li>• Monitoring and reviewing business and service delivery plans for the Finance Service</li> <li>• Approving the establishment of external partnerships where considered relevant to the Finance Service, including procurement of advice, review and investigation of Council finances, recommending efficiencies where appropriate</li> <li>• Approving and monitoring the implementation of any capital projects by the Finance Service, including related ICT systems</li> <li>• Approving and monitoring funding sources and mechanisms to assist with various initiatives, projects and actions within the remit of the Finance Service</li> <li>• Recommending to Council the resolution of any associated issues</li> <li>• Considering the resource implications of any recommendations</li> <li>• To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council</li> <li>• Require the attendance of any officers as required</li> <li>• Receive a rolling programme of finance related presentations from all service areas.</li> </ul> <p><b>Membership</b> - the Committee is comprised of the sixteen Elected Members appointed to the Committee using the quota greatest remainder formula. The Committee may also when required invite an external independent adviser to attend. The independent adviser will have no voting rights.</p> <p><b>Chair</b> - the Committee will be chaired according to the D'Hondt formula for positions of responsibility. In the absence of the Chairperson, the Committee will be chaired by the Deputy Chairperson. In the absence of the Deputy Chairperson, a chair for the meeting will be agreed by the Members present.</p> <p><b>Meetings</b> - meetings of the Committee will be held on 2nd Thursday of each month. All meetings of the Committee will be governed by the Council's Standing Orders and the Local Government Code of Conduct for Councillors.</p>	
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	<p><b>Communication and Reporting</b> - the Minutes of the Committee will be presented at each meeting of Causeway Coast and Glens Borough Council by the Chair of the Committee.</p> <p><b>Review of Terms of Reference</b> - the Terms of Reference are to be reviewed on an annual basis.</p>	
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### **Annex 3 – Joint Arrangements**

Causeway Coast and Glens Borough Council has entered into the following joint arrangements with other Councils:

- North West Region Waste Management Group
- Property Certificates – joint arrangement with Fermanagh and Omagh District Council
- Shared Environmental Services – SLA with Mid and East Antrim.

### **Annex 4 – Scheme of Delegation**

A Council Scheme of Delegation was originally approved by Council on 1st December 2020 and revised in November 2022. A copy of this document can be found [here](#).

The Scheme of Delegation and Protocol for the Council's Planning Committee can be found [here](#).

# **Part 3**

# **Rules of Procedure**



### **3.1 Access to Information Procedure Rules**

#### **1. Meetings**

- 1.1 Standing Orders apply to all meetings of the Council and its Committees.
- 1.2 Members of the public and the media may attend all meetings, subject only to the exceptions in the Standing Orders.
- 1.3 At least three clear days' notice of any meeting will be provided by posting details of the meeting at the Council Civic Headquarters (Cloonavin, 66 Portstewart Road, Coleraine) and on the Council's website ([www.causewaycoastandglens.gov.uk](http://www.causewaycoastandglens.gov.uk)).
- 1.4 Copies of the agenda and reports will be made available for public inspection at the Council Civic Headquarters and on the Council's website at least three clear days before the meeting.
- 1.5 If an item is later added to the agenda, the revised agenda will be open to public inspection from the time the item was added to the agenda. Where reports are prepared after the agenda has been sent out, such reports will be made available for public inspection as soon as the report is sent to Members.
- 1.6 Reports may be withheld from public inspection if it is considered that they contain exempt or confidential information. Such reports will be marked "Not for publication" and the exemption category of information indicated.
- 1.7 The media and the public must be excluded from meetings whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that confidential information will be disclosed.
- 1.8 The media and the public may be excluded from meetings whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that exempt information will be disclosed.
- 1.9 The decision to exclude the media and the public must be made by a resolution of the meeting which must (in the case of exempt information) state the reasons for the exclusion and which must be recorded in the minutes of the meeting.

#### **2. Audio Recordings of Meetings**

Section 47 of the Local Government Act (Northern Ireland) 2014 requires that, so far as is reasonably practicable, a council must make an audio recording of so much of any meeting of the council as is open to the public and that the recording must be available to the public at the offices of the council until the expiration of the period of six years from the date of the meeting and published on the council website until the expiration of the period of two years from the

date of the meeting. This does not apply to meetings of any committee or sub-committee of the council.

