

<b>Amendments to Council Constitution</b>	<b>16 May 2017</b>
<b>Corporate Policy and Resources Committee</b>	<b>For Decision</b>

<b>Linkage to Council Strategy (2015-19)</b>	
<b>Strategic Theme</b>	Leader and Champion
<b>Outcome</b>	Provide civic leadership to our citizens
<b>Lead Officer</b>	Head of Policy & Community Planning
<b>Cost:</b> (If applicable)	

## **1.0 Introduction**

- 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 a 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 In March 2017 the Corporate Policy and Resources Committee recommended the adoption of amended Standing Orders based on feedback from elected members. This recommendation was adopted by Council and the Standing Orders were duly amended. A copy of the amended Standing Orders document is attached for information
- 2.2 The Standing Orders are included within the Council Constitution and this means that the Constitution will have to change to include the revised document.

- 2.3 In March 2017 the Corporate Policy and Resources Committee also recommended the adoption of a revised Scheme of Allowances payable to elected members. This recommendation was adopted by Council and the Scheme of Allowances was duly amended. A copy of the amended Scheme of Allowances document is attached for information.
- 2.4 The Scheme of Allowances for elected members is included within the Council Constitution and this means that the Constitution will have to change to include this revised Scheme.

#### **4.0 Recommendation**

**It is recommended** that the Corporate Policy and Resources Committee recommend to Council approval of the proposed amendments to the Council Constitution as outlined in item 2.0.

# Causeway Coast and Glens Borough Council

## THE STANDING ORDERS OF THE COUNCIL

<b>Version Number</b>	Version 2.1
<b>Author</b>	Chief Executive
<b>Date Adopted by Council</b>	28th March 2017
<b>Date Revised</b>	060317

## **DEFINITIONS**

“**2014 Act**” means the Local Government Act (Northern Ireland) 2014.

“**Budget**” means the expenditure authorised by a council under section 3 of the Local Government Finance Act (Northern Ireland) 2011.

“**Call-in**” means a requisition for the reconsideration of a decision as provided for in section 41(1) of the 2014 Act.

“**Clerk**” means the Clerk of a council appointed under section 41 of the Local Government Act (Northern Ireland) 1972.

“**Committee**” means a committee appointed under section 7 of the 2014 Act.

“**Delegated authority**” means the discharge of a function under authority fixed by a council under section 7 of the 2014 Act.

“**Decision maker**” means the body or person making an executive decision, a decision under delegated authority or a key decision.

“**Executive**” means a cabinet-style executive or a streamlined committee executive as provided for in section 21(2) of the 2014 Act.

“**Executive Arrangements Regulations**” means the Local Government (Executive Arrangements) Regulations (Northern Ireland) 2015.

“**Executive decision**” means a decision taken by a decision maker in connection with the discharge of a function which is the responsibility of the executive of a council.

“**Key decision**” means a decision under executive arrangements which is likely –

to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council’s annual budget for the service or function to which the decision relates; or

to be significant in terms of the effects on communities living or working in an area comprising two or more electoral areas in the local government district of the council.

“**Member**” means a councillor on that council.

**“Nominating officer”** means:

- (a) the person registered under the Political Parties, Elections and Referendums Act 2000 as the party’s nominating officer; or
- (b) a Member of the council nominated by that person for the purposes of Schedule 1 to the 2014 Act.

**“Party”** means a party registered under the Political Parties, Elections and Referendums Act 2000 in the Northern Ireland register (within the meaning of that Act).

**“Policy framework”** means the policies and procedures agreed by the council in relation to the delivery of a function or functions of the council.

**“Proper officer”** means an officer appointed by the council for the purpose of supporting the executive.

**“Published”** means made available for inspection by Members of the council.

**“Register of Decisions”** means a register of decisions maintained by the council of those decisions agreed by the council.

**“Section of the inhabitants of the district”** means any section of the inhabitants that is clearly identifiable by location, interest or other category.

**“Special resolution”** means a resolution of a council as defined in section 148 of the Local Government Act (Northern Ireland) 1972.

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**1. Annual and Monthly Meetings**

- (1) In every year that is not a local election year the Council shall hold an Annual Meeting in the month of June.
- (2) In any year which is a local election year, the Annual Meeting shall be held within twenty-one days immediately following the election, at such time as the Council may fix, at the offices of the Council or at such other place as the Department may direct.
- (3) The outgoing Mayor and the Deputy Mayor, followed by the incoming Mayor and Deputy Mayor shall have the opportunity to speak at the Annual Meeting.
- (4) A meeting of the Council for the transaction of general business of the Council shall, subject to any deviation which special circumstances may render desirable, be held on the fourth Tuesday of every month. Other meetings of the Council for the transaction of general business shall be held as the Council considers necessary.
- (5) Meetings of the Council shall not take place on a Public or Bank Holiday, a Saturday or a Sunday. When the day of a meeting falls on one of these days, the meeting shall be held on the next following weekday instead.

**2. Time and Place of Meetings**

The Annual Meeting and other meetings of the Council shall normally be held at 7.00 pm in the Council Chamber except where otherwise fixed by statute or by special summons.

**3. Convening Special Meetings**

- (1) The Mayor of the Council may call a meeting of the Council at any time.
- (2) The Mayor of the Council must call a meeting of the Council if a requisition for such a meeting, signed by not less than **sixteen** Members of the council is presented to him/her; and, if he/she refuses to call a meeting on such a requisition or if, without so refusing, he/she does not call such a meeting within the period of **seven days** from the date of service of the requisition on him/her, not less than sixteen Members may, on that refusal or on the expiration of that period, forthwith call a meeting of the Council.

**4. Notice and Summons of Meetings**

- (1) **Five days** at least before a meeting of the Council, a committee or sub-committee, notice of the time and place of the intended meeting shall be published at the offices of the Council. Where the meeting is called by Members, the notice shall be signed by them and shall specify the business proposed to be transacted thereat.
- (2) A summons to attend the meeting, specifying the business proposed to be transacted thereat and signed by the Clerk shall be served on every Member at least **five days** before the meeting. Want of service of this summons shall not affect the validity of a meeting. The draft minutes of a Committee that takes place during the week of the summons can be shared by email.
- (3) Except in the case of business required by statute or, where in the opinion of the Mayor / Chair at the meeting the business should be considered by the meeting as



a matter of urgency, no business shall be transacted at a meeting of the Council, a committee or sub-committee other than that specified in the summons relating thereto.

- (4) A committee or the meeting of Council may be cancelled at short notice by the Chair or Mayor when a red weather warning from the meteorological office coincides with the timing of the meeting. The Mayor / Chair can call the meeting to stand in silence to remember for a Councillor who suffers a family bereavement. Council and Committee meetings are to finish by 12 midnight.

**5. Chair to be Taken**

At each meeting of the Council, the Chair shall be taken at the time for which the meeting is convened, and business immediately proceeded with. The Mace shall be displayed at Council meetings, Special Council Meetings, and at the Annual Meeting.

**6. Mayor / Chair of Meeting**

- (1) At a Meeting of the Council, the Mayor / Chair of the Council, if present, must preside.
- (2) If the Mayor / Chair of the Council is absent from a Meeting of the Council, the Deputy Mayor / Chair of the Council, if present, shall preside.
- (3) If neither the Mayor / Chair nor Deputy Mayor / Chair are present at a Meeting of the Council, a Member of the Council chosen by the Members who are present must preside.
- (4) If discussion arises on the allocation of the position of Mayor / Chair, the Clerk shall exercise the powers of the Mayor / Chair to assist in the regulation of that discussion.
- (5) Any power of the Mayor / Chair of the Council in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

**7. Quorum**

- (1) Subject to paragraph (4), no business shall be transacted at a Meeting or Committee of the Council unless at least **half** of the whole number of Members are present; the exception is the Planning Committee which requires a quarter of the Members present and voting.
- (2) If during a meeting, the person presiding, after the number of Members present is counted, declares that a meeting is inquorate and it is unlikely that there will be a quorum present within a reasonable time, he/she shall declare the meeting adjourned.
- (3) Any uncompleted business on the agenda of a meeting adjourned under Standing Order 7(2) above, shall be tabled for discussion at the reconvened meeting. No business, other than the uncompleted business on the agenda of the meeting adjourned, may be discussed at the reconvened meeting.
- (4) Where more than **one-quarter** of the Members become disqualified at the same time then, until the number of Members in office is increased to not less than **three-quarters** of the whole number of Members, the quorum of the Council shall be determined by reference to the number of Members remaining qualified instead of by reference to the whole number of Members.

## **8. Admission to Meetings**

- (1) Subject to the provisions of this Standing Order, every Meeting of the Council shall be open to the public, in accordance with section 42 of the 2014 Act.
- (2) The public and press may attend only in those parts of the Council Chamber provided for their accommodation at meetings of the Council, unless specifically excluded in accordance with the provisions of Standing Order 10; or as required by the Council to comply with provisions in relation to Fire Safety and Health & Safety. The safe number of attendees is 20; where larger attendance is anticipated representation can be agreed by prior arrangement with the Democratic Services Manager.
- (3) The admission of the public is upon the understanding that they must continue at all times to be seated, and that no expression of opinion or noise of any kind be allowed from them.
- (4) At all times during which a Meeting of the Council is open to the public, the Council must, so far as is practicable, cause to be made available to duly accredited representatives of newspapers, attending for the purpose of reporting proceedings at the meeting, reasonable facilities for taking reports of these proceedings and, on payment by those representatives or their newspapers of any expenses which may be incurred, for transmitting such reports to their newspapers. Accreditation of representatives is to be shown by way of photographic identification, press pass or a letter from the editor of the newspaper concerned. An accreditation list will be held by the Democratic Services team.
- (5) Taking photographs of proceedings or the recording of proceedings by any other means by members of the press and the public to enable persons not present to see or hear any proceedings (whether at that time or later) shall be prohibited unless expressly permitted by the Council.
- (6) The use of social media by Members of the Council, Members of the public or journalists shall be permitted during those proceedings that are open to the public, to the extent that its use does not disrupt proceedings.

