



**Lisburn &  
Castlereagh  
City Council**

# **Standing Orders**

**Incorporating amendments required  
under the Local Government  
(Coronavirus) (Flexibility of District  
Council Meetings) Regulations  
(Northern Ireland) 2020 & Local  
Government (Meetings and  
Performance) Bill 2021**

**22 August 2023**

**Administrative update incorporated in June 2023 to reflect amendments to the Committee  
Structure agreed at Council in March 2023**

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*Text in red refers to temporary changes as a result of the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (Northern Ireland) 2020 and following the enactment of the Local Government (Meetings and Performance Bill)*

1. **Annual and Monthly Meetings**

- (1) The Council shall every year hold an Annual General Meeting.
- (2) In every year that is not a local election year the Council shall hold an Annual Meeting during the first week of the month in June.
- (3) In any year which is a Local Government 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.
- (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 at 19.00. Other meetings of the Council for the transaction of general business shall be held as the Council considers necessary.

*Under Regulation 2(1) The Council may alter the frequency or move, postpone or cancel such meetings without requirement for further notice.*

- (5) Meetings of the Council shall not take place on a Public or Bank Holiday, or a Sunday. When the date of a meeting falls on one of these days, the meeting shall be held on the next following weekday instead or as soon as possible thereafter as determined by the Mayor in consultation with the Chief Executive.

2. **Time and Place of Meetings**

The Annual Meeting and other meetings of the Council shall be held in the Council Chamber or at the location specified in the summons to attend the meeting, except where otherwise fixed by statute or by special summons.

*Under Regulation 3(1) a Council meeting is not limited to a meeting of persons, any of whom or all of whom, are present in the same place and any reference to a 'place' where the meeting is to be held. The Council Chamber includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.*

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 may call a meeting of the Council if a requisition for such a meeting, signed by five members or one-fifth of the whole number of Members, whichever is the greater, 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, any five Members or one-fifth of the whole number of Members, whichever is the greater, may on that refusal or on the expiration of that period forthwith call a meeting of the Council.

4. **Notice and Summons of Meetings**

Five days at least before a meeting of the Council, a Committee or Sub Committee:

- (1) notice of the time and place of the intended meeting shall be published at the offices of the Council or on the Council's website. 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 left at, or sent by ordinary post to the usual place of residence of every Member or electronically to an agreed email address. Want of service of this summons shall not affect the validity of a meeting;
- (3) except in the case of business required by statute, or where in the opinion of the Mayor of 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.

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.

6. **Chairperson of Meeting**

- (1) At a meeting of the Council, the Mayor of the Council, if present, shall preside.
- (2) If the Mayor of the Council is unable to attend a meeting of the Council, the Deputy Mayor of the Council, if present, shall preside.
- (3) If both the Mayor and Deputy Mayor are unable to attend a meeting of the Council, the nominating officer of the political party whose member is Mayor of the Council shall nominate a Member to preside in their absence.
- (4) If discussion arises on the allocation of the position of Mayor, the Clerk or Chief Officer shall exercise the powers of the Mayor to assist in the regulation of that discussion.
- (5) Any power of the Mayor 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 sub-paragraph 7.4, no business shall be transacted at a meeting of the Council unless at least one-quarter of the whole number of Members are present.

Under Regulation 3(3), reference to a Member being present, can refer to being present through remote attendance. A Member is in remote attendance if they are able:

- (a) to hear, and where practicable see, and be so heard, and where practicable be seen by, the other members in attendance;
- (b) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
- (c) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.

A Member in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance outlined above are not met. In such circumstances the Chair may, as deemed appropriate:

- (i) adjourn the meeting for a short period to permit the conditions for remote attendance of a Member contained in a, b and c above;
- (ii) count the number of Members in attendance for the purposes of the quorum; or
- (iii) continue to transact the remaining business of the meeting in the absence of the remote attendance.

- (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 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 and Standing Committees shall be open to the public.

Under Regulation 6, a meeting being 'open to the public' includes access to the meeting through remote means including (but not limited to) video conferencing, live webcast and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend in person.

