

Scheme of Delegation

Approved Date	20 May 2019
Review Date	June 2020
Related Legislation/Applicable Section of Legislation	Local Government Act (NI) 2014 Planning Act (NI) 2011 Local Government Act (NI) 1972 Various other legislation as listed in the Scheme
Related Policies, Procedures, Guidelines, Standards, Frameworks	Mid and East Antrim Borough Council Constitution Standing Orders Committee Terms of Reference Various Council Policies
Replaces	Scheme of Delegation - approved September 2017
Policy Lead (Name/Position/Contact details)	Chief Executive Head of Corporate Services
Sponsor Directorate	Chief Executive
Version	8

## Revision record

Date	Version	Revision Description
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04/02/16	2.a - in draft	Revised draft for SMT consideration
25/02/16	2.b - in draft	Draft for SMT consideration - incorporating initial feedback
29/02/16	2	Approved by Council - 07/03/16
10/05/17	3.a	Revisions for SMT consideration
17/05/17	3.a.2	Additional revisions for SMT
23.05.17	3	Draft for consideration at P&R
06/06/17	4	Draft (Final) to AGM
04/09/17	5	Amendment agreed by Policy & Resources Committee 14.08.17 and approved by Full Council
05/06/18	6	Revisions for 2018 AGM
20/03/19	7	Revisions Presented to Council
20/05/19	8	Presented to AGM

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## Introduction

As part of Mid and East Antrim Borough **Council's** commitment to setting and securing the highest standards in decision making, a Scheme of Delegation has been developed.

A Scheme of Delegation provides the framework and guidance for the powers delegated to Committees of Council and to senior Officers within the Council. Each of the predecessor Councils operated under an approved Scheme of Delegation.

In the absence of a decision by the Council to the contrary, all its powers would have to be exercised through meetings of the full Council. This would mean that all decisions, no matter how large or small, would need to be taken at meetings of the full Council.

**In recognition that this would be unworkable and may detract from the Council's** aims and values, the Council has the power to delegate certain decision- making. The discretion to exercise this power is provided under section 7 of the Local Government Act (Northern Ireland) 2014.

The Local Government Act sets out the powers which full Council must exercise and cannot be delegated. It also sets out a number of powers which can be delegated from the full Council to a Committee or Officer.

The Planning Act (Northern Ireland) 2011 also sets out provisions relating to the exercise of the Planning functions.

Any decision taken under a Delegated Power is considered to be a decision of the Council.

Mid and East Antrim Borough Council's Committee governance structure is set out below:

Meeting	Membership
Full Council	All 40 Elected Members
Planning Committee	12 Elected Members
Direct Services Committee	20 Elected Members
Borough Growth Committee	20 Elected Members
Policy & Resources Committee	20 Elected Members
Audit & Scrutiny Committee	8 Elected Member 1 Independent Member

All Committee Places were allocated to political parties at the Annual General Meeting on a proportional basis using the provisions contained within Schedule 2 of the Local Government Act (Northern Ireland) 2014 (ie Quota Greatest Remainder).

A Scheme of Delegation will cover the extent of delegation across the Council. This will include:

- Powers which cannot be delegated by Council i.e. must remain with Full Council
- Powers delegated to a Committee of Council
- Powers delegated to an Officer of Council

As part of the development of the Scheme of Delegation, a number of key elements are considered:

Committee Terms of Reference

Council currently operates six committees. Each Committee has an agreed Terms of Reference, which is subject to regular review.

### Scheme of Delegation for Planning Committee

As part of the preparation for the transfer of Planning functions, the Scheme of Delegation relating to decision making at the Planning Committee was agreed at the meeting of Council in January 2015. This Scheme of Delegation relating to the Planning Committee is incorporated into the overall Scheme of Delegation for Mid and East Antrim, and is subject to regular review. This scheme is set out at page 17.

### Regulatory Services

As part of the normal business practice of the regulatory services within Council, a number of Officers have been authorised to discharge functions relating to Environmental Health and Building Control. This includes serving statutory notices, implementing legislation, and discharging liabilities in accordance with legislation.

### Other service areas - eg HR, Grants

There are a range of other services areas which may be included in a Scheme of Delegation, to ensure the efficient operation of Council business.

The Scheme of Delegation was originally agreed by Mid and East Antrim District Council in March 2015, for implementation from 1 April 2015. . The Chief Executive conducted a full review to consider the practical operation of the Scheme and to ensure administrative efficiency and changes in Council personnel were reflected. The revised Scheme was agreed by Council on 7 March 2016. The Scheme is subject to an annual review and is brought before the AGM for agreement.

## Section A - General Provisions

### 1. Context

- 1.1 Mid and East Antrim Borough Council is only able to do what the law empowers it to do. In the absence of a decision by the Council to the contrary, all of its powers would have to be exercised through meetings of the full Council. That is, all decisions no matter how large or how small would need to be taken at meetings of the full Council.
- 1.2 Recognising that this would be unworkable and would detract from the **Council's** aims and values, the Council has chosen, through this document, to exercise one of the powers available to it - the power to delegate.
- 1.3 There are, of course, some powers which the law says cannot be delegated and others which the Council chooses to keep for itself.
- 1.4 Every decision taken under delegated power is considered to be a decision of the Council.
- 1.5 This section of the Scheme describes how decision-making operates within the Council. The remaining sections detail the specific delegations that have been agreed by the Council.
- 1.6 This Scheme of Delegation is made by Mid and East Antrim Borough Council pursuant to Section 7 of the Local Government Act (Northern Ireland) 2014.
- 1.7 The Scheme specifies delegated functions together with the authorised Committee or Officer. Authority to take decisions and other action pursuant to this Scheme shall be exercised in the name of the delegated Officer, but not necessarily by him/her.



- 1.8 The Council, in pursuit of its powers under Section 47(A) of the Local Government Act (NI) 1972, having considered the competency of the Chief Executive, authorise that Officer to hold and maintain a list of all of authorised officers of the Council in their respective departments who are authorised to discharge any statutory provisions.

Any list will be made available to the public when requested.

- 1.9 Where the exercise of a delegated power involves considerations within the remit of another Director, the Officer exercising the power shall consult with the Chief Executive/relevant Director prior to taking any final decision.
- 1.10 Authority to exercise any delegated power shall include authority to take all reasonable necessary actions of an incidental or consequential nature.
- 1.11 The Scheme shall be reviewed annually and approved at **the Council's** Annual General Meeting.

## 2. Extent of Delegation

- 2.1 The Council can only delegate to a Committee, an Officer of the Council or a Joint Committee. Unless the Council states otherwise, Committees may further delegate to Officers.
- 2.2 Officers with delegated powers can delegate to other Officers but this does not release them from the responsibility arising from the exercise of the authority that has been delegated to them in this Scheme. When Officers further delegate their powers, they have to record this in writing.
- 2.3 Where a responsibility has been further delegated, there is nothing to prevent the Committee or person who was originally given delegated powers under this Scheme from dealing with the responsibility themselves or from withdrawing or amending the delegation.
- 2.4 The Scheme will apply to all permanent staff, temporary staff, agency and contract workers working for Mid and East Antrim Borough Council.
- 2.5 Every decision taken under a delegated power is considered to be a decision of the Council.