In February 2021 Council resolved to '*continue to record proceedings of the Council when Council goes into committee. These recordings should not be publicly available but held by Council for future reference. Many times we have required clarification from a meeting which had gone into committee and not had the information available and many times we have seen call-ins come back to say that the audio was not available and so limited consideration could be given or information on a member's or officer's contributions cannot be sought as the audio recording has stopped. In order to ensure good governance and ease of reference the audio recording should continue, in a manner most suitable, to be held privately by the Council as a record of the meeting.*' The motion was amended to include '*the audio recording including in committee sessions of all committee meetings with the exception of the Planning Committee.*'

### **3. Access to Minutes of Meetings**

Copies of the following will be retained and made available for public inspection for six years after a meeting of a decision-making body:

- (a) the minutes of the meeting, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
- (b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;

### **4. Supply of Copies**

Following a request by any person, and subject to the Council's Charging Scheme, the Council will supply copies of any agendas, reports, minutes and records of decisions which are open to public inspection.

### **5. Rights of Access for Members Generally**

- 5.1 Under section 48 of the Local Government Act (Northern Ireland) 2014 any document which is in the possession or under the control of a Council and which contains material relating to any business to be transacted at a meeting of the council or a committee or sub-committee of the council must, subject to the following, be open to inspection by any member of the council:
  - The legislation does not require the document to be open to inspection if it appears to the Clerk of the Council/Chief Executive that it discloses exempt information as outlined in Schedule 6 of the legislation.

- The legislation does require that the document be open to inspection if the information is information of a description for the time being falling within the remit of exempt Schedule 6 of the legislation.

5.2 The accounts of a Council must be open to inspection by any member of the Council.

6. **Exempt Information** means information which falls within one or more of the following seven categories:

- (a) Information relating to any individual.
- (b) Information which is likely to reveal the identity of an individual.
- (c) Information relating to the financial or business affairs of any particular person (including the Council holding that information).
- (d) Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the council or a government department and employees of, or office holders under, the council.
- (e) Information in relation to which a claim to legal professional privilege could be maintained in legal proceedings.
- (f) Information which reveals that the council proposes:
  - to give under any statutory provision a notice by virtue of which requirements are imposed on a person; or
  - to make an order or direction under any statutory provision.
- (g) Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

(For further information on the legislative basis for Access to Meetings and Documents, please see Part 8 of the Local Government (Northern Ireland) Act 2014.)

## 7. **Freedom of Information Act 2000 and Environmental Information Regulations**

Causeway Coast & Glens Borough Council is also subject to the requirements of the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 and a copy of the policy and procedures developed and adopted by Council to meet these legislative obligations can be found [here](#).

## 3.2 Policy and Budgetary Framework Procedure Rules

### POLICY FRAMEWORK

The policy framework for Causeway Coast and Glens Borough Council is based on the achievement of the Council Strategy which was adopted in April 2021. This will take the Council forward to 2025.

The Council's vision for the Borough Council area is:

*“We will maximize the benefits of our unique location and landscape by providing accessible, efficient and sustainable services fulfilling local and visitor expectations.”*

A number of strategic priorities were also identified in this document and these are:

- *Cohesive Leadership*
- *Local Economy*
- *Improvement and Innovation*
- *Healthy, Active and Engaged Communities*
- *Climate Change and Our Environment*

The Council has, furthermore, adopted a set of values that define the organisation's culture and set the framework for a way of working. These values describe a commitment on the part of both Councillors and Officers to how we work together and deliver services to the community:

- *Fairness*
- *Excellence*
- *Sustainability*
- *Empowerment*
- *Improvement*

A copy of the Council's Corporate Strategy 2021 to 2025 can be found [here](#).

The range of main policies and strategies which support these aims are listed in **Article 4**. It should be noted that at any one time it may not cover the complete range of policies and strategies because very new or recently revised policies and strategies may not be included as yet in the latest version of the Constitution.

The Council, as the planning authority, has also adopted a suite of documents which together will comprise the Development Plan, and provide the Local Development Framework for land use in the Borough.