If the Chairman is made aware that the meeting is not accessible to the public through remote means, due to any technological failure of provision, then the Chairman shall adjourn the meeting immediately.

If the provision of access through remote means cannot be restored within a reasonable period, then the remaining business will be considered at a time and date fixed by the Chairman or the next meeting of the Council or committee.

- (2) The public and press may attend only in those parts of the Council Chamber or other location being used 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 and Safety.
- (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 shall, 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.
- (5) Taking photographs **or recording** of proceedings or the use of any other means by members of the public to enable persons not present to see or hear any proceedings (whether at that time or later) or making of any oral or **digital** report of any proceedings as they take place 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 **including Members attending remotely**, together with those Members departing and entering the meeting of the Council and Committees shall be recorded by the attendance clerk and recorded to the minutes of the meeting.

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.
- (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.
- (3) The Presiding Mayor 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 **meeting** or order the public to be excluded from the **meeting**.
- (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 may ask leave of the Council to take up the consideration of such additional matters as may be deemed desirable.
- (5) The Council, having excluded the public, shall not have the power to adjourn its own sittings or to adjourn a debate to a future sitting. 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 notice in writing no less than 10 days' notice prior to the date of the meeting, of the intended deputation and a statement of its objective.

Under Regulation 3(4), any persons delivering a deputation in order to exercise a right to speak at the meeting with the permission of the Council, is in remote attendance at any time if all three of the following conditions are satisfied, that the person or persons in remote attendance is able at that time:

- (i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, Members in remote attendance;
- (ii) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any other members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
- (iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.

A member of the public will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance outlined above are not met. In such circumstances the Chair may, as deemed appropriate:

- (i) adjourn the meeting for a short period to permit the conditions for remote attendance contained in a, b and c above;
- (ii) suspend consideration of the item of business in relation to the person or persons attendance until such times as a following item of business on the agenda has been transacted and the conditions for remote attendance have been re-established or, on confirmation that this cannot be done, before the end of the meeting, whichever is the earliest, or
- (iii) continue to transact the remaining business of the meeting in the absence of the person in remote attendance.

- (2) Where a Committee of the Council has been given by the Council delegated authority to deal with a matter on behalf of the Council the request of any deputation relating to such matter shall be referred only to that Committee and there shall be no recourse to the Council.
- (3) 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 addresses shall not exceed 15 minutes.
- (4) 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 or

from any other group on the same issue within six months of the original presentation.

## 12. **Order of Business**

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

- a) business of the Right Worshipful the Mayor;
- b) apologies;
- c) declaration of Members' interests;
  - (i) conflict of interest on any matter before the meeting (Members to confirm the specific item)
  - (ii) pecuniary and non pecuniary interest (Member to complete the Disclosure of Interest form)
- d) confirmation of the Minutes of the last stated meeting and of all adjourned meetings and special meetings held since the last stated meeting shall be read provided that if a copy of the minutes has been forwarded to the Members before the meeting and is not challenged, the minutes may be taken as read and shall be signed by the Chairman;
- e) matters arising;
- f) deputations;
- g) business required by statute to be transacted at the meeting;
- h) adoption of the minutes of the proceedings of any Committees and consideration of reports, if any, from such Committees, with the exception of those matters delegated to the Planning Committee;
- i) reports of officers;
- j) reports of members on Boards, public bodies, agencies etc., if any, may be considered and such orders given thereon as may be deemed necessary;
- k) reports on decisions/recommendations subject to the reconsideration procedure; and
- l) consideration of motions of which due notice has been given, in the order in which they have been received.
- m) any other relevant business.

Provided that the order of business as aforesaid may at any time be altered or varied if, in the opinion of the majority of the Members present, it is expedient to do so.

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

### 13.1 **Keeping of; as evidence; etc.**

- (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.
- (2) No discussion shall take place upon the Minutes except upon their accuracy and any question of their accuracy shall be raised by motion. If no such motion is raised, the Chairman shall then sign the minutes.