### 3. Reservations to the Council - Powers which cannot be delegated

- 3.1 In terms of the law, full Council must exercise certain responsibilities. However, there are also certain matters that the Council has chosen to deal with itself. These are detailed at Section B and the Council has decided that these powers will not be delegated.
- 3.2 The Council is the main scrutiny and debating forum for issues affecting the Borough and for the provision of democratic leadership and promotion of the **area's** well-being. It exercises Strategic Leadership for the area and promotes **the Council's vision and core** values.
- 3.3 **The Council's powers which cannot be delegated in legislation are set out in** the Local Government Act (Northern Ireland) 2014<sup>1</sup>. Mid and East Antrim Borough Council will not delegate the following functions:
- a) appointing the Mayor, Deputy Mayor and all positions of responsibility;
  - b) establishing Committees and determining the delegation of functions to these;
  - c) appointing Members to serve on Joint Committees;
  - d) making a district rate under the Rates (Northern Ireland) Order 1997;
  - e) making a determination under section 13(1) of the Local Government Finance Act (Northern Ireland) 2011 (affordable borrowing limit) and monitoring an amount determined under that subsection;
  - f) borrowing money;
  - g) acquiring or disposing of land;
  - h) approving, reviewing and amending the **Council's** Standing Orders, Scheme of Delegation, and Financial Regulations;
  - i) approving the strategic objectives and the corporate policies which may **have a significant impact on the Council's strategic objectives, corporate policies or its resources**;
  - j) making, altering or cancelling any Scheme made under any enactment;

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<sup>1</sup> In particular, part 3 – Positions of Responsibility and Part 4 – Discharge of Functions

- k) determining any process for the selection, appointment, payment or dismissal of the Chief Executive;
- l) determining whether to co-operate or combine with other local authorities in providing services;
- m) determining any issues relating to the maintenance of standards and conduct;
- n) determining the delegation of functions and powers to Committees;
- o) taking any other decisions which cannot by law be delegated to a Committee or Officer.

#### 4. Delegations to Committees

4.1 The Council wishes to ensure that its decision-making occurs in as efficient and effective a way as possible, whilst providing robust mechanisms to ensure transparency and accountability of the decision-making process.

4.2 Consequently, the Council has made provision in its Standing Orders, under Section 7 of the Local Government Act (Northern Ireland) 2014, for the establishment of the following Committees to discharge functions on its behalf:

- Planning Committee;
- Borough Growth Committee;
- Direct Services Committee;
- Policy and Resources Committee;
- Audit and Scrutiny Committee.

## 5. Delegations to Officers

- 5.1 The **Council's** approach to delegation has been influenced by its commitment to facilitate community participation in the decision-making process and to delegate to senior Officers.
- 5.2 Officers can be granted delegated powers by Council, a Committee or another Officer. The approach employed by the Council is to require delegations to **be to the Chief Executive and/ or one or more of the Council's Directors**, Heads of Service, Heads of Service sitting as a Decision Making Panel or other appropriate officers as detailed in Section D of the scheme.
- 5.3 As set out above, delegated authority granted to these Officers can be further delegated, however such delegation must be requested of the Chief Executive, who will maintain a register of such delegations.
- 5.4 Delegations that have been agreed for the Chief Executive and Directors are a mix of general delegations (that is, each of the Officers listed is similarly empowered) and specific delegations (that is, the delegations are specific to individual Officers). When exercising any delegated authority, Officers must have regard to a variety of stipulations that the Council has decided should govern and influence the exercise of delegated powers.
- 5.5 The only exceptions to the practice of routing all Officer delegations through the Chief Executive and Directors arise through statutory appointments. In terms of various statutes, the Council is required to appoint Officers for a variety of purposes. Officers appointed to perform these statutory functions are empowered to take the action that is implicit in their roles.
- 5.6 Council may require Officers to provide information about the exercise of certain specified categories of delegated authority. Additionally Officers may choose to make available such information about the exercise of other categories of delegated authority.

5.7 Council and relevant committees will regularly be provided with an overview of decisions either taken or about to be taken by Officers under delegated authority. Such decisions include, for example, those relating to certain planning applications, building certificate applications and some decisions relating to licensing and grant applications.

## 6. Review

- 6.1 This is Mid and East Antrim Borough **Council's** Scheme of Delegation. To ensure that it is fit for purpose, the Scheme will be subject to annual review and presented to Council at the AGM.
  
- 6.2 Between reviews, arrangements are made for the publication of amendments to the Scheme arising from decisions by Council or made necessary by changes in legislation or policy.



## SECTION B - Powers reserved to Council

1.1 **The Council's powers which cannot be delegated in legislation are set out in the Local Government Act (Northern Ireland) 2014<sup>2</sup>.** Mid and East Antrim Borough Council will not delegate the following functions:

- a) appointing the Mayor, Deputy Mayor and all positions of responsibility;
- b) establishing Committees and determining the delegation of functions to these;
- c) appointing Members to serve on Joint Committees;
- d) making a district rate under the Rates (Northern Ireland) Order 1997;
- e) making a determination under section 13(1) of the Local Government Finance Act (Northern Ireland) 2011 (affordable borrowing limit) and monitoring an amount determined under that subsection;
- f) borrowing money;
- g) acquiring or disposing of land;
- h) approving, reviewing and amending the **Council's** Standing Orders, Scheme of Delegation, and Financial Regulations;
- i) approving the strategic objectives and the corporate policies which may have a **significant impact on the Council's strategic objectives, corporate policies or its resources**;
- j) making, altering or cancelling any Scheme made under any enactment;
- k) determining any process for the selection, appointment, payment or dismissal of the Chief Executive;
- l) determining whether to co-operate or combine with other local authorities in providing services;
- m) determining any issues relating to the maintenance of standards and conduct;
- n) determining the delegation of functions and powers to Committees; and
- o) taking any other decisions which cannot by law be delegated to a Committee or Officer.

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<sup>2</sup> In particular, part x – Positions of Responsibility and Part x – Discharge of Functions

1.2 Section 7(1) of the Local Government Act (Northern Ireland) 2014 allows for Council to arrange for the discharge of all other functions by a committee, sub-committee, officer or any other council.

## SECTION C - Powers delegated to Committees

### 1. Planning Committee

Council has delegated to the Planning Committee those powers conferred upon it under the Planning Act (Northern Ireland) 2011 and Section 7 of the Local Government Act (Northern Ireland) 2014.

#### Scheme: Delegation of Planning Applications and Enforcement

The scheme of delegation for the determination of planning applications has been agreed by Mid and East Antrim Borough Council and approved by the Department of the Environment for Northern Ireland. The scheme of delegation is in accordance with Section 31 of The Planning Act (NI) 2011 and takes effect from 1 April 2015.