## **9. Record of Attendances at Meetings**

The names of the Members present at a Meeting of the Council must be recorded. A record of annual attendance will be published annually within 5 months of the financial year end.

## **10. Exclusion of the Public**

- (1) The public shall be excluded from a Meeting of the Council whenever it is likely that, during the transaction of an item of business, confidential information would be disclosed to them in breach of an obligation of confidence. Examples could include legal, contractual or sensitive staffing matters.
- (2) The Council may by resolution exclude the public from a Meeting of the Council (whether during the whole or part of the proceedings at the meeting) for such special reasons as may be specified in the resolution being reasons arising from the nature of the business to be transacted or of the proceedings at the Meeting. Committee may recommend to Council that subsequent debate should remain as a confidential consideration.

- (3) The Mayor / Chair may at any time during the proceedings, if he/she thinks it necessary to secure order, direct the removal of any individual or group of individuals from the Council Chamber, or order the Council Chamber to be wholly cleared of members of the public.
- (4) The Council, having excluded the public, shall only consider the matter referred to it by the resolution. If it should be deemed necessary to consider any matter not included in the resolution, the public shall be re-admitted and the Mayor / Chair may ask leave of the Council to take up the consideration of such additional matters as may be deemed desirable.
- (5) If the business referred to in the resolution is not transacted, the Council may be resumed and a Member of the Council may move that the Council again exclude the public on a future day to deal with the business specified in the resolution which was not transacted.
- (6) If the Council, with the public excluded, has transacted part of the business referred to it, without being able to reach a decision on all the business so referred, a Member of the Council may, with leave of the Council, report on the progress to that point and ask the Council's permission to sit again.
- (7) When the Council, having transacted business with the public excluded, submits its report to the Council, a motion for its adoption shall then be moved and put. No questions or discussion shall be permitted on the report or the motion for its adoption.

## **11. Deputations**

- (1) Deputations, from any source, shall only be admitted to address the Council provided the Clerk has received **7 days' notice** of the intended deputation and a statement of its objective. This is to be in line with the protocol agreed by Council at **Annex A**.
- (2) The deputation shall be confined to the presentation of a statement, or copy of resolutions, and shall not make more than two short addresses by any two Members of the deputation. The totality of the address shall not exceed **10 minutes**. Questions by Elected Members should be brief.
- (3) Deputations should not be repetitive and, where possible, issues of a similar or linked nature should be contained in one deputation. Where a deputation has made a presentation to the Council, the Council may decline to accept another deputation on the same issue from the same individual or group for a period of **six months**.
- (4) Statutory bodies are limited to a total of 40 minutes, including questions, and are to focus solely on strategic issues. Reports will be issued in advance and are to be assumed as read. Updated contact details are to be provided in the report.

## **12. Order of Business**

Subject to any statutory requirements to the contrary, the order of business at every meeting of the Council shall be as follows:

- a) The Mayor's business;

- b) Apologies;
- c) Declaration of Members interests;
- d) Confirmation of the Minutes of the last stated Meeting and of all adjourned meetings and special meetings held since the last stated Meeting;
- e) Deputations;
- f) Business required by statute to be transacted at the Meeting;
- g) Adoption of the minutes of the proceedings of any committees and consideration of reports, if any, from such committees. This shall be managed sequentially by the chair of the meeting
- h) Reports of officers, public bodies, agencies etc, if any, may be considered and such orders given thereon as may be deemed necessary;
- i) Reports on decisions/recommendations subject to the reconsideration process;
- j) Other reports;
- k) Correspondence and matters not already dealt with;
- l) Sealing of documents;
- m) Consideration of motions of which due notice has been given, in the order in which they have been received;
- n) Confidential matters; *and*
- o) (for Committees only) Any other relevant business noted to the Chair, Chief Executive and, relevant chief officer, by 12 noon on the day prior to the meeting. The democratic Services team will share this information with the Member's nominating officer and other committee Members before 5pm on that day.

### **13. Minutes of the Council**

#### **13.1 Keeping Of; As Evidence;**

- (1) Minutes of the proceedings of a Meeting of the Council, or of a committee or sub-committee, shall be drawn up and entered in a bound book kept for that purpose. The Minutes are a summary of the audio recording and the audio recording is the verbatim account of decisions made.
- (2) No discussion shall take place upon the Minutes except upon their accuracy.
- (3) Any minute purporting to be signed as mentioned in paragraph (2) shall be received in evidence without further proof.
- (4) Until the contrary is proved, a Meeting of the Council or of a committee or sub-committee thereof in respect of the proceedings of which a minute has been so made and signed shall be deemed to have been duly convened and held, and all the Members present at the meeting shall be deemed to have been duly qualified, and where the proceedings are proceedings of a committee or sub-committee, the committee or sub-committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.

#### **13.2 Signing Of**

The Minutes of a Meeting of the Council shall be signed at the next ensuing Meeting of the Council by the Mayor / Chair presiding, if approved by the meeting at which they fall to be signed.

#### 14. **Minutes of Committees**

- (1) A motion or amendment shall not be made or proposed, or any discussion allowed on the proceedings of committees with reference to any matter within the remit of a committee which does not appear on the minutes submitted to the Meeting of the Council.
- (2) Any Member wishing to raise an issue regarding any matters appearing in the minutes submitted to the Council for approval and who states his/her request in writing to the Mayor / Chair of the committee twenty-four hours before the commencement of the Meeting of the Council shall be entitled to a reply when the proceedings of the particular committee are submitted for approval.
- (3) A reply to an issue raised at the Meeting regarding any matter in the minutes, without written notice, shall be at the discretion of the Mayor / Chair of the committee.
- (4) Any matter in the minutes of a committee on which a request for reconsideration, under section 41 of the 2014 Act, has been lodged with the Clerk of the Council shall be identified, and may not be the subject of discussion at that Meeting (see Call in Standing Order 20).

#### 15. **Motions**

- (1) Every motion shall be relevant to some matter:
  - a) in relation to which the Council:
    - i) has power or duties;
    - ii) is not prevented from taking action on by other legislation;
  - b) which directly affects the local government district or its residents; *and*
  - c) for which the Council is legally competent.

##### 15.1 **On Notice**

- (1) Notice of every motion, other than a motion which under Standing Order 15.2 may be moved without notice, shall be given in writing by hard copy, signed by the Member or Members of the Council giving the notice and seconded, to the Clerk not later than at least **seven** clear days before the next Meeting of the Council. This will be date and time stamped. The motion must be clear in meaning otherwise it shall be rejected within 48 hours until such time as it is resubmitted in clear language, and not later than **seven** clear days before the meeting.
- (2) A motion shall be rejected within 48 hours if the wording or nature of the motion is considered unlawful or improper.
- (3) All notices shall be dated and numbered as received, and entered in a register to be kept for that purpose. This register shall be open to inspection by every Member of the Council. Motions will be emailed to the respective nominating officer within 48 hours of receipt.
- (4) Notices of motion shall be entered by the Clerk or his /her authorised deputy in their proper place upon the Summons Paper in the order in which they are received.

- (5) If a motion set out in the Summons is not moved either by a Member who gave notice, or by some other Member on his / her behalf, it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.
- (6) If the subject matter of any motion of which notice has been properly given comes within the remit of any committee it shall, upon being moved and seconded, stand referred without discussion to that committee, or to such other committee as the Council may determine, for consideration and report.

The Mayor / Chair presiding may, if he/she considers it urgent and necessary to the dispatch of business, allow the motion to be dealt with at the meeting at which it is brought forward. The proposer and the Mayor must agree this 24 hours prior to the meeting and communicate the intention to all other Members. If not a Member of the relevant committee, the proposer may speak but not vote or allow another member to speak to the motion. Motions to the full council should be limited to 3, on a rolling first come, first served basis.

- (7) If a notice of motion fails to be considered at a Meeting of the Council, such notice of motion will only be included on the Summons Paper for the following meeting if submitted in writing to the Clerk by the Member concerned not later than **seven** clear days, at least, before the Council meeting.
- (8) Any notice of motion which fails to be considered at two consecutive meetings will not be accepted for inclusion on the Summons Paper for a period of **six months** from the date of the second meeting at which the matter has failed to be considered.

## 15.2 Without Notice

The following motions may be moved without notice:

- a) to appoint a Mayor / Chair of the meeting at which the motion is moved;
- b) in relation to the accuracy of the minutes;
- c) to change the order of business in the agenda;
- d) to refer something to an appropriate body or individual;
- e) to appoint a committee or Members thereof arising from an item on the summons for the meeting;
- f) to receive reports or adoption of recommendations of committees or officers and any resolutions flowing from them;
- g) to amend a motion;
- h) to proceed to the next business;
- i) that the question be now put;
- j) to adjourn a debate;
- k) to adjourn a meeting;
- l) to suspend Standing Orders, in accordance with Standing Order 26.1;
- m) to exclude the public and press in accordance with section 42 of the 2014 Act;
- n) to not hear further a Member named under Standing Order 24.2 or to exclude them from the meeting under Standing Order 24.3.

## 16. Amendments

- (1) When a motion is under debate at any meeting of the Council, an amendment or further motion shall not be received, with the exception of the following:
  - a) to amend the proposal; or
  - b) that the Council do now adjourn; or
  - c) that the debate be adjourned; or
  - d) that the question be now put; or
  - e) that the Council do proceed to the next business.

### 16.1 To Amend the Proposal

- (1) An amendment must be legitimate and within the scope of the notice convening the meeting. It must not be a direct negative; must be relevant to the proposal which it seeks to amend, and not inconsistent with anything already agreed upon at the same meeting. An amendment must relate solely to the proposal which it seeks to amend, and not be, in effect, a new proposition on a different matter, and must not place a greater responsibility on the meeting than the original proposal.
  