- (3) Any minute purporting to be signed as mentioned in sub-paragraph (1) shall be received in evidence without further proof.
- (4) Until the contrary is provided, 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 Minutes**

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

## **14. Submission of Minutes**

- (1) In order to give sufficient time for the printing of the Minutes and for their perusal by the Members of the Council, Minutes of meetings of a Committee held less than five clear days before the meeting of the Council shall not be submitted to that meeting for approval. This may be disapplied where a Committee considers the matter to be of extreme urgency and records such a decision in its Minutes.
- (2) It shall be the duty of a Committee, through the Mayor/Chair or his/her representative, when its Minutes are submitted for approval, to call the attention of the Council to any resolution or matter of an unusual or special character contained therein.

## **15. 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 Chairperson 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 Chairperson 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.

## 16. **Motions**

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

### 16.1 **On notice**

- (1) Notice of every motion, other than a motion which under Standing Order 16.2 may be moved without notice, shall be given in writing **(which includes electronic correspondence)**, signed by the Member or Members of the Council giving the notice, to the Clerk not less than 10 clear days before the next meeting of the Council. The motion must be clear in meaning otherwise it shall be rejected 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 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, and circulated to every Member of Council. This register shall be open to inspection by every Member of the Council.
- (4) Notices of motion shall be entered by the Clerk 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 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 Chairperson 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.
- (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 10 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.

## **16.2 Without notice**

The following motions may be moved without notice:

- a) to appoint a Chairperson 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 withdraw a motion;
- h) to amend a motion;
- i) to authorise the sealing of documents;
- j) to proceed to the next business;
- k) that the question be now put;
- l) to adjourn a debate;
- m) to adjourn a meeting;
- n) to suspend Standing Orders, in accordance with Standing Order 27.1;
- o) to exclude the public and press in accordance with Section 42 of the 2014 Act;
- p) to not hear further a Member named under Standing Order 25.3 or to exclude them from the meeting under Standing Order 25.4.

## **17. Amendments**

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.

### **17.1 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) An amendment to a motion shall be either:

- a) to refer a subject of debate to a Committee or to an officer for consideration or re-consideration;
- b) to leave out words;
- c) to leave out words and insert or add others; or
- d) to insert or add words.

but such omission, insertion or addition of words shall not have the effect of directly negating the motion before the Council.

(3) 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.

#### **17.2 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 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 Chair, the circumstances are materially altered.

#### **17.3 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 Chairperson 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.

#### **17.4 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 Chairperson is of the opinion that the subject before the Council has been sufficiently discussed, he 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.

#### **17.4 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 Chairperson is of the opinion that the subject before the Council has been sufficiently discussed, he 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.

18. **Amendments to Regulatory Decisions**

- (1) No amendment may be moved to a Minute which is a Regulatory Decision.
- (2) For the purpose 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 for those powers specified in Executive Arrangements Regulations; or any application for which the Council is the licensing authority.

19. **Rules of Debate**

19.1 **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 16.1, it shall, if required by the Chairperson presiding, be put into writing and handed to the Chairperson 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.

19.2 **Alternation 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.



### **19.3 Withdrawal of motion**

- (1) A Member may withdraw a motion of which he/she has given notice under Standing Order 16.1 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.

### **19.4 Mode of address and dress code**

The established mode of address is to stand (if able to do so) and address the Council's Chairperson. While a Member is speaking, the other Members shall remain seated unless rising to a point of order or in personal explanation. A Member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order.

For meetings of full Council, the dress code shall be business attire.

### **19.5 Precedence in speaking**

Whenever two or more Members rise together to speak, the Chairperson shall decide who has precedence.

### **19.6 Place of Member speaking**

A Member when addressing the Chairperson shall stand in the place allocated to him/her in the Council Chamber.

### **19.7 Member called to order**

If any Member, while speaking, be called to order, he/she shall resume his/her seat and shall not again address the Council until the Chairperson has disposed of the question of order.

### **19.8 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.

### **19.9 Member may raise a point of order**

A Member may raise a point of order and shall be entitled to be heard immediately.