The Corporate Policy and Resources Committee will set the policy framework for, and may adopt, approve, amend, vary or revoke, any policy, plan or strategy which covers, functions or services that have been delegated to more than one Committee. Committees, Sub-Committees, Officers, area committees or joint arrangements discharging delegated functions should take operational decisions about a function

or service that are consistent with any policy, plan or strategy of the authority which applies to the function or service and must not take operational decisions that are contrary to any such policy, plan or strategy.

However, Committees may resolve to amend, modify, vary or revoke a policy, plan or strategy. If a Committee, Sub-Committee, Officer, area committee or joint arrangement discharging delegated functions wants to take such a decision, they shall take advice from the Chief Executive or Director of Corporate Services as to whether the decision they want to make would be contrary to the policy framework.

If the advice of those officers is that the decision would be contrary to, or not wholly in accordance with, the existing policy framework, then the decision must be referred by that body or person to full Council for consideration and decision.

If the advice of any of the above officers is that the decision would be contrary to an existing policy, plan or strategy, framework, then the decision must be made by the responsible Committee

## **BUDGETS AND BUDGETARY CONTROL**

### **1.1 Introduction**

- 1.1.1 This document provides a policy framework for the preparation and monitoring of budgets.
- 1.1.2 This Code of Practice defines the procedures and forms to be adopted by Council finance officers in the production of Council Estimates and Monitoring Statements.

### **1.2 Budget Preparation**

#### **1.2.1 Context**

- In conjunction with the Chief Finance Officer, services will prepare, on an annual basis, a draft budget and service plan that will identify all service and financial implications of meeting the Council's priorities and targets over the planning time frame. The Administration will determine the format of the budget and service plan. The Chief Executive and Chief Finance Officer will provide services with detailed guidance on the completion of the budget and service plan;
- Services will provide any financial information required by the Council in relation to their service plan or any other matters deemed relevant by the Council;
- The Chief Finance Officer will ensure that the Council budget is set in accordance with all statutory requirements in respect of the production of a balanced budget and the setting of local taxation and rent levels.

### **1.2.2 Audit Trail and Supporting Documentation**

- All service budgets will be based, in the first instance, on the approved budget of the previous year;
- The Chief Finance Officer shall maintain a full audit trail, providing analysis of budget movements from one year to the next. This audit trail will include an analysis of all adjustments including, growth, savings, inflation, resource redirections and budget pressures etc.;
- Services shall make available appropriate back-up to exemplify and support the value of material budget movements;
- The Chief Finance Officer will maintain lists of all budget options.

### **1.2.3 Devolved Budgets**

- In order to discharge the management of expenditure and income effectively and ensure its control within approved budgets, Directors/SMT Members shall align financial accountability and responsibility with that of operations. Budgets shall be devolved to a level that accords with managerial decision making;
- Where budgets are decentralised, the basis for decentralisation must be clearly defined and understood by managers.

### **1.2.4 Budget Profiling**

- The Chief Finance Officer will provide a core suite of standard profiles for the phasing of budgets;
- Services will ensure that budgets are profiled in a meaningful manner reflecting pay cycles, demand patterns and prior years' trends as appropriate;
- Services are responsible for the profiling of their budgets and shall, in conjunction with budget holders, develop and apply appropriate profiles;
- Budget profiles may be updated during the course of the financial year, with the agreement of the Chief Finance Officer, in order to reflect material variations in anticipated spend patterns.

## **1.3 Management Accounts**

### **1.3.1 Format and Content of Reports**

- Management accounts will be a joint report by the Senior Management Team and the Chief Finance Officer;
- Management Accounts will be produced in line with the timetable issued by the Chief Finance Officer to meet the Committee reporting cycle;
- Management Accounts shall be produced at levels appropriate to the recipient. Council management accounts will be produced at the highest level and more detailed cost centre and subjective analysis shall be produced for use within services;

- Management Accounts will reflect the format agreed by Council and shall report annual and profiled budget and any approved variations during the year, actual to date and variances;
- All material movements to budgets shall be reported;
- Significant variances shall be reported and explained, and include action to be taken;
- Services will provide a forecast of financial performance against budget to the year-end.