- (2) When an amendment upon an original proposal has been moved, the question to be put shall be "*That the amendment be made*". Where any amendment is agreed, the question to be put shall be "*That the proposal, as amended, be agreed*". Where any amendment is rejected the question of the substantive proposal shall be put.

### 16.2 That the Council Do Now Adjourn

- (1) Any Member of the Council who has not already spoken to the proposal or amendment then under debate may move "*that the Council do now adjourn*". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal, which shall be put to the vote without debate.
  
- (2) In the event of the proposal for the adjournment being carried, the Mayor / Chair shall (unless stated in the proposal) fix the date for the adjourned meeting for the continuation of the debate on the proposal or amendment under discussion at the time of the adjournment, and for the transaction of the remaining business (if any) on the Agenda for the meeting so adjourned.
  
- (3) A second proposal "*that the Council do now adjourn*" shall not be made within half-an-hour unless, in the opinion of the Mayor / Chair, the circumstances are materially altered.
  
- (4) The Mayor / Chair can call for a 10 minute recess as he / she feels appropriate.

### 16.3 That the Debate be Adjourned

- (1) Any Member of the Council who has not already spoken to the proposal or amendment then under debate may move "*that the debate be adjourned*". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.
  
- (2) Before putting to the meeting a proposal "*that the debate be adjourned*", the Mayor / Chair presiding shall call on the mover of the proposal or amendment under discussion to reply on the question of adjournment and, after such reply, which will not prejudice

the right of the mover of a proposal to reply on the original question, shall put the proposal for adjournment of the debate to the vote without further debate.

- (3) If the proposal be carried, the Council shall proceed to the next business on the agenda, and the discussion of the adjourned debate shall be resumed at the next meeting of the Council unless a special meeting of the Council shall be called for the purpose.
- (4) On resuming an adjourned debate, the Member who moved its adjournment shall be entitled to speak first. A second proposal "*that the debate be adjourned*" shall not be made within half-an-hour. A Member shall not move or second more than one proposal for the adjournment of the same debate.

#### 16.4 That the Question Be Now Put

- (1) Any Member who has not already spoken to the proposal or amendment then under debate may move "*that the question be now put*". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.
- (2) If the Mayor / Chair is of the opinion that the subject before the Council has been sufficiently discussed, he/she shall put the proposal "*that the question be now put*" to the vote without debate and if same is carried, the proposal or amendment under discussion shall be put to the Council.
- (3) A second proposal "*that the question be now put*" shall not be made on the discussion of the same question within half-an-hour.
- (4) A Member shall not move or second more than one proposal "*that the question be now put*" on the discussion of the same question.

#### 16.5 That the Council Do Now Proceed to the Next Business

- (1) Any Member of the Council who has not already spoken to any proposal or amendment then under debate may move, "*that the Council do proceed to the next business*". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal which shall be put to the vote without debate.
- (2) If the Mayor / Chair is of the opinion that the subject before the Council has been sufficiently discussed, he/she shall put the proposal "*that the Council do proceed to the next business*" to the vote without debate and if same is carried the proposal or amendment under discussion shall be put to the Council.
- (3) When a proposal is carried "*that the Council do proceed to the next business*", the question under discussion shall be considered as dropped.
- (4) A second proposal "*that the Council do proceed to the next business*" shall not be made on the same question within half-an-hour.
- (5) A Member shall not move or second more than one proposal "*that the Council do proceed to the next business*" on the discussion of the same question.



## **17. Amendments to Regulatory Decisions**

- (1) No amendment may be moved to a minute which is a Regulatory Decision.
- (2) For the purposes of these Standing Orders, a Regulatory Decision is a determination of an application for planning permission or any decision, determination, action, direction, order, approval, refusal, or enforcement action in exercise of powers of the Council as the local planning authority [or those powers specified in Executive Arrangements Regulations]; or any application for which the Council is the licensing authority.

## **18. Rules of Debate**

### **18.1 Motions and Amendments to be Reduced to Writing and Seconded**

- (1) A motion or amendment shall not be discussed unless it has been proposed and seconded and, unless notice has already been given in accordance with Standing Order 15.1, it shall, if required by the Mayor / Chair presiding, be put into writing and handed to the Mayor / Chair presiding before it is further discussed or put to the meeting.
- (2) A Member when seconding a motion or amendment may, if he/she then declares his/her intention to do so, reserve his/her speech until a later period of the debate.

### **18.2 Alteration of Motion**

- (1) A Member may alter a motion of which he/she has given notice as proposed with the consent of the meeting. The meeting's consent will be signified without discussion.
- (2) A Member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (3) Only alterations which could be made as an amendment may be made.

### **18.3 Withdrawal of Motion**

- (1) A Member may withdraw a motion of which he/she has given notice under Standing Order 15.1, saying only that 'I wish to withdraw my motion', at any time after the meeting has commenced provided that he/she has not moved the motion or spoken on it and has the consent of the meeting. The meeting's consent will be signified without discussion.
- (2) A Member may withdraw any other motions which he/she has moved with the consent of both the meeting and seconder. The meeting's consent will be signified without discussion.
- (3) No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

### **18.4 Mode of Address**

A Member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order.

- 18.5 Member Called to Order  
If any Member, while speaking, be called to order, he/she shall cease speaking and shall not again address the Council until the Mayor / Chair has disposed of the question of order.
- 18.6 Definition of Point of Order  
A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the Member shall specify the Standing Order or provision and the way in which he/she considers it has been broken.
- 18.7 Member May Raise a Point of Order  
A Member may raise a point of order by raising their hand and stating 'point of order' and he / she shall be entitled to be heard immediately.
- 18.8 Ruling of Mayor / Chair on Point of Order  
The ruling of the Mayor / Chair on a point of order shall not be open to discussion.
- 18.9 Member to Speak to Motion  
A Member who speaks shall direct his/her speech strictly to the Motion under discussion, or an amendment thereof.
- 18.10 Member Shall Not Speak More Than Once  
A Member who has spoken on any motion shall not speak again whilst it is the subject of debate.
- 18.11 Duration of Speeches  
Except with the permission of the Council, a Member, in introducing a notice of motion, shall not speak for more than **ten minutes** and, in replying to the debate on the motion, for more than **five minutes**. Any Member speaking on any matter, other than introducing a notice of motion, shall be limited to a maximum of 5 minutes.
- 18.13 Only One Motion / Amendment May be Moved and Discussed at a Time  
(1) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.  
  
(2) If an amendment is not carried, other amendments to the original motion may be moved.  
  
(3) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- 18.14 When a Motion is Under Debate No Other Motion Shall be Moved  
When a Motion is under debate no other Motion shall be moved except the following:  
  
(a) to amend the motion;  
(b) to adjourn the meeting;  
(c) to adjourn the debate;  
(d) to proceed to the next business;  
(e) that the question be now put;  
  
(f) that a Member be not further heard;

(g) by the Mayor / Chair under Standing Order 24.3, that a Member do leave the meeting.

18.15 Mayor / Chair calls the Meeting to Order

Whenever the Mayor / Chair rises or otherwise calls the meeting to order during a debate, a Member then speaking shall cease and the Council shall be silent.

18.16 Mayor / Chair Not to Receive Motion for Direct Negative

The Mayor / Chair shall not receive a motion for a direct negative to a question but, on the conclusion of the debate, the question shall be put and resolved in the affirmative or negative.

18.17 Mover's Right of Reply

The mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment and shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on his / her amendment.

**19. Voting**

19.1 Majority

Subject to any statutory provisions to the contrary, any matter will be decided by a simple majority of those Members present and voting.

19.2 Mayor / Chair's Casting Vote

If there are equal numbers of votes for and against, the Mayor / Chair will have a second or casting vote.

19.3 Qualified Majority

[The specification of decisions which are required to be taken by a qualified majority is a statutory requirement on a council under section 40(1) of the 2014 Act]

A qualified majority shall be required in relation to a council's decision on:

- (a) the adoption of executive arrangements or prescribed arrangements as the council's form of governance, as provided for in section 19 of the 2014 Act **[mandatory]**;
- (b) the adoption of paragraph 3(2) of Schedule 1 to the 2014 Act as the method for filling positions of responsibility **[mandatory]**;
- (c) the adoption of Part 2 of Schedule 1 to the 2014 Act as the method for filling positions of responsibility **[mandatory]**;
- (d) the adoption of paragraph 3(3) of Schedule 2 to the 2014 Act as the method for appointing councillors to committees **[mandatory]**;
- (e) a call-in deemed to be with merit made in accordance with section 41(1)(b) of the 2014 Act; and

- (f) the suspension of standing orders, other than Standing Orders 19.3, 20, 21 and 22, which cannot be suspended.

19.4 Show of Hands

Unless a ballot or recorded vote is demanded under Standing Order 19.5, the Mayor / Chair will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

19.5 Recorded Vote

If, before a vote is called, any Member present at the meeting demands it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

A demand for a recorded vote will override a demand for a ballot.

20 'Call-in' Process

[The specification of provision for the reconsideration of a decision is a statutory requirement under section 41(1) of the 2014 Act, as is the specification of a requirement to obtain the opinion of a practising barrister or solicitor (section 41(2))]

20.1 Decisions Subject to Call-In

(1) The following decisions may be subject to call-in in such manner as is specified in these standing orders:

- (a) a decision of the council;
- (b) a decision of the executive;
- (c) an executive decision taken under joint arrangements in accordance with section 26 of the 2014 Act;
- (d) a key decision taken by an officer of the council;
- (e) a decision taken by a committee under delegated authority in accordance with section 7 of the 2014 Act; and
- (f) a decision taken by a committee to make a recommendation for ratification by the council.