Part A - Mandatory applications for determination by the Planning Committee: Statutory requirements require that certain types of application must be determined by the planning committee and these cannot therefore be delegated to officers:

- Applications which fall within the Major category of development;
- An application for planning permission where the application is made by the council or an elected member of the council, and
- The application relates to land in which the council has an interest.

#### Part B - Delegated Applications:

The appointed person is the Head of Planning within the Council and those nominated by this officer.

To determine all local development applications whether for approval or refusal with the exception of:

- Applications attracting a local objection raising significant material planning considerations.
- Applications which are significant departures from the Development Plan and which are recommended for approval.
- Applications submitted by members of council staff at Planning Officer grade, and senior council staff at Head of Service grade and above.

- Applications attracting significant objections from statutory **consultees, where the officer's recommendation is to approve.**
- Applications where the Head of Planning considers that the proposal merits consideration by the Committee.
- A legal agreement is required.

#### Part C - Development Plan, Enforcement and Determination of Other Matters

As well as determining planning applications, the Council will also have to administer the enforcement of planning and the processing of other planning consents. Part 4 Section 7 (4) (b) Local Government Act (Northern Ireland) 2014 allows a council committee to delegate to an officer of the council.

The Planning Committee shall be required to consider and determine: -

- Agree the Plan Strategy and Local Policies Plan for the Council area prior to ratification by the full council.
- The making of a Tree Preservation Order, where there are unresolved objections to the provisional order.
- Confirmation of a Provisional Tree Preservation Order.
- Determination of Completion Notices.
- Determination of Discontinuance Notices.
- Determination of a Revocation Orders
- Modification and Discharge of Planning Agreements.
- Designation, variation or cancellation of a Conservation Area.
- Consultations from the Department on regionally significant planning applications, regional planning policy and planning legislation.

The following matters are delegated to the appointed officer:

- The research, analysis, evaluation of information and drafting of Plan Strategy and Local Policies Plan, including representing the Council at the Independent Examination.
- To monitor the uptake of zoned land within the Local Policies Plan.

- The serving of a provisional Tree Preservation Order.
- The investigation of formal planning enforcement proceedings through the issuing of enforcement notices, stop notices, temporary stop notices, fixed penalty notices, and planning contravention notices.
- The formal reporting of planning enforcement matters to the Public Prosecution Service/Commencement of proceedings in a Magistrates Court, subject to the Chairman and Vice Chairman of the Planning Committee being informed.
- Application to the Courts for Injunctions, subject to the Chairman and Vice Chair of the Planning Committee being informed.
- Authority to apply to the Magistrates Court for a warrant to enter land and/or buildings in accordance with the powers provided in the Planning Act (Northern Ireland) 2011.
- Determination of any application for a Certificate of Lawful Development.
- Determination of any application for Listed Building Consent.
- Determination of any application for Conservation Area Consent.
- Determination of any application for Advertisement Consent.
- Determination of any application for carry out works to trees.
- Determination of any Hazardous Substance Consent.
- Applications for Non Material Changes.
- Determination of applications for Certificates of Alternative Development Value.
- Determination of applications for Urgent Crown Development and Crown Listed Building Consent.
- The Serving of a Temporary Listed /Building Preservation Notice.
- Determination of a Correction Notice.
- Discharge of Planning Conditions.
- Registering Notices and Charges in the Statutory Charges Register.
- To make determinations under Section 46 (Power to Decline).

- To make determinations under Section 48 (Power to decline).
- Determination of the type of planning appeal and amendments to Councils case during the course of the appeal, subject to consultation with the Chair of the Planning Committee as deemed appropriate by the Head of Planning.
- Negotiating Section 76 Planning Agreements including developer contributions on planning applications prior to a final decision being taken by the Planning Committee.
- The preparation of evidence on behalf of Council and defending planning decisions at Planning Appeals, Independent Examinations and other Hearings.
- Responding to minor consultations on planning matters on behalf of the Council.
- In respect of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012 or any successor legislation, to
  - Issue screening opinions determining whether developments fall within Schedule (1) and (2).
  - Issue scoping opinions as to the information to be provided in any statement, and
  - Undertake appropriate consultations and notifications.
  - Determine whether an application should be accompanied by an Environmental Statement.
- In respect of the Planning (Management of Waste from Extractive Industries) Regulations (Northern Ireland 2015 or any successor, to
  - Consideration and approval of a waste management plan
- All other statutory powers connected to the exercise of the planning functions which have been transferred to Council and are not specifically listed shall be deemed to be delegated unless otherwise provided for within this scheme.

#### Part D - Publicity

The council has made a copy of this Scheme of Delegation available on the **Council's website at [www.midandeastantrim.gov.uk](http://www.midandeastantrim.gov.uk)**. It is also available on request at Mid and East Antrim Borough Council, Planning Department, County Hall, 182 Galgorm Road, Ballymena

A Public Notice has been placed in the local press.

2. Audit and Scrutiny Committee
  - 2.1 Council has delegated to the Audit and Scrutiny Committee those functions in relation to good governance.
  - 2.2 **All functions will be in line with the Committee's agreed Terms of Reference.**
  
3. Borough Growth Committee
  - 3.1 Council has delegated to the Borough Growth Committee those powers conferred on it under Article 8, Local Government (Miscellaneous Provisions) (Northern Ireland) Order 2002 and those functions transferring from central government.
  - 3.2 **All functions will be in line with the Committee's agreed Terms of Reference.**
  
4. Direct Services Committee
  - 4.1 Council has delegated to the Direct Services Committee those powers conferred on it under by the Local Government Act (Northern Ireland) 1972 and Parts 10 and 11 of the Local Government Act (Northern Ireland) 2014.
  - 4.2 **All functions will be in line with the Committee's agreed Terms of Reference.**
  
5. Policy and Resources Committee
  - 6.1 Council has delegated to the Policy and Resources Committee those powers conferred on it under the Local Government Finance Act (Northern Ireland) 2011 and functions related to the development of policy and effective financial management.
  - 6.2 **All functions will be in line with the Committee's agreed Terms of Reference.**

6. Miscellaneous

- 7.1 Council may establish Task and Finish Working Groups to address specific issues, and will delegate the appropriate powers to enable a working group to fulfil its terms of reference. Task and Finish Working Groups have no decision-making powers and make recommendations to their sponsor Committee.



## SECTION D - Powers delegated to Officers

### 1. Context

1.1 Under this Scheme, delegations can be made to the Clerk and Chief Executive and/or one or more of the following officers or groups of officers:

- Directors
- Heads of Service
- Directors sitting as SMT

Heads of Service sitting as a Decision Making Panel of OMT

1.2 Delegated authority granted to the above Officers can be further delegated (as per Section A, 2.2 and 5.4), however, this does not release the authorised Officer from the responsibility arising from the delegated power within this Scheme. Accountability remains with the authorised Officer as specified.