### **1.3.2 Audit Trail**

- All management accounts will be based on information contained in the Council's financial systems;
- Working papers, detailing the reason and value of adjustments to the base monitoring information will be maintained.

### **1.3.3 Adjustments**

- Management Accounts shall reflect a true and fair view. Appropriate adjustments shall be made in order to:
  - eliminate errors in base information;
  - accrue known commitments in relation to the profile;
  - account for the matching of income and expenditure related to trading accounts;
  - account for known changes to the anticipated spend pattern.

Professional judgement shall be exercised in the compilation of such adjustments and appropriate supporting evidence shall be maintained.

### **1.3.4 Explanation of Variances**

- Management Accounts shall highlight reasons for material variances, management action plans being taken and the projected level of outturn variance where appropriate;
- Internal financial reports shall also assign responsibility for tasks in management action plans and report indicative timescales;
- Variances will be reviewed each period and progress of management action plans considered.

### **1.3.5 Materiality and Significance**

- Appropriate focus shall be placed on variance analysis, the objective being to secure sufficient coverage to those variances that contribute most to deviation from income and expenditure budgets rather than comprehensive line by line analysis. By necessity, this will be a subjective professional judgement. Prescription is not advocated, as the materiality threshold for variance explanation will vary in accordance with:
  - reporting levels;
  - scale of budget;
  - degree of budget decentralisation;
  - political sensitivity;
  - impact on service delivery and performance.

Service areas shall establish their decentralised materiality thresholds and criteria and communicate these to budget holders.

### **1.3.6 Authentication**

- Internal financial reports prepared by Council finance officers shall be presented to, and certified by, the management or leadership team of the Service and recorded as appropriate;
- Service areas shall establish internal reporting mechanisms and procedures to address disputes on issues of financial management and control;
- Associated budgets e.g. Trading Operation recharge income and related client service expenditure shall be subject to liaison and agreement at budget preparation, phasing, and update stages. In the event of failure to resolve disputes at service level, the matter shall be referred to the Chief Finance Officer.

## **1.4 Financial Support**

### **1.4.1 Provision of Financial Information**

- Financial reports shall be provided to budget holders in accordance with the financial accounting cycle based on the financial ledger system.

### **1.4.2 Consultation**

- Council finance officers shall maintain regular contact with budget holders to review their financial position and obtain variance explanations as required. This shall be undertaken appropriately in line with the Committee reporting process.
- Budget holders/service managers shall provide all relevant information required by finance officers.

### **1.4.3 Training**

- Appropriate staff development and training resources shall be made available in support of effective financial management and control.



## 1.5 Virement

### 1.5.1 Criteria

- **Authority for the transfer of resources from one budget to another is provided in this Code of Practice and requires the agreement of the Chief Executive. Approval of such virement shall take cognisance of the following criteria:**
  - adherence to the Accounting Code of Practice (ACOP);
  - the balancing of related expenditure and income issues;
  - movements within approved schemes of budget delegation;
  - the need to remedy anticipated budget pressures elsewhere;
  - the impact of approved service developments on the nature of service spend;
  - previous Council decisions on the application of budget resources;
  - the remedy of error in budget compilation;
  - spend to save initiatives.
- Virement shall not be used:
  - to mask overspend and underspend issues;
  - to apply underspends or over-recoveries of income without reference to Committee;
  - to reverse any decision made by the Council during its budget process unless subsequently approved by Council.
- **Services shall limit requests for virement to material sums;**
- All approved virement will be reported in service monitoring statements;
- **Virement must not result in an increase in the overall budget of the Council in the current or any subsequent financial year.**

### 1.5.2 Authorisation

- **Virement adjustments shall be recorded in a form suitable for the approval of the Chief Executive.**
- The Chief Executive will approve virement between Services up to £100,000; all virement greater than this sum will require Council approval.
- Any anticipated expenditure in excess of the authorised sum must be reported to Committee for approval prior to the commitment of expenditure

## **3.3 Contracts Procedure Rules (Procurement Policy)**

A copy of the Council's current Procurement Policy can be found [here](#)

This document outlines the procedures that will be applied to procurement and contract activities across the Council, except for capital works contracts where separate arrangements apply.