(2) The following decisions shall not be subject to call-in:

- (a) a decision on a regulatory or quasi-judicial function which is subject to a separate appeal mechanism;
- (b) a decision which is deemed to be a case of special urgency in accordance with regulation 24 of the Executive Arrangements Regulations;
- (c) a decision where an unreasonable delay could be prejudicial to the council's or the public's interests;
- (d) a decision taken by an officer which is not a key decision;
- (e) a decision by the executive which serves only to note a report from or the actions of an officer; and
- (f) a decision which is required to be taken by a special resolution.

(3) No decision may be subject to call-in more than once for each of the grounds specified in section 41(1) of the 2014 Act.

## 20.2 Call-in Procedure

- (1) A call-in must be submitted in writing in hard copy to the Clerk and signed by each supporting Member by **10am** on the **fifth working day** following:
  - (a) in the case of a decision of the Council, the date of the Council meeting at which the decision was taken; and
  - (b) in the case of a decision of a committee, the date on which the decision to which the call-in relates was published.
- (2) The call in will be date and time stamped. If a call-in is received after the relevant period specified in paragraph (1), it must be deemed inadmissible.
- (3) A call-in shall:
  - (a) specify the reasons why a decision should be reconsidered; *and*
  - (b) subject to paragraph (6), be deemed to be inadmissible if the reasons are not specified.
- (4) In the case of a call-in submitted under section 41(1)(b) of the 2014 Act, Members must in the reasons specified under paragraph (3)(a) specify:
  - (a) the section of the inhabitants of the district that would be affected by the decision; *and*
  - (b) the nature and extent of the disproportionate adverse impact.
- (5) Within **one working day** of receipt of a call-in, the Clerk must confirm that:
  - (a) it has the support of **15 per cent** of the Members of the council; *and*
  - (b) the reasons for the call-in have been specified.
- (6) Where the reasons have not been specified on the requisition, the Clerk must notify the Members making the requisition that it must be considered inadmissible if reasons are not specified in writing within the specified period.
- (7) Within **two working days** of receipt of an admissible call-in submitted under section 41(1)(b) of the 2014 Act, the Clerk must seek the opinion of a practising solicitor or barrister in accordance with section 41(2) of the 2014 Act. The call-in notice will also be shared with all Members within 2 working days.
- (8) Where the legal opinion obtained in accordance with section 41(2) of the 2014 Act confirms that the call-in has merit, the Clerk shall-
  - (a) Furnish the opinion to members; and
  - (b) Include the decision on the agenda for the next available meeting of the council, at which it will be taken by a qualified majority.
- (9) Where the legal opinion obtained in accordance with section 41(2) of the 2014 Act indicates that the call-in does not have merit, the Clerk shall-

- (a) Furnish the opinion to members; and
- (b) Make arrangements for the decision to be implemented or tabled for ratification by the council, as appropriate.

### 20.3 The Call-In Process: Committee Arrangements

- (1) For the purposes of reconsideration of a decision pursuant to a call-in, the minutes of a committee which record a decision:

- (a) taken under delegated authority; or
- (b) for referral for ratification by the council

must be published within **five working days** of the conclusion of the meeting.

The date on which the minutes were published must be regarded as the relevant date for the purposes of a call-in.

- (2) If a call-in is not received within the period specified in Standing Order 20.2 paragraph (1):

- (a) a decision to which paragraph (1)(a) applies must be implemented; or
- (b) a decision to which paragraph (1)(b) applies must be tabled for ratification by the council.

The tabling for ratification of a decision to which paragraph (1)(b) applies, or the implementation of a decision to which paragraph (1)(a) applies, must be postponed until the decision has been reconsidered. The decision maker may rescind the decision at any time prior to the decision being reconsidered.

- (3) If a call-in is made in accordance with Standing Order 20.2 paragraph (3) and section 41(1)(a) of the 2014 Act, the council must appoint an ad hoc committee of the council, the Membership of which will be:

- (a) the Mayor / Chairs of all committees of the council; and
- (b) the Deputy Mayor / Deputy Chairs of all committees of the council

to consider the process adopted by the decision-making committee.

- (4) The Mayor / Chair and Deputy Mayor / Deputy Chair of the committee which was responsible for the decision which is the subject of the call-in must not have voting rights at a meeting of the committee appointed in accordance with paragraph (3).

- (5) The Members of the ad hoc committee who are present shall choose a Member to preside at the meeting.

- (6) The Members who submitted the call-in, or a Member on their behalf, must be invited to attend the meeting at which the decision subject to the call-in is considered and may, upon the request of the Mayor / Chair, address the

meeting, but must not have voting rights, unless they are voting Members of the ad hoc committee.

- (7) A committee appointed in accordance with paragraph (4) may:
- (a) refer the decision back to the decision maker;
  - (b) in the case of a decision taken under delegated authority, support the decision; or
  - (c) in the case of a decision for ratification by the Council, refer the decision to the Council.
- (8) Where a decision has been supported in accordance with paragraph (8), that decision must:
- (a) be approved;
  - (b) be inserted in the Register of Decisions; and
  - (c) become operative from the date of the meeting at which the committee appointed in accordance with paragraph (4) confirmed support for the decision.

#### 20.4 The Call-In Process: Council Decisions

- (1) If a call-in is not received within the period specified in Standing Order 20.2 paragraph (1) in respect of a decision, that decision may be implemented after that period expires.
- (2) The implementation of a decision must be postponed until the decision has been reconsidered.
- (3) The Clerk must place a call-in on the agenda for the next Meeting of the Council.

#### 20.5 The Call-In Process: Executive Arrangements

- (1) A proper officer must, within **two working days** of the production of a statement in accordance with regulations 25 and 26 of the Executive Arrangements Regulations, submit to the Council a notice detailing the decision(s) recorded in the statement.
- (2) The notice prepared in accordance with paragraph (1) must specify:
- (a) those decisions that are not subject to call-in;
  - (b) the period for receipt of a call-in; and
  - (c) the overview and scrutiny committee, as determined by the proper officer, that will consider a call-in in accordance with section 41(1)(a) of the 2014 Act.
- (3) If a call-in is not received in respect of a decision, that decision may be implemented after that period expires.

- (4) If a call-in is received which specifies that the decision was not taken in accordance with the budget or policy framework agreed by the Council, the call-in must be referred to the Council for decision.
- (5) The implementation of a decision must be postponed until the decision has been reconsidered. The decision maker may rescind the decision at any time prior to the decision being reconsidered.
- (6) Subject to paragraph (4) the Clerk must place a call-in on the agenda of the overview and scrutiny committee specified in the notice prepared in accordance with paragraph (2).
- (7) The overview and scrutiny committee must meet within 5 working days of receipt of the call-in.
- (8) More than one call-in may be considered at a meeting of an overview and scrutiny committee.
- (9) Subject to paragraph (10), the consideration of a matter under paragraph (5) by an overview and scrutiny committee may be adjourned, provided that:
  - (a) the Mayor / Chair presiding at the meeting; *and*
  - (b) the Mayor / Chair of the executiveagree a date for the resumption of consideration of the call-in request.
- (10) A meeting convened in accordance with paragraph (6) may only be adjourned under paragraph (9) in order to:
  - (a) allow for additional information to be obtained; *or*
  - (b) permit additional witnesses to attend.
- (11) The Members who submitted the call-in, or a Member on their behalf, must be invited to attend the meeting at which the decision subject to the call-in is considered and may, upon the request of the Mayor / Chair, address the meeting, but must not have voting rights, unless they are Members of the overview and scrutiny committee.
- (12) In response to a call-in made in accordance with section 41(1)(a) of the 2014 Act, an overview and scrutiny committee may:
  - (a) support the decision; *or*
  - (b) refer the decision, along with the recommendation of the overview and scrutiny committee, back to the decision maker.
- (13) Where a decision has been supported in accordance with paragraph (11), that decision must:
  - (a) be approved;
  - (b) be inserted in the Register of Decisions; *and*



- (c) become operative from the date of the meeting at which the overview and scrutiny committee confirmed support for the decision.
- (14) Where a decision has been referred back to a decision maker in accordance with paragraph (12)(b), the decision maker must:
- (a) consider the recommendation of the overview and scrutiny committee;  
*and*
  - (b) reconsider the original decision.

**21 Positions of Responsibility, etc. – Time Limits**

[The specification of the period within which the nominating officer of a political party should exercise the powers conferred by paragraphs 2(1), 4(1) and 6(1), and for the person nominated to take up the position of responsibility is a statutory requirement under Schedule 1 to the 2014 Act]

- (1) At the first Annual Meeting of the new term of the Council, in relation to positions of responsibility selected in accordance with Schedule 1 of the 2014 Act, a 15 minute period is specified for the nominating officer to state the selections.
- (2) An extension to the period specified in subparagraph (1) may be granted subject to the approval of the Council. Such an extension may be requested by:
  - (a) the nominating officer;
  - (b) the person nominated to hold the selected position; or
  - (c) another Member.

**22 Appointment of More Than One Committee**

[The specification of the application of paragraphs 2 to 4 of Schedule 2 to the 2014 Act in the circumstances where a council decides to appoint more than one committee is a statutory requirement]

- (1) Where the Council appoints more than one committee at the same meeting in accordance with paragraph 5 of Schedule 2 to the 2014 Act, for the purposes of determining the number of places that must be allocated across the parties and independent Members of the Council, it must agree –
  - (a) the number of committees to be appointed; and
  - (b) the number of councillors that shall constitute the Membership of each committee.
- (2) The total number of places to which a nominating officer of a party may nominate Members who stood in the name of that party when elected must be calculated in accordance with paragraphs 2 to 4 of Schedule 2 to the 2014 Act and any resolution of the Council made thereunder.
- (3) A nominating officer's function under paragraph 2(1)(b) of Schedule 2 to the 2014 Act must be exercised in such manner as to ensure that –

- (a) all the Members of a committee are not nominated by the same nominating officer;
  - (b) a nominating officer of a party may nominate Members who stood in the name of that party to fill the majority of places on a committee, if the majority of Members stood in the name of that party; and
  - (c) subject to (a) and (b), the number of Members which each nominating officer of a party may nominate, in so far as far as is practicable, bears the same proportion to the number of places on that committee as is borne by the number of Members on the Council who stood in the name of that party.
- (4) Nominations made in accordance with paragraph (3) must take into account any positions of responsibility on a committee held by a Member who stood in the name of a party. Nominating officers can swap committee members as required but this should be communicated to the chair, chief executive and chief officer prior to the meeting..