#### **19.10 Ruling of Chairperson on point of order**

The ruling of the Chairperson on a point of order shall not be open to discussion.

#### **19.11 Member to speak to motion**

A Member who speaks shall direct his/her speech strictly to the motion under discussion, or an amendment thereof.

#### **19.12 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, except:

- a) to speak once on an amendment moved by another Member;
- b) if the motion has been amended since he/she last spoke, to move a further amendment;
- c) if his/her first speech was on an amendment moved by another Member to speak on the main issue whether or not the amendment on which he/she spoke was carried;
- d) in the exercise of a right to reply given by Standing Order 19.19;
- e) on a point of order.

#### **19.13 Duration of speeches**

Except with the permission of the Council, a Member, in introducing a motion, shall not speak for more than ten minutes and in replying, for more than five minutes. Other Members shall not speak for more than five minutes.

#### **19.14 Addressing the Council**

The Council during its sitting, shall not, unless with the consent of the Council, be addressed by any person who is not a Member of the Council.

#### **19.15 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.

#### **19.16 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 Chairperson under Standing Order 23.4, that a Member do leave the meeting.

#### **19.17 Chairperson rising during debate**

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

#### **19.18 Chairperson not to receive motion for direct negative**

The Chairperson 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.

#### **19.19 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 amendment.

### **20. Voting**

#### **20.1 Majority**

Subject to any statutory provisions to the contrary, any matter will be decided by a simple majority of those Members present **including via remote attendance**.

**The Chairman will take all votes by roll-call and the number of votes for, against or abstaining from the vote will be noted. Details of how Members voted will not be kept or minuted unless a recorded vote is requested.**

#### **20.2 Chairperson's casting vote**

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

### 20.3 **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 the Council's decision on:

- (a) the adoption of executive arrangements or prescribed arrangements as the Council's Form of Governance (Section 19 of the 2014 Act) **[mandatory];**
- (b) the adoption of paragraph 3(2) of Schedule 1 to the 2014 Act as the method to be adopted 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 to be adopted for appointing Councillors to Committees **[mandatory];**
- (e) the suspension of Standing Orders, other than Standing Orders 20.3, 21, 22 and 23, which cannot be suspended.

### 20.4 **Show of hands**

Unless a ballot or recorded vote is demanded under Standing Order 20.5, the Chairperson will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

### 20.5 **Recorded vote**

If, before a vote is called, any Member present **including via remote attendance** 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.

## 21. **'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 practicing barrister or solicitor (Section 41(2))]**

### 21.1 **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 or officers of the Council;
- (e) a decision taken by a Committee under delegated authority in accordance with Section 7 of the 2014 Act;
- (f) a decision taken by a Committee to make a recommendation for ratification by the Council; and
- (g) a decision of the Planning Committee.

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

- (a) a decision which is deemed to be a case of special urgency in accordance with regulation 24 of the 2014 Executive Arrangements Regulations;
  - (b) a decision where an unreasonable delay could be prejudicial to the Council's or the public's interests;
  - (c) a decision taken by an officer or officers which is not a key decision;
  - (d) a decision by the executive which serves only to note a report from or the actions of an officer or officers;
  - (e) a decision which is required to be taken by a special resolution.
- (3) No decision shall be subject to call-in more than once for each of the reasons specified in Section 41(1) of the 2014 Act.

## 21.2 **Call-in procedure**

- (1) A call-in must be submitted in writing to the Clerk 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 related was published.
- (2) 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 sub-paragraph (6) of this standing order, 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 state in the reasons specified under sub-paragraph 3 (a) of this Standing Order:
  - (a) the community 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 one working day 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 practicing solicitor or barrister in accordance with Section 41(2) of the 2014 Act.
- (8) When the legal opinion obtained in accordance with Section 41(2) of the 2014 Act is received the Clerk must:
  - (a) Furnish the opinion to Members; and
  - (b) Include the decision on the agenda for the next available meeting of the Council.