1.3 Delegations that have been agreed for the Clerk and Chief Executive and Directors are a combination of general delegations (that is, each of the named Officers specified is similarly empowered) and specific delegations (that is, the delegations are specific to individual Officers). When exercising any delegated authority, Officers must have regard to the variety of stipulations that govern and influence the exercise of delegated powers as summarised in Section D.

### 2. Stipulations governing the exercise of powers by Officers

2.1 Where the exercise of a delegated function requires consultation with the Mayor/Chairperson of a Committee, the Deputy Mayor/Vice- Chairperson of a Committee may act in the absence of non-availability of the Mayor/Chairperson.

2.2 Officers must use the authority delegated to them in:

- The interests of Mid and East Antrim Borough Council and in accordance with the provisions of this Scheme, Financial Regulations, Standing Orders and budgetary frameworks;
- Accordance with the corporate objectives and policies of the Council;
- Accordance with relevant legislation.

2.3 The Chief Executive and Directors, notwithstanding his/her power of delegation, may refer a matter to the relevant committee in any case involving controversy or unusual circumstances.

2.4 In exercising the authority delegated to them, Officers must consult with the Clerk and Chief Executive in respect of matters which are sensitive or complex in nature, or where legal, administrative, financial or other advice or guidance is necessary.

*(All recruitment (Council or Agency) is embargoed, with approval required from Chief Executive).*

2.5 Decisions made by officers under delegated authority are not subject to reconsideration under **‘Call-in’ Part 7, paragraph 41 of the Local Government Act (NI) 2014**, which applies only to decisions made by the Council or a Committee of the Council, the procedure for which is detailed in the Councils Standing Orders.

### 3. General Delegated Functions

It should be noted, that in cases where the delegation is given to:

- **‘Directors sitting as SMT: the requirement will be for a quorum of three SMT members present.**
- **‘Heads of Service sitting as a Decision Making Panel of OMT’: the requirement will be for a quorum of five OMT members present.**

	Function	Delegated Officer
3.1	Emergencies and cases of urgency	
3.1.1	<p>Taking such measures as may be required in emergency situations, or in cases of urgency, subject to advising the Mayor or the appropriate Chairperson and reporting to the appropriate Committee/full Council as soon as possible.</p> <p>Where such measures involve the Council incurring expenditure the Director of Finance should be advised and a report submitted to the Council and/or relevant committee as soon as possible thereafter.</p>	<p>Chief Executive</p> <p>All Directors</p>
3.2.	General administration	
3.2.1	Taking all necessary action for the effective day-to-day management, administration and supervision of the Department and of the services and premises for which the Chief Executive/Director/Head of Service is responsible.	<p>Chief Executive</p> <p>All Directors and Heads of Service</p>
3.2.2	<p>In accordance with the corporate priorities and key tasks set out in the Corporate and Service Plans, Officers are responsible for implementing relevant actions, initiatives and events provided that:</p> <ol style="list-style-type: none"> <li>The Service Plan has been approved by Committee prior to any decision being taken;</li> <li>The Committee is kept advised by means by regular reports in relation to the exercise of this delegated power;</li> <li>The expenditure arising for the exercise of such decisions shall be within the overall expenditure limited within the Service plan and the annual Council estimates.</li> </ol>	<p>Chief Executive</p> <p>All Directors and Heads of Service</p>

	Function	Delegated Officer
3.2.3	Paying or reimbursing employees the cost of professional fees where the Council has decided it is necessary for the employee to be a member of a professional institution in connection with the <b>carrying out of the employee's duties.</b>	Chief Executive All Directors Head of Operational Finance, ICT, Procurement & Governance
3.2.4	Authorising appropriate payments to employees with respect to telephone, travel and subsistence allowances, standby and call out allowances, overtime, additional duties, costs of study courses and removal and relocation expenses, in accordance with Council policies.	Chief Executive All Directors Relevant Officers in line with the Delegated Authority Levels approved by SMT
3.2.5	Writing off any loss of money (including bad debts) and loss of stores and obsolete equipment and materials in accordance with Financial Management Policy up to the values determined by Council policy (£3,000)	Chief Executive Director of Support Services
3.2.6	Power to deposit surplus monies for investment according to the provisions with the Treasury Management Strategy of Council	Chief Executive Director of Support Services Head of Strategic Finance

	Function	Delegated Officer
3.2.7	Powers for Officers to make allocation from the Council Grants Scheme up to the value of £2500	Chief Executive Heads of Service sitting as a Decision Making Panel of OMT
3.2.8	Authorising the virement of budgets.	Chief Executive Directors and Heads of Service
3.2.9	Approving payment to employees for damage to clothing, eye tests, etc. up to a limit of £500 where the damage is attributable to a work related cause.	Chief Executive Director of Support Services
3.2.10	Power to approve business cases, economic appraisals, feasibility studies, viability studies and concept designs on proposed capital development as set out in Appendix B.	Chief Executive Directors sitting as SMT Heads of Service sitting as a Decision Making Panel of OMT
3.2.11	Initiating legal proceeding with regard to the recovery of debts, the enforcement of contractual rights, the service of notices, the prosecution of statutory offences and the instituting and defending of claims and proceedings affecting the Council.  <b>Briefing Counsel and taking Counsel's opinion and engaging external legal assistance as required.</b>	Chief Executive Directors and Heads of Service Corporate Solicitor

	Function	Delegated Officer
3.2.12	Settling Insurance claims provided any settlement is <b>on the advice of the Council's insurance broker</b> , legal representations relevant Head of Service or Director.	Chief Executive Director of Support Services Heads of Service
3.2.13	Making bids for external funding subject to prior agreement by the relevant Committee, except where capital match funding is required from the Council or on-going revenue spend will be required, in which case approval must be obtained from Council before any bid is submitted. In circumstances where funding opportunities have a short application window, applications to be submitted subject to retrospective approval by Council and in the context that the application could be withdrawn if the approval is not granted.	Chief Executive Directors sitting as SMT
3.2.14	Review and approval of minor operational amendments to Council policies.  NB: any significant changes will require Council/Committee approval.	Chief Executive Directors sitting as SMT Heads of Service sitting as a Decision Making Panel of OMT

	Function	Delegated Officer
3.2.15	Power for Officers to make contributions to Associations, Partnerships etc up to the value of £10,000	Chief Executive  Directors sitting as SMT
3.2.16	Approval of requests to hold events on Council owned land, in line with appropriate procedures and standard requirements, provided that there are no issues identified, to be delegated to Decision-making panel of OMT.  In the event of a non-routine event, a new event or an event with potentially contentious issues, SMT would consider the request.  A monthly report will be provided to Council, copied to SMT for information purposes.	New or significant events: Chief Executive  Directors sitting as SMT  Heads of Service sitting as a Decision-making panel of OMT
3.2.17	Comments to Transport NI on applications and Renewals for Bus Operators Licences - authority granted to Chief Executive to respond in conjunction with Members and retrospectively report to Council through the Operations Committee	Chief Executive  Director of Operations
3.3	Procurement	
3.3.1	Procuring Goods and Services via quotations and <b>tender evaluations in line with Council's</b> Procurement Policy.	In line with the Procurement Policy
3.3.1.b	Procuring Goods and Services via Direct Award Contract (Previously known as Single Quote Actions and Single Tender Actions) in line with Procurement Policy.	In line with the Procurement Policy