## **23 Rescission of a Preceding Resolution**

- (1) No motion to rescind any resolution passed within the preceding **six months**, and no motion or amendment to the same effect as one which has been rejected within the preceding **six months**, shall be proposed by a Member unless the notice thereof given in pursuance of Standing Order 15.1 bears the names of at least **15 per cent** of the Members of the Council.
- (2) When any such motion or amendment has been disposed of by the Council, it shall not be open to any Member to propose a similar motion within a further period of **six months**.
- (3) This Standing Order shall not apply to motions moved in pursuance of a recommendation of a committee or a call-in

## **24 Members Conduct**

### **24.1 Mayor / Chair Precedence**

When the Mayor / Chair speaks during a debate, any Member speaking at the time must stop. The meeting must be silent.

### **24.2 Member not to be Heard Further**

If at a meeting any Member of the Council, misconducts himself/herself by persistently disregarding the ruling of the chair, or by behaving irregularly, improperly or offensively or by willfully obstructing the business of the Council, having given due warning, the Mayor / Chair or any other Member may move "*that the Member named be not further heard*". The motion, if seconded, shall be put and determined without discussion.

### **24.3 Member to Leave the Meeting**

If the Member named continues to behave improperly after such a motion is carried, the Mayor / Chair or any other Member may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

#### 24.4 General Disturbance

When the Mayor / Chair is of the opinion that the due and orderly dispatch of business is impossible, he/she in addition to any other powers vested in him/her may, without question put, adjourn the meeting of the Council for such period as he/she in his/her discretion shall consider expedient.

### 25 Disturbance by Public

#### 25.1 Removal of Member of the Public

If a Member of the public interrupts proceedings, the Mayor / Chair will warn the person concerned. If they continue to interrupt, the Mayor / Chair will order their removal from the meeting room.

#### 25.2 Clearance of Part of Meeting Room

If there is a general disturbance in any part of the meeting room open to the public, the Mayor / Chair may call for that part to be cleared.

### 26 Suspension and Amendment of Standing Orders

#### 26.1 Suspension

A Member may move a motion for the suspension of one or more of these Council Standing Orders. A motion under this Standing Order shall require the support of a qualified majority within the meaning of section 40 of the 2014 Act. Suspension can only be for the duration of the meeting. The Minutes of the Meeting must record the reason for the suspension.

#### 26.2 Amendment

Any motion to add to, vary or revoke these Standing Orders will, when proposed and seconded, stand adjourned without discussion to the next ordinary Meeting of the Council. The mandatory standing orders may not be added to, varied or revoked by the Council.

### 27 Interpretation of Standing Orders

The ruling of the Mayor / Chair as to the interpretation, construction or application of any of these Standing Orders or as to any proceedings of the Council, shall not be challenged at any Meeting of the Council.

### 28 Changes to the Council Constitution

28.1 Unless expressly provided for in the Constitution, 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.

28.2 The Council will also 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.

### 29 Protocol for the Operation of the Planning Committee

The Council requires members of the Planning Committee to follow the recommendations contained in the 'Protocol for the Operation of Planning Committees' at all times. A copy of the Protocol for the Operation of Planning Committees is attached as **Annex D**.

30 **Review of Standing Orders**

These Standing Orders shall be reviewed on an annual basis.

**List of Annexes:**

- A. Protocol for receiving Deputations
- B. Ceremonial protocol: Conferring the Freedom of the Borough
- C. Ceremonial/Mayoral protocol
- D. Protocol for the Operation of the Causeway Coast and Glens Planning Committee

## Protocol for receiving Deputations

### 1.0 Receipt of Requests for Deputations

- 1.1 In accordance with Standing Order 11 (1), deputations, from any source, shall only be admitted to address the Council provided the Clerk (Chief Executive) has received **7 days' notice** of the intended deputation and a statement of its objective.
- 1.2 Requests for deputations shall be received in writing by the Chief Executive giving clear details of the subject matter of the deputation.
- 1.3 A register will be maintained of all requests for deputations received. Each request will be date stamped on receipt and a note of the time received also recorded. An acknowledgment of receipt will be forwarded to the organisation making the request.
- 1.4 Requests for deputations shall be considered in chronological order, ie by the date and time in which they have been received.
- 1.5 Deputations relating to the business of the Planning Committee shall not be dealt with under these arrangements. The procedure for the public to address the Planning Committee have a specific separate protocol.

### 2.0 Allocation of Deputations

- 2.1 The Chief Executive will make an initial decision as to the most appropriate meeting a deputation should be allocated to, either a meeting of the Council, a workshop in the Council Chamber, or the most appropriate Committee of the Council. Normally requests will be assigned to a deputation workshop in the Council Chamber. For such workshops the media can be invited at the discretion of the Mayor.
- 2.2 The Chief Executive will normally advise and consult with the Mayor or Committee Chair with regard to receiving deputations. Deputations are to be relevant to the business of the Council. In the first instance, presentations should be directed to meet with the relevant Council service; after which the Chief Executive shall advise on the suitability for consideration at a deputation workshop.
- 2.3 Outside of a deputations workshop, not more than one deputation shall be received at any one meeting of the Council or its Committees.
- 2.4 When a deputation has been received at a meeting of the Council or its Committees, no further deputation from the same organisation to the same or similar effect shall be received for a period of six months.
- 2.5 In relation to requests to receive an urgent deputation, the Chief Executive will consult the Mayor or appropriate Committee Chair on receiving this deputation.

### **3.0 Procedure for Hearing Deputations**

- 3.1 Deputations will be received in accordance with Standing Order 12 which outlines the Order of Business at every meeting of Council.
- 3.2 Standing Order 11 (2) requires that a deputation shall be confined to the presentation of a statement, or a copy of resolutions, and shall not make more than two short addresses by any two members of the deputation. Without exception the totality of the address shall not exceed **10 minutes**.
- 3.3 A deputation shall be made up of no more than **5** representatives whose names will have been provided to Council Officers **7 days** in advance of the meeting.
- 3.4 The deputation has a total of 10 minutes in which to make its address. A further 15 minutes can be allocated to allow Members to ask questions of the deputation but, if required, this question and answer period may be extended by the agreement of Members at the meeting. Questions by Elected Members should be brief.
- 3.5 Following receipt of a deputation, the Council or Committee may decide to refer the matter for a report from relevant Council Officers or refer the matter for further discussion at an appropriate Council or Committee meeting.

**Ceremonial protocol: Conferring the Freedom of the Borough**

1. Members may propose to confer the Freedom of the Borough on individuals or organisations whose contribution to the Council area is deemed worthy of official recognition. The process shall be instigated by a notice of motion and should include a three hundred word citation that explains the nomination.
2. Consideration of the proposal shall take place at a Special meeting of the Council.
3. The decision to award the Freedom of the Borough shall be made by a simple majority vote of the Members attending the Special Meeting.
4. The Freedom of the Borough will be conferred to the recipient by the Mayor at a special event to be arranged by the Council's Democratic Services team.

## Mayoral protocol

### 1. Introduction

#### 1.1 The Mayor

The Mayor of the Borough is the community's First Citizen. This is not a party political role and the incumbent will always be mindful of the dignity of the office. This protocol has been developed to provide information and guidance during the term of office to the Mayor and Civic Support staff. This protocol is a working document which may be updated as additional information becomes available which may be of assistance in the future.

### 2. Duties and Responsibilities of the Mayor

#### 2.1 As Mayor of the Borough the Mayor has a number of duties and responsibilities, including:

- Presiding over Council Meetings and ensure that the agenda is correctly followed.<sup>1</sup>
- Having the casting vote in the event of a tie.
- Ensuring that legal advice is properly considered.
- Promoting and raising awareness of the Council's main objectives and priority issues.
- Encouraging and supporting all aspects of life in the Borough by attending civic and public events.
- Receiving distinguished visitors to the Borough.
- Acting as host on behalf of the Council and the citizens of the Borough at civic functions.
- Acting as a spokesperson to the local, national and international media.
- Providing an appropriate response on behalf of the Council at times of local, national and international catastrophe.
- Supporting and encouraging charitable and other appeals as appropriate.
- Promoting the Borough business, commercial, cultural and social life.
- Promoting the Borough as a place of excellence in which to live to do business and as a tourist destination.
- Uphold the Constitution and the Standing Orders of the Council.

#### 2.2 Deputy Mayor

The purpose of the position of Deputy Mayor is to deputise for the Mayor when the Mayor is unable to fulfil the duties of the post, at the request of the Mayor.

#### 2.3 Form of address

When addressing the Mayor the correct term is 'Mr Mayor' or if it is a female in office 'Madam Mayor'.

#### 2.4 Mayoress / Consort

This role is usually bestowed on the spouse or partner of the Mayor. However, the Mayor may choose to appoint a spouse, partner, friend or relative of either sex. In

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<sup>1</sup> Refer to Council's Standing Orders for further detail.



carrying out their roles the Mayor, Deputy Mayor and consort should consider the public nature of their office.

### **3. Mayors' Parlours**

The Mayor's Parlour is for the Mayor's use to meet with guests and to have meetings, when required. There are facilities for the Mayor to have refreshments. The Mayor will be supplied with the access codes to gain entry when appointed. The Deputy Mayor can use any of the Mayors' Parlours when deputising. No-one should use the Parlour without the Mayor's permission.