### **21.3 The call-in process: Committee arrangements**

- (1) For the purpose 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 ratification by the Council
 must be published within two working days of the conclusion of the meetings. That date of publication must be regarded as the date of publication for the purposes of a call-in.
- (2) If a call-in is not received by the deadline specified in paragraph 21(2) of this Standing Order, the decision specified in -
  - (a) paragraph (1)(a) of this Standing Order must be implemented; or
  - (b) paragraph (1)(b) of this Standing Order must be tabled for ratification by the Council.
- (3) The tabling for ratification of a decision to which paragraph (1)(b) of this Standing Order, or the implementation of a decision to which paragraph (1)(a) 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.
- (4) If a call-in is made in accordance with Standing Order 21.2, 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 Chairpersons of all Committees of the Council; and

- (b) the Deputy Chairpersons of all Committees of the Council to consider the process adopted by the decision-making committee.
- (5) The Chairperson and Deputy Chairperson 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 sub-paragraph (4).
- (6) The members of the ad hoc committee who are present shall choose a Member to preside at the meeting.
- (7) 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 Chairperson, address the meeting, but must not have voting rights unless they are members of the ad hoc committee.
- (8) A Committee appointed in accordance with sub-paragraph (4) of this Standing Order 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 this decision to the Council.
- (9) Where a decision has been supported in accordance with sub-paragraph (8) of this Standing Order, 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 sub-paragraph (4) of this Standing Order confirmed support for the decision.

#### **21.4 The call-in process: Council decisions**

- (1) If a call-in is not received within the period specified in Standing Order 21.2 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.

#### **22. 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) Subject to paragraph (2) of this Standing Order, in relation to positions of responsibility selected in accordance with paragraphs 2(1) and 2(2) or paragraph 4(1) or paragraphs 6(1) and 6(2) of Schedule 1 to the 2014 Act, the period specified for -
  - (a) the nominating officer to select a position of responsibility and the term for which it must be held; and
  - (b) the person nominated to accept the selected position is 15 minutes.
- (2) An extension to the period specified in sub-paragraph (1) of this Standing Order 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.

23. **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 of 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 of the 2014 Act shall be exercised in such manner as to ensure that -
  - (a) all 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 nominated by each nominating officer of a party, in so far as is reasonably practicable, bear the same proportion to the number of places on that committee as is borne by the number of Members who stood in the name of that party.
- (4) Nominations made in accordance with sub-paragraph (3) of the Standing Order shall take into account any positions of responsibility on a Committee held by a Member who stood in the name of a party.



24. **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 2 bears the names of at least 15% 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].

25. **Members Conduct**

25.1 **Standing to speak**

When a Member **present in the chamber** speaks at the Council they must stand (if able to do so) and address the meeting through the Chairperson. If more than one Member stands, the Chairperson will ask one to speak and the others must sit.

25.2 **Chairperson standing**

When the Chairperson stands during a debate, any Member speaking at the time must stop and sit down. The meeting must be silent.

25.3 **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, the Chairperson 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.

25.4 **Member to leave the meeting**

If the Member named continues to behave improperly after such a motion is carried, the Chairperson 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.

**Where a Member is required to leave a meeting, the means of remote access is to be severed in order to ensure that they are removed from all discussion.**

## **25.5 General disturbance**

When the Chairperson 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.

## **26. Disturbance by the Public**

### **26.1 Removal of member of the public**

If a member of the public interrupts proceedings, the Chairperson will warn the person concerned. If they continue to interrupt, the Chairperson will order their removal from the meeting.

### **26.2 Clearance of part of a meeting**

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

## **27. Suspension and Amendment of Standing Orders**

### **27.1 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 vote 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. Mandatory Standing Orders may not be suspended by a Council.

### **27.2 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.

## **28. Interpretation of Standing Orders**

The ruling of the Chairperson 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.

## **29. Committees**

### **29.1 Council in Committee**

The Council may at any meeting resolve itself into Committee for the purpose of transacting any business on the agenda for that meeting subject to the provisions of 10 above.