	Function	Delegated Officer
3.3.2	Tender documents issued, received and opened using e-sourcing to ensure a full electronic audit trail is provided.	Chief Executive Head of Operational Finance, ICT, Procurement & Governance Procurement Officers
3.3.3	Procuring goods and services or works where the Council has approved the business case/economic appraisal and the award is in accordance with the predetermined award criteria	Chief Executive Directors and Heads of Service
3.3.4	Making arrangements for the supply of goods and services pursuant to S105, Local Government Act (Northern Ireland) 1972	Chief Executive Directors and Heads of Service
3.3.5	Taking action to ensure contract compliance and negotiating claims and contract variations.	Chief Executive Directors and Heads of Service Capital Works Manager
3.3.6	Signing of contractual documents in accordance with Council policy.	Chief Executive Directors and Heads of Service
3.3.7	Approving extensions and renewals to contracts where permissible within the original documentation and <b>subject to the Council's</b> Procurement Policy.	Chief Executive Directors and Heads of Service



	Function	Delegated Officer
3.3.8	Approving amendments or variations to contracts which will have an impact on the value of the Contract.	Chief Executive Directors  Heads of Service
3.3.9	Referring contracts to arbitration, terminating contracts, withholding payment, enforcing contract terms and serving notices in accordance with the <b>contract conditions and the Council's</b> Procurement Policy.	Chief Executive Directors  Heads of Service
3.4	Asset Management	
3.4.1	Serving Notices to Quit, Notices seeking possession <b>and tenant's notices in relation to Council property.</b>	Chief Executive  Director of Support Services  Corporate Solicitor
3.4.2	Management of leases, wayleaves and payments for same.  In accordance with policy and dependent on value.	Chief Executive  Directors sitting as SMT  Corporate Solicitor
3.4.3	Disposal of assets other than land and property as per the Asset Disposal Policy.	Chief Executive  Director of Support Services  Heads of Service
3.4.4	Power to renew existing lease agreements up to a value of £30k per annum - this includes approving adjusted rents in respect of leases at Council land or property, following completion of the rent review process in accordance with the provisions of the leases. (all new lease agreements will be brought before Council for approval)	Chief Executive  Director of Support Services  Corporate Solicitor

	Function	Delegated Officer
3.4.5	Agreement of Wayleaves to progress extension/updating of utility equipment on Council land or property	Chief Executive Director of Support Services Corporate Solicitor
3.4.6	Agreement of Conacre Agreements/short term licences/temporary easements in respect of all Council land or property	Chief Executive Head of Service Corporate Solicitor
3.4.7	Agreement of site investigation work, to include test boreholes, by potential purchasers of surplus Council land  Data Sharing Agreements	Chief Executive Director of Support Services Head of Service
3.4.8	Respond to Land & Property Services circulars in relation to disposal of surplus land in line with CAU guidance	Chief Executive Director of Support Services Head of Service
3.5	Human Resources	
3.5.1	Recruiting, selecting and appointing successful applicants to posts in line with the employment policies and practices adopted by Council	Chief Executive Directors  Head of Human Resources and Organisation Development, depending on the scale and reporting arrangements of post.

	Function	Delegated Officer
3.5.2	Recommending appointment above normal salary starting point (normal practice being appointment at the minimum of a salary grade band) in discussion with Human Resources and Organisational Development and in consultation with the relevant Head of Service.	Chief Executive Director of Support Services Head of HR & OD
3.5.3	Agreeing, where required, <b>“in consultation with the Finance Department”</b> to an overlap period for the appointment of employees provided this can be accommodated for within budget	Chief Executive Director of Support Services Head of HR & OD, depending on the scale and reporting arrangements of post.
3.5.4	Determining the grading of any post by utilising an appropriate job evaluation mechanism (this excludes approval to undertake a job evaluation in respect of specified posts, which remains the relevant committee).	Chief Executive Director of Support Services Head of HR & OD
3.5.5	Allowing/disallowing all requests for leave - of any kind- including requests for unpaid leave of absence in accordance with relevant Council policies and in consultation with the Head of Human Resources and Organisation Development where necessary.	Chief Executive Directors Heads of Service Line Managers in line with Council policies and procedures

	Function	Delegated Officer
3.5.6	Making arrangements for secondments and joint working with other Councils/external organisations	Chief Executive Head of HR & OD
3.5.7	Terminating temporary posts to undertake special tasks, duties or projects which are required for a limited period.  In such cases, the main purpose and duration of the temporary post will be clearly defined and no additional expenditure over and above provision in Service estimates will be incurred.	Chief Executive  Head of HR & OD depending on the scale and reporting arrangements of post.
3.5.7.a	Extending temporary posts including agency workers where budget is available within the service salaries budget in consultation with the Head of Service.	Chief Executive  OMT Decision Making Panel
3.5.8	Providing references for Council employees and ex-employees in consultation with the Head of Human Resources and Organisation Development. Note: this extends to employment references to agency workers.	Head of HR & OD
3.5.9	Taking management action in relation to sickness absence, in line with the <b>Council's Attendance Policy</b>	Line Managers in conjunction with the Head of HR & OD or relevant HR Manager or Adviser, in line with appropriate sickness absence policy and procedures

	Function	Delegated Officer
3.5.10	Making application for ill health or medical retirement in consultation with NILGOSC.	Chief Executive
3.5.11	<b>Taking action, in accordance with the Council's</b> employee relations policies and procedures - including but not limited to, grievances, dismissal and appeals as appropriate in respect of employees with the relevant service.	<b>In line with Council's</b> policies and procedures - with oversight by Head of HR & OD
3.5.12	Terminating or varying contracts of employment in accordance with all relevant Council policies	Chief Executive  All Directors and Heads of Service
3.5.13	Authorising any employees to attend training and development events, technical visits and courses including conferences, exhibitions, workshops, seminars and meetings of appropriate professional associations subject to any relevant policies of the Council.	In line with Council Policies  Directors  HR Manager/L & D Manager
3.5.14	Authorising payment of membership fees of professional organisations, where such membership is a requirement of the post and or listed in the Job Description/Person Specification.	Chief Executive  Head of HR & OD