#### **3.4 Council Standing Orders**

A copy of the Council's Standing Orders can be found [here](#)

#### **3.5 Financial Procedure Rules**

A copy of the Council's Finance Policy Manual can be found [here](#).

# Part 4

## Codes and Protocols

## 4.1 Code of Conduct for Councillors

A copy of the Code of Conduct for Councillors can be found [here](#)

## 4.2 Code of Conduct for Local Government Employees

A copy of the Code of Conduct for Local Government Employees can be found [here](#)

This includes a copy of the Protocol on Member/Officer Relations.

## 4.3 Expressions of Sympathy Protocol

### Expressions of Sympathy Protocol

#### Introduction

The Council recognises that every bereavement is a tragedy for the family and friends who suffer the loss of a loved one and expressions of sympathy are always appreciated by families. However it is not possible, or appropriate, for the Council to formally recognise all the bereavements which occur within its district. It is therefore important that the Council as a corporate body is able to express its sympathy in an appropriate manner. This Protocol outlines the criteria to be applied to ensure consistency of approach.

#### 1.0 Elected Members – Existing and Former

1.1 Upon notification of the death of an existing member, the Council, at the first available meeting, will propose that as a mark of respect a minute's silence is observed at the start of the meeting. A letter of condolence will be sent from The Mayor to the next of kin.

Expressions of condolences should be conveyed by the various group leaders on behalf of their parties to negate the requirement for every Councillor to speak.

1.2 Upon notification of the death of a member of the immediate family of an existing elected member (ie, spouse, partner, son, daughter, parent or sibling), the Council, at the first available meeting, will convey its condolences to the bereaved member and family circle and a letter of condolence is sent from The Mayor to the elected member.

1.3 Upon notification of the death of an existing or former non-elected member of a Council Committee, the Council, at the first available meeting of that committee (or most appropriate committee), will recommend that a letter of condolence is sent from the Committee Chairperson to the next of kin.

## **2.0 Honorary Freeman**

- 2.1 Upon notification of the death of an existing member, the Council, at the first available meeting, will propose that as a mark of respect a minute's silence is observed at the start of the meeting. A letter of condolence will be sent from The Mayor to the next of kin.
- 2.2 Expressions of condolences should be conveyed by the various group leaders on behalf of their parties to negate the requirement for every Councillor to speak.

## **3.0 Members of Staff – Existing and Former**

- 3.1 Upon notification of the death of an existing employee, the Council's Human Resources Department will send a letter of condolence to the next of kin on behalf of the Council, signed by the Chief Executive.
- 3.2 Upon notification of the death of a member of an existing employee's immediate family (ie, spouse, partner, son, daughter, parent or sibling), the Council's Human Resources Department will send a letter of condolence to the employee on behalf of the Council, signed by the Chief Executive.
- 3.3 Upon notification of the death of a former employee, the Council's Human Resources Department will send a letter of condolence to the next of kin on behalf of the Council, signed by the Chief Executive.

## **4.0 Books of Condolence**

Books of Condolence have in recent years proved to have been quite often a rather ineffective way of conveying condolences to bereaved families or in the event of tragedies of an international nature.

The first citizen speaks on behalf of all the citizens of the borough in civic matters. As such a letter of condolence on behalf of the people of the borough sent from the Mayor should cover the vast majority of occasions, where previously a book of condolence would have been opened.

There will, of course, be exceptional circumstances which, it is recommended, should be dealt with as follows:-

1. At the next available meeting of Council following a tragedy/atrocity, the Council agree to open a book of Condolence to allow the people of the district to express their sympathy. Council should identify one or two venues only where Books of Condolence can be signed.
2. In the event that no meetings are scheduled, or the next meeting is too far in the future for the opening of a book of condolence to have any impact, the Mayor with the unanimous agreement of group leaders, be authorised to open a Book of Condolence.



# **Part 5**

# **Members' Allowance Scheme**

## **Causeway Coast and Glens Borough Council Scheme of Allowances Payable to Councillors**

A copy of Causeway Coast and Glens Borough Council's current Scheme of Allowances Payable to Councillors can be found [here](#).



# **Part 6**

# **Officers' Management Structure**