The Council in Committee shall not consider any matter not referred to it by the resolution resolving the Council into Committee. In exceptional circumstances where it is deemed necessary to consider a matter not included in the terms of reference, the Council shall be resumed, and the Chairman may ask leave of the Council to take up the consideration in Committee of such additional matters as may be deemed desirable.

The Council in Committee shall not have power to adjourn its own sittings, or to adjourn a debate to a future sitting but, if the business referred to it be not transacted, the Council may be resumed and the Chairman may move that the Council be again put into Committee on a future day. If the Council in Committee shall have transacted part of the business referred to it, without being able to reach a decision on all the business referred to it, the Chairman may, with leave of the Committee, report progress, and ask the Council for permission to sit again.

While the Council is in Committee, a motion may be made at the conclusion of any speech “That the Chairman do leave the Chair” or “That the Chairman do report progress”. The former resolution, if carried, shall supersede the business of the Committee and when the Council shall be resumed, no report shall be made by the Chairman.

If the Chairman be directed to report the resolutions or other proceedings of the Committee, the Council shall be resumed and the report having been received without question put, a motion for its adoption shall be moved, which motion shall be put without debate.

## **29.2 Appointment of Committees**

The Mayor and Deputy Mayor of the Council shall be ex officio members of every Committee appointed by the Council (except Planning Committee)

The following Committees shall be Standing Committees of the Council and shall consist of the number of Members (exclusive of the Mayor and Deputy Mayor) specified opposite each Committee:

Corporate Services Committee	15 Members (plus 2 ex-officio Members)
Environment & Sustainability Committee	15 Members (plus 2 ex-officio Members)
Communities & Wellbeing Committee	15 Members (plus 2 ex-officio Members)
Regeneration & Growth Committee	15 Members (plus 2 ex-officio Members)
Governance and Audit Committee	15 Members (plus 2 ex-officio Members)
Planning Committee	11 Members

### 29.3 **Quorum at Committees**

Except where authorised by a statute or ordered by the Council, business shall not be transacted at a meeting of any Committee (except Planning) unless at least one-third of the whole number of the Committee is present. In the case of Planning Committee, business shall not be transacted unless at least one-half of the whole number of the Committee is present.

### 29.4 **Notice of and summoning of Committee Meetings**

The Notice and Summons of a Committee meeting shall be in accordance with 4 above.

### 29.5 **Order of Business**

The order of business at every Committee meeting shall be as follows:

- a) Apologies;
- b) Confirmation of the minutes of the last stated meeting and of all adjourned meetings and special meetings held since the last meeting;
- c) Declaration of Members' Interests (Member must withdraw from meeting during discussion of item);
- d) Reports of Officers;
- e) Presentations and deputations;
- f) Any Other Business.

### 29.6 **Day and hour of Committee Meetings**

Committees will be held on a monthly basis (except for July and August) as outlined below:

*Planning Committee	- 1 <sup>st</sup> Monday in every month
Communities & Wellbeing Committee	- 1 <sup>st</sup> Tuesday of every month
Environment & Sustainability Committee	- 1 <sup>st</sup> Wednesday of every month
Regeneration & Growth Committee	- 1 <sup>st</sup> Thursday of every month
Governance and Audit Committee	- Quarterly on the 2 <sup>nd</sup> Thursday of the relevant month
Corporate Services Committee	- 2 <sup>nd</sup> Wednesday of every month

\*Planning Committee meetings will be held every month including July and August.

In addition each Committee shall, from time to time, fix additional meetings at a day and hour to be notified to Council and also may vary the date and time of the scheduled meeting for the efficient conduct of business.

#### **29.7 Special Meetings of Committees**

The Chairman of a Committee or the Mayor may call a Special Meeting of a Committee at any time. Subject to any statutory provision in that behalf, a Special Meeting shall also be called on the requisition of not less than three members of the Committee, delivered in writing to the Clerk to the Committee concerned. The summons to the Special Meeting shall set out the business to be considered thereat, and no business other than that set out in the summons shall be considered at that meeting.