	Function	Delegated Officer
3.5.15	Authority to approve acting up and honorarium requests in accordance with Council policy and the NJC Green Book terms and conditions. A quarterly report to SMT/OMT DMP provided.	Chief Executive Heads of Service sitting as a Decision Making Panel of OMT
3.5.16	Authority to approve carry-over of annual leave up to nine days.	All Line Managers in accordance with Policy
3.5.17	Authorisation of Business Case for a new position. Report for information to SMT/P&R.	Chief Executive Director of Support Services Head of HR & OD
3.5.18	Authorisation of Business Case for flexible retirement subject to costs being under £50k.	Chief Executive Directors sitting as SMT
3.6	Governance and Administrative	
3.6.1	Instructing the Corporate Solicitor to institute or defend proceedings in any court or tribunal.	Chief Executive Directors Corporate Solicitor
3.6.2	Authorising Officers to attend court and appear on behalf of the Council during Insurance legal claims.	Chief Executive Directors Heads of Service Corporate Solicitor
3.6.3	Applying to register any Land Charge, search the Land Charges Register pay any associated fee and request entries from Land Registry.	Chief Executive Director of Support Services Corporate Solicitor

	Function	Delegated Officer
3.6.4	Approving travelling and subsistence claims of Members in accordance with Council policies.	Chief Executive Democratic Services Manager
3.6.5	Approving expenditure on payments in respect of routine public entertainments and ceremonies <b>arising from the Council's civic functions, receiving</b> and entertaining distinguished persons and making official visits to others in accordance with pre-agreed budget	Chief Executive Director of Support Services Head of Corporate Services
3.6.6	Approval of resourcing the undertaking of Equality Impact Assessments (EQIA) where an EQIA is deemed necessary.	Chief Executive Head of Corporate Services
3.6.7	Deployment of Mobile CCTV camera, in line with the operational Guidance for CCTV	Chief Executive Director of Community Head of Public Protection, Health and Wellbeing
3.6.8	Transfer of excess NILAS allowances under the Landfill Allowance Scheme (NI) regulations (2004) in accordance with the NILAS Transfer Protocol, with updates provided to Operations Committee	Chief Executive Director of Operations

	Function	Delegated Officer
3.6.9	<p>Approval for OMT to temporarily close or divert a Public Right of Way Under Article 19 of the Access to the Countryside (Northern Ireland) Order 1983, which permits Councils to temporarily close a public path for a period up to three months and appropriate extensions.</p> <p>19.—(1) If, on the application of the occupier of land over which there is a public path or any other person, the district council is satisfied that it is expedient in the interests of good farming or forestry or otherwise temporarily to close or divert the path, the district council may order the closure or diversion of the path for such period, not exceeding three months, as may be specified in the order.</p> <p>(2) In deciding whether to make an order under paragraph (1) the district council shall take into account the interests of users of the path.</p> <p>(3) Before refusing to make an order under paragraph (1) the district council shall consult the Department.</p> <p>(4) On the making of an order under paragraph (1) the district council shall forthwith cause a copy of the order to be placed in a prominent position at the ends of the path close or diverted and maintained there throughout the period of closure or diversion.</p>	Head of Parks & Open Spaces
3.6.10	Cemetery Grave Certificates - Signatory on grave certificates to be signed by Head of Service for Parks & Open Spaces on behalf of Mid and East Antrim Borough Council.	Head of Parks & Open Spaces
3.7	Finance	
3.7.1	Approval of and revision, as required, of a list of authorised officers in relation to purchases and invoices.	<p>Chief Executive</p> <p>Head of Operational Finance, ICT, Procurement &amp; Governance</p>



3.7.2	Approve a list of counterparty financial institutions in line with Council Treasury Policy.	Chief Executive Director of Support Services Head of Strategic Finance
3.7.3	<b>Instruct Council's counterparty financial institutions</b> as to placing and refunding of Councils treasury deposits in line with the Treasury Policy.	Chief Executive Director of Support Services Head of Operational Finance, ICT, Procurement & Governance
3.7.4	Approve advanced payment of all monthly and weekly payroll, PCSP payroll, Elected Member allowances and payment of all suppliers (goods and services).	Chief Executive Director of Support Services Head of Operational Finance, ICT, Procurement & Governance Authorised signatories.
3.7.5	Authority to raise invoices to charge for the cost of services on behalf of Council, in line with Financial Management Policy and Procedures.	Chief Executive Directors Heads of Service Relevant Officers in line with Policy and Procedures

#### 4. Environmental Health Delegated Functions

4.1	Powers under under Part 8, paragraph 49(2) of the Local Government Act (NI) 2014	
4.1.1	The authorisation of staff in, or acting on behalf of, the Regulatory Service (where individual Officers are deemed proper and competent as specified in personal authorisation documentation) by the Head of Public Protection, Health and Wellbeing and Head of Planning and Building Control.	<p>Chief Executive</p> <p>Director of Community and Director of Development.</p> <p>Head of Planning and Building Control</p> <p>Head of Public Protection, Health and Wellbeing</p> <p>Environmental Health Manager</p>
4.1.2	The authorisation of staff to serve statutory notices, where individual Officers are deemed proper and competent (as specified in personal authorisation documentation) by the Head of Public Protection, Health and Wellbeing and Head of Planning and Building Control (or their deputy).	<p>Chief Executive</p> <p>Director of Community and Director of Development.</p> <p>Head of Planning and Building Control</p> <p>Head of Public Protection, Health and Wellbeing</p> <p>Environmental Health Manager</p>

4.1.3	The making of recommendations for prosecution or the service of a formal caution on behalf of Council (where legislative provisions permit) and referral of <b>case files to Council's Legal Services</b> for legal action on behalf of the Regulatory Service without prior approval of Council	Chief Executive Director of Community and Director of Development. Head of Planning and Building Control Head of Public Protection, Health and Wellbeing Environmental Health Manager
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4.2	Powers under Regulation EC No 882/2004 - Official controls on feed and food law	
4.2.1	The grant of approval (conditional or full) to establishments in relation to official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare, without prior approval of Council.	Chief Executive Director of Community Head of Public Protection, Health and Wellbeing Environmental Health Manager

4.3 A full list of legislation and the Officers who have delegated authority to exercise the functions and powers given to Council under this legislation is available at Appendix B.