### **4. Civic Functions**

The Mayor will be the presiding member at all civic receptions/functions or in the absence of the Mayor, the Deputy Mayor. District Electoral Area councillors are to be informed or invited as appropriate. Civic functions can be requested by councillors for constituents or groups deemed worthy of recognition.

### **5. Precedence at Civic Events**

**5.1** The Mayor takes precedence over all persons in the Borough. The only exceptions are if Her Majesty's Lord Lieutenant or member of the Royal Family is present. At civic events organised by Council the order of precedence will be as follows.

1. Mayor (and Mayoress/Consort, if present);
2. Deputy Mayor (and Deputy Mayoress/Consort if present);
3. Member of Parliament;
4. Mayor's Chaplain (where appropriate);
5. Chief Executive.

In the event of any need to amend this order the order of precedence will be determined by the Chief Executive.

### **6. Mayor's Engagements**

#### **6.1 Invitations**

It is essential that all invitations are received in the Mayor's Office and routed through the Civic Support Officer. This includes invitations that arise internally from Officers or Elected Members. The Mayor should not accept any invitations verbally but rather refer the requestor to the Mayor's Office.

#### **6.2 Booking Form**

The Mayor's Office produces a form (Request for the Attendance of the Mayor) which aims to cover all the information required for the Mayor to attend an event. The form is available from the Mayor's Office or Council's website. The booking form is sent out in response to all invitations, including those received internally.

#### **6.3 Mayor's Diary**

The Mayor's Diary is managed by the Civic Support Officer. The Civic Support Office holds regular diary meetings with the Mayor to review invitations received. The previous month's diary should be shared retrospectively with all councillors.

## **6.4 Speeches**

The Mayor's Office does not write all of the Mayor's speeches. The Council's PR protocol covers the requirements regarding the production of Mayor's speeches.

## **7. Civic Regalia**

### **7.1 Chain of Office**

During the Mayor's term of office the Mayor's Chain is worn when carrying out official duties which shall be defined as:

- Attendance at civic events organised by the Council.
- Attendance at events where an official invitation has been issued to the Mayor in advance and details of the event have been supplied to the Civic Services Officer.
- Attendance at events organised by other councils as requested.
- The Mayor is encouraged to wear the chain at full meetings of the Council.

**7.2** The same applies when the Deputy Mayor is deputising for the Mayor.

**7.3** There may be exceptional circumstances when it is appropriate for both the Mayor and the Deputy Mayor to wear their chains of office at the same event. The Mayor and the Chief Executive will agree the events at which this is deemed appropriate.

## **8. Civic Support**

**8.1** The Chief Executive is available to advise and assist the Mayor and will meet with the Mayor regularly (twice monthly) on a Monday. The Chief Executive will brief the Mayor on matters pertaining to the Council which may impact on the Mayor's duties and on important or significant events.

**8.2** Operational support on a day-to-day basis is provided by the Civic Support Officer. The Civic Support Officer provides an administrative, event management and advisory support service for the Mayor and Deputy Mayor and is the first point of contact for the Mayor in relation to diary management, engagements, Mayor's events and general queries.

**8.3** The Civic Support Officer will ensure that there is regular liaison with the Mayor to meet his/her requirements and will adapt working practices, where possible, to meet those requirements.

**8.4** The Civic Support Officer is available Monday – Thursday, flexibility is possible. Cover on Fridays is provided by the Corporate Support team.

### **8.5 Contact information**

The Civic Support Officer is Eithne Doherty  
[mayorsoffice@causewaycoastandglens.gov.uk](mailto:mayorsoffice@causewaycoastandglens.gov.uk) Tel. (028) 7034 7010

**8.6** The Mayor can appoint a chaplain as appropriate and can agree deputisation if the Deputy Mayor is not available. This will normally be the chair or vice chair of the relevant committee.

## **9. Mayor's Charity/Donations**

### **9.1 Choosing a charity**

It is the Mayor's responsibility to choose a charity or charities to support during the term of office at the beginning of the mayoral year. Additional charities may be added during the year at the Mayor's discretion.

### **9.2 Support**

The primary role of the Mayor's Office is to ensure the smooth running of the Mayor's many civic engagements. Staff will attempt to support the Mayor in fundraising activities but thought must be given to how the Mayor and the Civic Support Officer can organise these.

### **9.3 The Mayor's Allowance**

The Mayor's Allowance of £24,000 can be used by the Mayor at his or her discretion. When considering an ad-hoc requests for support, the Mayor may wish to consider the following:

- Are other grant funding opportunities available;
- Priority is given to urgent good causes;
- Donations should not be made which directly benefit an individual, political party or organisation not open freely to the general public;
- Charitable assistance should not be given where it would have a detrimental impact on other Council's work or reputation.

## **10. Mayoral Hospitality**

**10.1** The provision of hospitality and gifts by the Mayor may take a number of forms depending on the nature of the event.

<b>Event</b>	<b>Example</b>	<b>Description</b>	<b>Arrangements made and provided by</b>	<b>Officer cover at event</b>
Meet the Mayor	Hosting visits from schools, groups, recognising local achievement	<ul style="list-style-type: none"> <li>• Held in Council building</li> <li>• Limited hospitality (beverage/snack)</li> <li>• Photo opportunity</li> <li>• Low value gift – e.g. pen, pencils</li> </ul>	Civic Support; liaising with other Directorates if required	Member of civic support team or appropriate Council department.
Mayoral reception	Recognising regional/national achievements or	<ul style="list-style-type: none"> <li>• Held in Mayor's Parlours</li> </ul>	Civic Support; liaising with other	Member of Civic Support team

Event	Example	Description	Arrangements made and provided by	Officer cover at event
	significant contribution to the Borough	<ul style="list-style-type: none"> <li>Light refreshments (drinks, sandwiches, finger buffet)</li> <li>Photo opportunity</li> <li>Low/medium value gift – e.g. keyring and pen/pencil</li> </ul>	Directorates if required	and/or officer from another department leading
Mayor's Charity Events	Concerts, dinners	<ul style="list-style-type: none"> <li>Can be hosted in external venues or Council building</li> <li>Hospitality offered at Mayor's discretion normally paid for through ticket sales</li> <li>Gifts – at Mayor's discretion</li> </ul>	Civic Support in partnership with charity	Civic Support as required, resources permitting
Delegations / Conferences		As for Meet the Mayor		
Courtesy Visits	VIP visitors to Borough	As for Mayoral Reception Gift at discretion of Mayor		
100 <sup>th</sup> birthday	On application or Mayor's request	Birthday card and gift		
Diamond Wedding Anniversary	On application or Mayor's request	60 <sup>th</sup> Wedding Anniversary card and gift		
End of year receptions	Mayor and Deputy Mayor to host modest events	To be held in the Mayor's Parlours as appropriate		

Gifts are to be declared and registered within 10 working days.

## 11. Annual Civic and other Events

The Council organises or participates in a series of major civic and other events which occur each year. A non-exhaustive overview is as follows:

Annual Programme of Events	Usual Time of Year	Principal Organisation
Armed Forces Day	June	The Royal British Legion
Airwaves (Airshow)	September	CCGBC Events Team
Remembrance Day	November	The Royal British Legion
Christmas Lights Switch On - various locations	December	CCGBC Events Team
Christmas Receptions	December	CCGBC Mayor's Office

North West 200	May	Coleraine and District Motorcycle Club
Lammas Fair	August	CCGBC Events Team
RNLI Raft Race	May	RNLI Portrush
Rathlin Sound Maritime Festival	May	CCGBC Events Team

- 12.** The outgoing Mayor should consider their speech of thanks at the end of their term of office and welcome the new Mayor.

**Protocol for the Operation of the Causeway Coast and Glens Planning Committee  
(Revised November 2016)**

**1.0 Introduction**

**1.1** The Causeway Coast and Glens Borough Council, at its meeting held on 28<sup>th</sup> September 2016, agreed the revised 'Scheme of Delegation for Development Management, Development Plan, Enforcement and Other Planning Functions'. The revised Scheme of Delegation was agreed with the Department of Infrastructure on 28<sup>th</sup> October 2016 and takes effect on 7<sup>th</sup> November 2016. This revised document incorporates these revisions and sets out the detailed procedures of the Planning Committee that are not covered by the Council's Standing Orders and Councillors' Code of Conduct.

**1.2** The Protocol will cover the following:

- Preliminary Matters
- Remit of the Planning Committee
- Frequency of Meetings
- Referral of Delegated Applications
- Format of the Planning Committee meetings
- Decisions Contrary to Officer Recommendation
- Site Visits
- Pre-Determination Hearings

**2.0 Preliminary Matters**

**2.1** The following information will be circulated to Committee Members prior to the monthly Planning Committee meeting:

- A weekly list of all new planning applications received and planning applications decided will be circulated to all Elected Members. A summary report of performance in the processing of planning applications will be presented to Committee on a monthly basis.
- A list of all contentious delegated planning applications where the decision is ready to issue will be circulated to elected members on a weekly basis. A contentious application is one where the decision is to refuse permission or, where the decision is to approve but objections to the proposed development have been received. This list will be circulated to all elected members on the Tuesday of each week and uploaded onto the Council website. Elected members will have until 10am on the Monday of the following week to request a referral, in accordance with Part B of the 'Scheme of Delegation for Development Management, Enforcement and Other Planning Functions', otherwise the decision notice will issue.
- All Committee Members will be sent the agenda two weeks in advance of the meeting with a report on each planning application to be considered at the meeting by the Committee.

- Planning Officer shall prepare an addendum on the day of the Committee meeting to report any updates since the agenda issued.
- Planning Committee meetings should normally be open to the public.
- Substitute members shall not be permitted to deputise, unless agreed by both the Chair of the Committee and the Head of Planning, and only in exceptional circumstances.
- Legal representation may be in attendance at Committee.
- All members of Planning Committee must have taken the requisite training for either member or Chair role before they can sit on the Committee.