#### **29.8 Reports of Committees**

A Standing Committee shall report to the meeting of the Council immediately following the meeting of such Standing Committee.

#### **29.9 Adoption of Minutes of Standing Committees and Special Committees**

The minutes of proceedings at a meeting of a Standing Committee or Special Committee shall be circulated with the notice convening the appropriate meeting of the Council.

#### **29.10 Voting in Committee**

Voting at a meeting of a Committee or Sub-Committee shall be by the same method as decided at Council meetings.

#### **29.11 Standing Orders of Committees**

All Standing Orders of the Council shall, with necessary modification apply to Committee and Sub-Committee meetings.

#### **29.12 Duties of Standing Committees**

The Standing Committees shall have charge of and be responsible to the Council for the several matters hereinafter respectively described as far as the same come within the jurisdiction of the Council, and such other matters within the jurisdiction of the Council as shall arise from time to time and shall not have been specifically entrusted to a particular Committee, and shall give effect to the several Statutes, Orders and Regulations governing said matters as the same are hereinafter set forth and all other Statutes, Orders and Regulations relating thereto and hereafter for the time being in force and shall superintend and control the several departments necessary for the carrying out of said matters, that is to say -

##### Corporate Services Committee

The purpose of the Corporate Services Committee is to set the strategic direction of the Council through the Corporate Plan and oversee all aspects of financial management and the effective use of all Council resources.

### Environment & Sustainability Committee

The purpose of the Environment and Sustainability Committee is to set strategic direction for the Council in relation to all matters pertaining to the Environmental Services function.

### Communities & Wellbeing Committee

The purpose of the Communities and Wellbeing Committee is to set the strategic direction for the Council in enhancing the health and wellbeing of communities, by way of policies, initiatives and programmes and the effective use of Council resources.

### Planning Committee

The purpose of the Planning Committee is to hear evidence from officers, supporters and objectors to development proposals in line with the attached Protocol for the Operation of the Lisburn & Castlereagh Planning Committee. In addition, the committee should have regard for planning precedents and appeals against their decisions. A key aspect of the committee is to continue to keep under review, and scrutinise performance of, the development management function within this Council area.

### Regeneration & Growth Committee

The purpose of the Regeneration and Growth Committee is to lead on programmes and initiatives that support the Corporate and Community Plan objectives by giving due consideration to matters pertaining to regeneration, economic stimulus, Council's estate and prosperity growth within the Council area.

### Governance and Audit Committee

The purpose of the Governance & Audit Committee is to provide independent assurance of the adequacy of all aspects of the risk management framework and the internal control environment. It provides independent review of Lisburn & Castlereagh City Council's governance, performance management, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.

In addition to the above a Terms of Reference for each Committee is appended to this document.

## **29.13 Format of Planning Committee Meetings**

In accordance with any statutory requirements and best practice, the Planning Committee will develop a protocol for the effective and efficient conduct of Committee Business.



#### **29.14 Chairman Responsible**

The Chairman of each Committee shall be responsible to the Council for the general direction of the business entrusted to his Committee, and he shall take charge of, or in his absence arrange for, the moving of the adoption of the Report of his Committee at the meeting of the Council to which it is submitted.

#### **29.15 Sub-Committees**

Each Standing Committee may appoint Sub-Committees for specific purposes. A Sub-Committee shall meet as often as necessary for the transaction of the business for which it was appointed. The Report of the Sub-Committee shall, whether appointed under this Standing Order or otherwise, be submitted to the parent Committee for confirmation prior to being brought before the Council.

#### **29.16 Attendance at Committees and Sub-Committees**

Every Member of the Council may attend meetings of any Committee or Sub-Committee and, subject to permission of the Chairman of the Committee or Sub-Committee, shall be heard on any matter, but he shall not, unless he is a Member of the Committee or Sub-Committee, vote in any division or propose any resolution or amendment.