## 5. Building Control Delegated Functions

5.1	Powers under The Building Regulations (Northern Ireland) Order 1979	
5.1.1	<p>Article 13 - Power to approve plans; power to reject plans</p> <p>Article 18 - Power to issue contravention notices in respect of work contravening building regulations.</p>	<p>Chief Executive</p> <p>Director of Development</p> <p>Head of Planning and Building Control</p> <p>Building Control Manager</p> <p>Senior Building Control Officer</p> <p>Building Regulation Manager</p>
5.2	The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995	
5.2.1	Article 11(7) - Power to issue notice on occupier of each house or other building in a street to ensure that house or building is at all times marked with such number as the council may approve.	<p>Chief Executive</p> <p>Director of Development</p> <p>Head of Planning and Building Control</p> <p>Building Regulation Manager</p>
5.3	Building Regulations (Northern Ireland) 2000	
5.3.1	<p>Article A12 - Power to issue Regularisation Certificates</p> <p>Article A13 - Power to issue Completion Certificates</p>	<p>Chief Executive</p> <p>Director of Development</p> <p>Head of Planning and Building Control</p> <p>Building Control Manager</p> <p>Senior Building Control Officer</p> <p>Building Regulation Manager</p>

5.4	Building Regulations (Northern Ireland) 2012	
5.4.1	<p>Article A11 - Power to issue type approval certificate</p> <p>Article A13 - Power to issue Regularisation Certificates</p> <p>Article A14 - Power to issue Completion Certificates</p>	<p>Chief Executive</p> <p>Director of Development</p> <p>Head of Planning and Building Control</p> <p>Building Control Manager</p> <p>Senior Building Control Officer</p> <p>Building Regulation Manager</p>
5.5	The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008	
5.5.1	Article 33 - Power to issue a Penalty Charge notice	<p>Chief Executive</p> <p>Director of Development</p> <p>Head of Planning and Building Control</p> <p>Building Control Manager</p> <p>Senior Building Control Officer</p> <p>Building Regulation Manager</p>
5.6	The Energy Performance of Buildings (Certificates and Inspections) (Amendment) Regulations (Northern Ireland) 2013	
5.6.1	Article 18 - Amendments to Power to issue a penalty charge notice	<p>Chief Executive</p> <p>Director of Development</p> <p>Head of Planning and Building Control</p> <p>Building Control Manager</p> <p>Senior Building Control Officer</p> <p>Building Regulation Manager</p>

5.7	The Towns Improvement Clauses Act 1847	
5.7.1	Section 75 as adopted by the Towns Improvement (Ireland) Act	Chief Executive Director of Development Head of Planning and Building Control Building Control Manager Senior Building Control Officer Building Regulation Manager
5.8	Towns Improvement (Ireland) Act 1854	
5.8.1	Section 39 (Ruinous & Dangerous Buildings)	Chief Executive Director of Development Head of Planning and Building Control Building Control Manager Senior Building Control Officer Building Regulation Manager
5.9	The Public Health Acts Amendment 1907	
5.9.1	Section 30 (Dangerous Places to be repaired or enclosed)	Chief Executive Director of Development Head of Planning and Building Control Building Control Manager Senior Building Control Officer Building Regulation Manager

5.10 A full list of legislation and the Officers who have delegated authority to exercise the functions and powers given to Council under this legislation is available at Appendix C.

## 6. Street Trading delegated functions

6.1	Street Trading Act (Northern Ireland) 2001	
6.1.1	Article 5, Grant Street trading License	Direct Services Committee
6.1.2	Article 5, Renewal of Street Trading License	Director of Community Head of Public Protection, Health and Wellbeing
6.1.3	Article 5, Variation of Street Trading Licence	Director of Community Head of Public Protection, Health and Wellbeing
6.1.4	Article 10, Revocation of Street Trading license	Direct Services Committee
6.1.5	Article 11, Variation of Street Trading License	Director of Community Head of Public Protection, Health and Wellbeing
6.1.6	Article 14, Issue of Temporary Licenses	Director of Community Head of Public Protection, Health and Wellbeing

7. Road Closure Order - Delegated Functions

7.1	The Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010	
7.1.1	Relevant Articles of The Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010	Chief Executive Director of Operations Director of Community Head of Public Protection, Health and Wellbeing Direct Services Committee Environmental Health Manager



## 7. Licensing

8.1	Local Government (Miscellaneous Provisions) (NI) Order 1985	
8.1.1	Article 3, Schedule 1, Item 3 - Grant of indoor and outdoor Entertainment License	Direct Services Committee
8.1.2	Article 3, Schedule 1, Item 3 - Renewal of indoor and outdoor Entertainment License	Director of Community Head of Public Protection, Health and Wellbeing
8.1.3	Article 3, Schedule 1, Item 3 - Transfer of indoor and outdoor Entertainment License	Director of Community Head of Public Protection, Health and Wellbeing
8.1.4	Article 3, Schedule 1, Item 7 - Variation of Entertainment License	Direct Services Committee
8.1.5	Article 3, Schedule 1, Item 12 - Suspension of Entertainment License	Direct Services Committee

8.2	The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order	
8.2.1	Article 111(2) Grant or Refuse Amusement Permit	Direct Services Committee
8.2.2	Article 115(2) Renew Amusement Permit	Director of Community Head of Public Protection, Health and Wellbeing
8.2.3	Article 115(2) Refuse to Renew Amusement Permit	Direct Services Committee
8.2.4	Article 136(3) Registration of Society Lottery	Director of Community Head of Public Protection, Health and Wellbeing
8.2.5	Article 136(5) Refusal to Register Society Lottery	Direct Services Committee
8.2.6	Article 136(10) Revoke the Registration of a Society Lottery	Direct Services Committee
8.3	Petroleum (Consolidation) Act (Northern Ireland) 1929	
8.3.1	Petroleum (Consolidation) Act (Northern Ireland) 1929 Section 4, Grant Petroleum License	Direct Services Committee

8.3.2	Petroleum (Consolidation) Act (Northern Ireland) 1929  Section 1(4) Transfer of Petroleum License	Director of Operations  Head of Public Protection, Health and Wellbeing
8.3.3	Petroleum (Consolidation) Act (Northern Ireland) 1929  Section 4 Renewal of Petroleum licence	Director of Community  Head of Public Protection, Health and Wellbeing
8.4	The Petroleum (Transfer of Licenses) Act (Northern Ireland) 1937	
8.4.1	The Petroleum (Transfer of Licenses) Act (Northern Ireland) 1937  Section 1(4) Transfer of Petroleum License	Director of Community and Head of Public Protection, Health and Wellbeing
8.5	The Marriage (Northern Ireland) Order 2003	
8.5.1	Article 18 Grant of a Place Approval or Temporary Place Approval for Marriage Ceremonies	Direct Services Committee
8.5.2	Renewal of a Place Approval for Marriage Ceremonies	Director of Community  Head of Public Protection, Health and Wellbeing
8.6	The Civil Partnership Act 2004	
8.6.1	Section 144 Grant of a Place Approval or Temporary Place  Approval for Civil Partnership Registrations	Direct Services Committee
8.6.2	Renewal of a Place Approval for Civil Partnership Registrations	Director of Community  Head of Public Protection, Health and Wellbeing

8.7	The Cinemas (Northern Ireland) Order 1991	
8.7.1	Article 3(2) Grant a Film Exhibition Licence	Direct Services Committee
8.7.2	Article 4(1) Grant Consent for Film Exhibitions for Children	Direct Services Committee
8.7.3	Articles 3, 4 &5 Renewal of a Film Exhibition Licence or Consent for Film Exhibitions for Children	Director of Community Head of Public Protection, Health and Wellbeing
8.7.4	Article 5(5) Transfer of Film Exhibition Licence or Consent for Film Exhibitions for Children	Director of Community Head of Public Protection, Health and Wellbeing