### **3.0 Remit of the Planning Committee**

**3.1 Development Management.** The main role of the Planning Committee is to consider applications made to Causeway Coast and Glens District Council as detailed in the adopted Scheme of Delegation and decide whether or not they should be approved. The decisions of the Planning Committee are taken under full delegated authority and will not go before full council for ratification.

**3.2 Development Plan.** The Planning Committee's role in relation to the local development plan is to approve the Plan Strategy and Local Policies Plan before it is passed by resolution of the full Council. The Planning Committee should ensure that the local development plan is monitored annually and reviewed every 5 years, giving consideration as to whether there is a need to change the Plan Strategy or Local Policies Plan.

**3.3 Enforcement.** The Planning Committee shall have an overview role of the enforcement function and officers shall prepare a quarterly report on the enforcement performance (number of cases opened, cases closed, notices issued and convictions obtained). The Planning Committee can request a report from officers on any enforcement matter but should not take a decision. Officers will exercise discretion when discussing sensitive enforcement matters at the Planning Committee to ensure possible future legal proceedings are not prejudiced.

### **4.0 Frequency of Planning Committees Meeting**

The Planning Committee will meet at least once every calendar month. Additional meetings will be at the discretion of the Chair of the Committee with the consent of the Committee Members. No meeting will take place in the month of July.

### **5.0 Referral of Delegated Applications to Planning Committee**

The Scheme of Delegation, approved at the Planning Committee held on 28<sup>th</sup> September 2016 and agreed with the Department for Infrastructure on 28<sup>th</sup> October 2016, taking effect from 7<sup>th</sup> November 2016, includes a procedure which allows for Elected Members and Head of Planning to request that the Planning Committee considers an application rather than it being delegated to Officers. Members of the public will not be able to directly request this procedure. Any referral by an elected member of Council must be based on clearly specified planning grounds supported by two Planning Committee elected members. The request should be made in writing to the Head of Planning or emailed to [planning@causewaycoastandglens.gov.uk](mailto:planning@causewaycoastandglens.gov.uk).

The Elected Member who makes the referral request may address the Planning Committee meeting at which the application is to be decided.

## **6.0 Format of Planning Committee Meetings**

**6.1** The Committee meetings will be conducted following the below format:

- Notice of Meeting
- Apologies
- Declaration of Interests
- Approval of minutes of the previous meeting
- Order of Items and Confirmation of Registered Speakers
- Schedule of Planning Applications
- Performance Management Statistics report
- Development Plan matters
- Correspondence
- Enforcement matters
- Legal issues

**6.2** The following procedures will apply for each application:

**(i) Introduction of planning application by the planning officers**

*The planning officer presents the application and makes a recommendation on whether the application should be approved, approved with conditions or refused. Plans and photographs may be shown to demonstrate the proposals.*

**(ii) Elected Members Questions to Planning Officer**

*Members can ask points of clarification from the Officer*

**(iii) Representations – Objector(s)**

*The Chair will welcome the speaker, including a reminder to keep to planning issues and the allocated time.*

*The total time allowed for representations from objectors will be a maximum of 5 minutes. Therefore if 2 objectors wish to address the Committee they will each have a maximum of 2 minutes and 30 seconds. A spokesperson for the objectors may address the Committee on behalf of all objectors. The Chair of the Committee may decide on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances. The maximum time allowed will be an additional 3 minutes.*

*No documentation shall be circulated at the meeting to Members by speakers.*

**(iv) Elected Members Questions to Objector(s)**

*Elected Members can ask points of clarification/fact from the objector(s).*

**(v) Representations on behalf of applicant – applicant, agent and supporter**

*The Chair will welcome the speaker, including a reminder to keep to planning issues and the allocated time.*

*The total time allowed for representations from applicant, agent or supporter will be a maximum of 5 minutes. Therefore if applicant and a supporter wish to address the Committee they will each have a maximum of 2 minutes and 30 seconds. A spokesperson for the supporters may address the Committee on behalf of all*



supporters. The Chair of the Committee may decide on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances. The maximum time allowed will be an additional 3 minutes.

No documentation shall be circulated at the meeting to Members by speakers.

**(vi) Elected Members questions to applicant, agent or supporter**

Elected Members can ask points of clarification/fact from the applicant, agent or supporter(s)

**(vii) Representation by Councillor, MLA and/or MP**

The Chair will welcome the speaker, including a reminder to keep to planning issues and the allocated time.

The total time allowed for representations by council members will be 5 minutes. Therefore if 2 Elected Members of the Council wish to address the Committee, each will have a maximum of 2 minutes and 30 seconds each. The Chair of the Committee may decide on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances. The maximum time allowed will be an additional 3 minutes.

MPs and MLAs will be permitted to address the Committee when they have been asked to represent their constituents. Proof of this fact must be received by the Head of Planning 5 working days prior to the date of the Committee meeting. The time allowed for representations from MPs and MLAs will be a maximum of 5 minutes. Therefore if both an MLA and MP wish to address the Committee they will have 2 minutes and 30 seconds each.

**No documentation shall be circulated to Members by speakers.**

**(viii) Planning Officer's comments**

Planning Officer shall clarify points raised by those who made representations to the Committee.

**(ix) Elected Members' debate including advice from Officers**

Elected Members debate on the planning issue with the aim of having a constructive discussion on the merits of the planning application.

**(x) Elected Members' decision**

If the debate appears to be contrary to the Planning Officer's recommendation the Chair may invite a proposal for non-support of the recommendation. If it appears to support the Officer's recommendation no action is necessary.

The Chair should ask the Committee if it is ready to vote on the application and provide a reminder of the motion and the implication of the vote in either direction.

Voting will be either electronically or a clear show of hands/voting cards. The Chair will have the casting vote.

Elected Members must be present in the Council chamber for the entire item, including the Officer's introduction and update; otherwise they cannot take part in the debate or vote on that item.

*Should Committee not agree with the Officer recommendation, Elected Members should discuss reasons for refusal and conditions to a proposal but cannot amend the application. Any additional conditions should be proposed and seconded before being voted on by Elected Members. Elected Members should be aware of the legal tests conditions need to meet if challenged. Conditions should be necessary, enforceable, reasonable and relevant to planning and the development under consideration. Comments should be invited from the Planning Officer or Head of Planning as necessary.*

*The reasons for any decision which are made contrary to the Planning Officers' recommendation must be formally recorded in the minutes and a copy placed on file.*

- 6.3** All parties wishing to address the Committee must register their wish to do so with the Council's Committee Clerk or email [planning@causewaycoastandglens.gov.uk](mailto:planning@causewaycoastandglens.gov.uk) **by 6pm 1 week before the meeting**. If an objector to an application speaks, the applicant or their agent will be allowed to respond even if they have not registered to speak in advance. The time allowed for the applicant or agent to speak in this instance will be a total of 3 minutes.
- 6.4** The Chairman may:
- (a) Suspend the public's right to speak if he/she considers it necessary to maintain order at the meeting; or,
  - (b) Vary the order of representations if he/she feels that it is convenient and will assist the Committee in dealing with the matter provided that it will not cause prejudice to the parties concerned.
- 6.5** In lieu of speaking, Council Members and members of the public may submit representations in writing for consideration by the Committee. Written representations must be received by the Head of Planning or via email through [planning@causewaycoastandglens.gov.uk](mailto:planning@causewaycoastandglens.gov.uk) at least 3 days prior to the Planning Committee meeting and will be reported to the Committee in an update report and circulated on the day of the meeting. The representations may be read out at the Committee provided there is sufficient time i.e. within the 5 minute timeframe, taking account of all speakers.
- 6.6** An application scheduled for determination at the Planning Committee will not be withdrawn from the schedule due to failure of interested parties registering their request to speak within the above specified timeframe.
- 6.7** An application may be withdrawn from the schedule at the Chair's discretion and only in exceptional circumstances.

## **7.0 Decisions Contrary to Officer Recommendation**

- 7.1** Some planning decisions are finely balanced and it is the prerogative of the Planning Committee to come to its conclusions and decision provided they are backed by sound, clear and logical planning reasons following an informed debate. The Committee Members can accept or give different weight to the various arguments and material considerations.

- 7.2** The Planning Officers/Head of Planning/Legal Adviser will have the opportunity to explain the implications of the Planning Committee's decision prior to the vote. Consideration will need to be given to whether such decisions will be capable of being defended on appeal to the Planning Appeals Commission with the potential for award of costs against the Council.
- 7.3** The reasons for any decision which are made contrary to the Planning Officer's recommendation must be formally recorded in the minutes and a copy placed on file.

## **8.0 Site Visits**

- 8.1** It is recognised that members of the Planning Committee may need to visit a site to help them make a decision on a planning application. For example, the proposal may be difficult to visualise or the application is particularly contentious.
- 8.2** The Head of Planning, in discussion with the Chair of the Committee, shall decide if a site visit would be beneficial and advise the Committee Members at least 4 working days prior to the Planning Committee Meeting at which the application is scheduled to be determined. Site visits will only be carried out where there are clear benefits.
- 8.3** An officer of Council should contact the applicant / agent to arrange access to the site where necessary. Invitations will be limited to members of the Planning Committee; Council Officers and consultees to the decision-making process and will be arranged for the morning of the Planning Committee meeting.
- 8.4** Site visits are not an opportunity to lobby Elected Members or be used to seek to influence the outcome of a proposal prior to the Planning Committee meeting. There shall be no public speaking on site visits.
- 8.5** Elected Members should not carry out their own unaccompanied site visits as there may be issues relating to permission for access to land. Furthermore, they will not have the information provided by the Planning Officer, and, in some circumstances, it might lead to allegations of bias.
- 8.6** Attendance of site visits is optional, but it is recommended that the full Planning Committee should attend site visits, unless there are exceptional reasons. The Council officer should record the date of the visit, attendees and any other relevant information.
- 8.7** The Planning Officer should prepare a written report on the site visit which should be presented to the Planning Committee Meeting at which the application is to be determined.