8.8	The Licensing of Pavement Cafes Act (Northern Ireland) 2014	
8.8.1	Section 4 - Grant or refusal of a licence	Direct Services Committee
8.8.2	Section 7 - Renewal of a licence	Director of Community Head of Public Protection, Health and Wellbeing
8.8.3	Section 8 & 9 - Variation of a licence	Director of Community Head of Public Protection, Health and Wellbeing
8.8.4	Section 14 - Revocation of a licence	Direct Services Committee
8.8.5	Section 15 - Suspension of a licence	Director of Community Head of Public Protection, Health and Wellbeing
8.8.	Sections 16, 17 & 18 - Compulsory variation of a licence	Director of Community Head of Public Protection, Health and Wellbeing

8.9	Houses in Multiple Occupation Act (Northern Ireland) 2016	Transferring function comes to Council as of 1 April 2019  In line with delegation for exiting licensing schemes
8.9.1	Grant or Refusal of Licence:	Direct Services Committee  Director of Community  Head of Public Protection, Health and Wellbeing
8.9.2	Renewal of Licence:	Director of Community  Head of Public Protection, Health and Wellbeing
8.9.3	Issue, extension or revocation of Temporary Exemption Notice	Director of Community  Head of Public Protection, Health and Wellbeing
8.9.4	Variation of Licence	Director of Community  Head of Public Protection, Health and Wellbeing
8.9.5	Revocation of Licence	Direct Services Committee  Director of Community  Head of Public Protection, Health and Wellbeing
8.9.6	Revocation of licence in cases of urgency after consultation with the Chief Executive and Council's Solicitor	Chief Executive  Director of Community  Head of Public Protection, Health and Wellbeing

8. Prosecution under the Local Government Act 1972

9.1	Local Government Act 1972	
9.1.1	Article 116, to prosecute non-compliance with Statutory Notice or non-payment of fixed penalty	Chief Executive Director of Community Director of Development Head of Planning and Building Control Head of Public Protection, Health and Wellbeing
9.1.2	Article 116, to prosecute in all other cases	Direct Services Committee

Scheme of authorised officers - Planning and Building Control

List of authorised officers available upon request.



Scheme of authorised officers - Public Protection, Health and Wellbeing

List of authorised officers available upon request.

Approval Thresholds

Table A shows the differences between approvers and approval thresholds currently being used for Direct Award Contracts (formerly known as Single Quote Actions and Single Tender Actions), Business Cases / Economic Appraisals and Tender Recommendations.

Table B shows the proposed approval thresholds which will align approvers and approval thresholds for Direct Award Contracts, Business Cases / Economic Appraisals and Tender Recommendations. The proposal also increases the levels of approval for OMT and SMT, which will allow Elected Members and SMT to allocate their time and resources to the delivery and management of items which are higher in value and strategic need.

Table A - Current Council Approval Thresholds

EXPENDITURE BANDS	DIRECT AWARDS CONTRACTS	BUSINESS CASES / ECONOMICAL APPRAISALS	TENDER RECOMMENDATIONS (of appointed suppliers)
£0 - £19,999.99	OMT Decision Making Panel	-	Central Procurement
£20,000 - £29,999.99	SMT	<u>Business Case</u> SMT / P&R	Central Procurement
£30,000 - £249,999.99	SMT + P&R	<u>Business Case</u> SMT / P&R	SMT (with business case) P&R (without business case)
£250,000 +	SMT + P&R	<u>Economic Appraisal</u> SMT / P&R	SMT (with business case) P&R (without business case)

Table B - Proposed Council Approval Threshold

EXPENDITURE BANDS	DIRECT AWARDS CONTRACTS	BUSINESS CASE / ECONOMICAL APPRAISALS	TENDER RECOMMENDATIONS (of appointed suppliers)
£0 - £49,999.99	OMT Decision Making Panel (Quorum 5 Heads of Service)	OMT Decision Making Panel	Central Procurement
£50,000 - £99,999.99	SMT (Quorum 3 Directors)	SMT	Central Procurement
£100,000 +	SMT / P&R	SMT / P&R	Central Procurement

## Reporting

Please note that Direct Awards Contracts are now reported for noting to The Audit & Scrutiny Committee on an annual basis and it is proposed that this would also **take place for Business Cases / Economic Appraisals which don't go to The Policy & Resources Committee** and for all Tender Recommendations.

Mid and East Antrim Borough Council  
Operational Management Team Decision Making Panel (DMP)

TERMS OF REFERENCE

## 1. Purpose/role of the Working Group

At the **Council's** AGM on Tuesday 7 June 2016 approval was given to a number of amendments to the Scheme of Delegation including the introduction of a '**Decision Making Panel**' (DMP) of members of Operational Management Team to improve efficiency on routine authorisations.

The Scheme of Delegation defines the DMP as Heads of Service sitting as a Decision Making Panel of OMT: the requirement will be for a quorum of five OMT members present.

Specific responsibility for authorisations delegated to the DMP are:

- Powers for Officers to make allocation from the Council Grants Scheme up to the value of £2,500;
- Approval of requests to hold events on Council owned land, in line with appropriate procedures and standard requirements, provided that there are no issues identified;
- Procuring Goods and Services via Direct Award Contracts and consideration of Business Cases as outlined in the Scheme of Delegation
- Approval of Interim Grant payments for Carrickfergus Townscape Heritage Initiative (THI)

In addition, as part of an ongoing process of streamlining HR permissions, the DMP will also consider the following HR permissions:

- HR Permissions in respect of recruitment of staff including new posts (which subsequently require permission of Council), applications for payment of honorariums, flexible working/retirement requests, career breaks and any other HR related matters which require approval and are supported by appropriate Policies where applicable.

## 2. Membership

The membership of the DMP has been agreed by SMT as follows:

- OMT Chair
- 4 other OMT Members/Heads of Service to include a spread of others across Directorates. (There is no bar on any Head of Service attending the DMP).

The DMP will be chaired by the OMT Chair, or another HOS in his or her absence provided there is a quorum of members.

### **3. Working arrangements**

The DMP will meet on a fortnightly basis or as frequently as is necessary to ensure expedient processing of decisions. Items may be circulated if necessary between meetings when important decisions are required.

The onus will be on the relevant Head of Service to attend meetings to ensure particular queries and papers are approved; alternatively, Heads of Service may nominate an appropriate, fully briefed member of staff to attend.

In order to achieve efficient use of resources and promote new ways of working, the DMP will make use of technology to do business by video conference or tele-conference where possible and keep the requirement for the travelling associated with face to face meetings to a minimum.

Administrative support will be provided in accordance with normal OMT arrangements with items being forwarded two working days prior to the meeting. A record of decisions will be maintained and updated to be stored on the M:drive with action notification of approvals as required.

Where a decision cannot be made because the DMP considers it to be outside its remit, the matter will be forwarded to SMT for approval.

The record of decisions of the DMP will be forwarded to SMT for noting.

### **4. Review**

The Chair will undertake a review of the DMP processes on an annual basis.

August 2019