## **9.0 Pre-Determination Hearings**

- 9.1** The Planning Committee has a mandatory requirement to hold Pre-Determination Hearings for those major applications which have been referred to the Department for 'call-in' consideration, but have been returned to the Council for determination. The Planning Committee will be required to hold a Hearing prior to the application being determined. In addition, Councils may also hold Pre-Determination Hearings, at their own discretion, where

they consider it necessary, to take on board local community views, as well as those in support or against the proposed development.

- 9.2** The intention is to make the application process for major applications more inclusive and transparent by giving applicants and those who have submitted representations the opportunity to be heard by Council before it takes a decision.
  
- 9.3** It will be a matter for the Planning Committee to judge when a Pre-Determination Hearing is appropriate, taking account of the relevance of the objections in planning terms, the complexity of the application and level of pre-application community consultation.
  
- 9.4** When holding a Pre-Determination Hearing the procedures will be the same as the normal Planning Committee meetings. The Planning Officer will produce a report detailing the processing of the application to date and the planning issues to be considered. The number of individuals to speak on either side, time available etc will be agreed prior to the Hearing. If the Planning Committee decides to hold the Hearing on the same day as it wishes to determine the application, the Planning Officer's report should contain a recommendation. A power-point presentation as part of the speaking rights will be allowed at the Hearing.

# Causeway Coast and Glens Borough Council

## Scheme of Allowances Payable to Councillors

This scheme is made under the Local Government (Payments to Councillors) Regulations (Northern Ireland) 2012. The scheme has been prepared in accordance with the Department of the Environment's guidance on Councillor' allowances, issued in July 2016.

1. In this scheme:

- approved duties are as listed in Schedule 1, as provided for in the Local Government (Payments to Councillors) Regulations (Northern Ireland) 2012;
- Department means the Department of the Environment;
- Guidance means the Department of the Environment's guidance on Councillors' allowances, issued in July 2016; and
- Regulations means the Local Government (Payments to Councillors) Regulations (Northern Ireland) 2012.

**2. Basic Allowance**

2.1 Subject to sub-paragraph 2.3 and paragraph 6 below, for the year ending on 31 March 2018, an annual basic allowance of £14,485 shall be paid to each member.

2.2 Not more than one basic allowance is payable to any councillor

**3. Mayor's, Deputy Mayor's and Special Responsibility Allowance**

3.1 For the year ending 31 March 2018, Mayor's, Deputy Mayor's and special responsibility allowances shall be paid to councillors as follows:

Mayor	£12,000
Deputy Mayor	£5,000
Partnership Panel Representative	£1,000
Committee Chair (x4)	£3,000
Audit Committee Chair	£750
Planning Committee member	£1,200

3.2 Subject to paragraph 3.4 and paragraph 6 below, the amount of each such allowance shall be the amount specified in paragraph 3.1. Regulation 5 of the 2012 Regulations stipulates that a special responsibility allowance must not be paid to more than 50% of the councillors in the Council.

3.3 Not more than one special responsibility allowance is payable to any councillor, in the event of a Councillor qualifying for more than one allocation the higher amount shall be paid.

#### **4. Dependants' Carer's Allowance**

- 4.1 Councillors are entitled to claim a dependants' carer's allowance towards reimbursement of actual reasonable costs necessarily incurred in providing care for a dependant while carrying out an approved duty.
- 4.2 A dependant lives with a claimant and is defined as:
- a child under 16 years old;
  - a child 16 years old or more, where there is medical/social work evidence that full-time care is required;
  - an adult with a recognised physical/mental disability where there is medical/social work evidence that full-time care is required; or
  - an elderly relative requiring full-time care.
- 4.3 A dependants' carer's allowance shall be payable based upon actual receipted costs. Payments shall be at the rates given in paragraph 4.4, which are subject to the limits determined by the Department.
- 4.4 For the year ending 31 March 2018, the hourly rate of dependants' carer's allowance for standard care shall be £7.50\*, and for specialised care shall be £15.00. The monthly maximum for standard care paid to individual councillors shall be £390, and the monthly maximum for specialised care shall be £780.

\* based on national living wage for age 25+

#### **5. Travel and Subsistence Allowances**

- 5.1 A councillor or committee member is entitled to claim travel and subsistence allowances where expenditure on travelling and subsistence has been necessarily incurred in connection with an approved duty as specified in Schedule 1.
- 5.2 The rates of travel allowance for travel by public transport shall not exceed the actual amount paid. Where reasonably available, the cheapest available form of public transport should be used, except in urgent cases.
- 5.3 The rates of travel allowance for travel by private vehicle shall be the amounts shown below, which are within the maxima determined by the Department.

<b>Type of Vehicle</b>	<b>Rate</b>
A pedal cycle	20.0p per mile
A motor cycle – all engine capacities	24.0p per mile

A motor car of cylinder capacity exceeding 450cc but not exceeding 999cc	46.9p per mile 13.7p per mile*
A motor car of cylinder capacity exceeding 999cc but not exceeding 1,199cc	52.2p per mile 14.4p per mile*
A motor car of cylinder capacity exceeding 1,199cc	65.0p per mile 16.4p per mile*
An electric car	45.0p per mile 25.0p per mile**
Passenger rate	5.0p per mile

\* National Joint Council for Local Government Services – casual user rates after 8,500 miles.

\*\* For mileage above 10,000 miles

5.4 The rates of subsistence shall be the amounts shown below, which are within the maxima determined by the Department.

Period/Meal	Rates (Ex VAT)	
	British Isles £	London £
An absence involving an <b>overnight stay only</b> , away from the normal place of residence	100.70	122.45
<b>Breakfast Allowance</b> (more than 4 hours away from the normal place of residence or, where approved by the council, a lesser period before 11am)	11.50	11.50
<b>Lunch Allowance</b> (more than 4 hours away from the normal place of residence or, where approved by the council, a lesser period including the period between 12 noon and 2pm)	13.50	13.50
<b>Tea Allowance</b> (more than 4 hours away from the normal place of residence or, where approved by the council, a lesser period including the period between 3pm and 6pm)	4.70	4.70
<b>Evening Meal Allowance</b> (more than 4 hours away from the normal place of residence or, where approved by the council, a lesser period ending after 7pm)	20.95	20.95
Sub-total for meals	50.65	50.65
Total maximum rate (absence of 24 hours)	151.35	173.10

Note: **All** claims must be supported by appropriate receipts relating to actual expenses incurred.

## **6. Part-Year Entitlement**

- 6.1 This scheme may be revoked and amended at any time.
- 6.2 If an amendment to this scheme is made which affects the payment of a basic allowance or special responsibility allowance in the year in which the amendment is made, then in relation to each of the periods:
- (a) beginning with the year and ending with the day before that day on which the first amendment in that year takes effect; or
  - (b) beginning with the day on which an amendment takes effect and ending with the day before that day on which the next amendment takes effect, (if none) with the year,
- the entitlement to such allowance shall reflect the proportion of the year when entitlement existed.
- 6.3 Where the term of office of a councillor begins or ends other than at the beginning or end of a year, entitlement to a basic allowance shall reflect the proportion of the year when entitlement existed.
- 6.4 Where a councillor has during a part of, but not throughout, a year such special responsibilities as attract entitlement to a special responsibility allowance, that entitlement shall reflect the proportion of the year when entitlement existed.
- 6.5 Where a councillor is suspended or partially suspended from his or her responsibilities or duties as a councillor in accordance with Part 9 of the Local Government Act 2014 or regulations made under that Part or any subsequent re-enactment of it the proportion of the Basic Allowance payable will be withheld by the Council.

## **7. Claims and Payment**

- 7.1 Payments regarding basic allowance and special responsibility allowance shall be made in *instalments of one twelfth of the amount specified in this scheme on the third last banking day of each month.*
- 7.2 Claims for dependants' carer's allowance, travelling allowance or subsistence allowance should be made in writing within three months, and should be accompanied by receipts, where appropriate.



## SCHEDULE 1

In accordance with Regulations, only the following are specified as the duties in respect of which basic allowance, dependants' carers' allowances, and travel and subsistence allowances are available.

1. attendance at a meeting of the council;
2. attendance at a meeting of a committee of the council;
3. attendance at a meeting of a sub-committee of the council;
4. attendance at a meeting of a joint committee;
5. attendance at a meeting of a sub-committee of a joint committee;
6. attendance at a meeting of a group committee established under the provisions of the Local Government (Employment of Group Building Control Staff) (Northern Ireland) 1994 or the Local Government (Employment of Group Environmental Health Staff) Order (Northern Ireland) 1994; or
7. the doing of anything approved by a council or anything of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the council, or any of its committees or sub-committees, or as the case may be, of the joint committee or any of its sub-committees.

A site visit is now included in the list of approved duties and a site visit is defined as a visit made by a councillor in connection with an application for planning permission:

- which has been referred to a council for consultation under Article 15(a) of the Planning (General Development) Order (Northern Ireland) 1993; or
- at the request of the applicant for that planning permission, or the agent of an applicant, or at the request of an objector to that application.

Regarding Point 7, specific duties approved by Council include:-

- Conferences, Courses and Seminars
- Civic Functions
- Official & Courtesy Visits
- Special Council Meetings
- Attendance at a meeting of a working group/sub-committee of the Council, or other meeting related to the functions of the Council.
- Meetings of all outside bodies to which councillors are appointed, and meetings at which representation is required by councillors as a result of sitting on various groups/committees. Membership of these bodies has been rolled forward until the end of the Council term. Any member not wishing to be on an outside body can be replaced by a party colleague or if the party does not wish to retain the position, an alternative can be nominated at an appropriate Committee meeting of Council.