#### **29.17 Policing and Community Safety Partnership**

Under Schedule 13 (3) of the Justice (Northern Ireland) Act 2011, the Council shall exercise its power to appoint 10 political Members of the PCSP so as to ensure that, so far as practicable, the political Members reflect the balance of parties prevailing among the Members of the Council immediately after the last Local General Election. In accordance with Section 10 (1) (a) of the Act, the Council shall appoint a Chair from among the political members. In appointing to the office of Chair, the Council shall ensure that, so far as practicable:

- a person is appointed to that office for a term of 12 months at a time or, for a period ending with the reconstitution date next following that person's appointment;
- that the office is held in turn by each of the four largest parties represented on the Council immediately after the last Local General Election.

### **30. Seal**

#### **30.1 Custody of Seal**

The Common Seal of the Council shall be kept in a safe place secured by a lock, the keys of which shall be in the custody of the Chief Executive of the Council or a deputy authorised by him for the purpose.



### **30.2 Sealing of Documents**

The Common Seal of the Council shall not be affixed to any document unless the sealing has been authorised by a resolution of the Council or of the Corporate Services Committee to which the Council have delegated their powers in this behalf, but a resolution of the Council authorising the acceptance of any tender, the purchase, sale, letting or taking of any property, the issue of any stock, the presentation of any petition, memorial, or address, the making of any rate or contract, or the doing of any other thing, shall be a sufficient authority for sealing any document necessary to give effect to the resolution.

### **30.3 Attesting Seal**

Every instrument to which the seal of the Council is affixed shall be signed by a Member of the Council and by the Chief Executive or some other person appointed by the Council for the purpose.

### **30.4 Record of documents sealed to be kept**

An entry of the sealing of every deed and other document to which the Corporate Seal shall have been affixed shall be made in the minutes of the Meeting of the Council at which the affixing of the Seal took place.



**Lisburn &  
Castlereagh  
City Council**

## **Appendix A**

### **Access To Council & Committee Meetings, Agenda, Reports, Minutes & Recordings – Protocol**

**Version Control**

<b>Version</b>	<b>Date</b>	<b>Author / Amendments</b>	<b>Status</b>
5.0	28 May 2015	C Connolly	Agreed (G & A 12.05.15)
6.0	04 February 2016	A McCann	Agreed
7.0	12 December 2019	A McCann	Agreed
8.0	08 February 2023	C Adamson	Agreed

## **Introduction**

This protocol has been developed in accordance with the provisions in Part 8 (Access to Meetings and Documents) of the Local Government Act (Northern Ireland) 2014 and the Council's Standing Orders.

With the exception of the provision relating to audio recordings, this applies to all meetings of the Council and Committees which are open to the public.

## **Summary of Provisions of the Legislation and Associated Actions**

### **(1) Open Meetings**

All meetings of the Council (and Committees) are open to the public except to the extent to which they are excluded (either during the whole or part of proceedings). They can only be excluded in accordance with Part 8 42 (2) of the Local Government Act (NI) 2014:-

- The public must be excluded from a meeting of Council during an item of business whenever it is likely, in the view of the nature of business to be transacted or the nature of the proceedings, that, if members of the public were present during that item, confidential information would be disclosed to them in breach of the obligation of confidence; and nothing in this Part authorises or requires the disclosure of confidential information in breach of the obligation of confidence.

The legislation provides a definition of confidential business (Part 8 42 (3) Schedule 6 and exempt information (Section 51)).

### **(2) “In Committee”**

Where an item is deemed confidential, then this will be dealt with “In Committee” and the members of the public and, if appropriate, the relevant officers, will be asked to leave. This must be done by resolution of the committee with the Chairman identifying the following:

- what proceedings or part thereof will be dealt with “In Committee” and also
- the description of the exempt information giving rise to the exclusion of the public.

Please see Schedule 6 Part 1 of the Act, attached under separate cover, for definition of what constitutes exempt information.

The agenda for meetings should include further information on confidential matters which gives rise to the exclusion of the public e.g. “Report from HR Business Partner on HR Matters”

**Action** – In preparing reports, the Chief Executive and Directors should ensure that items being dealt with ‘In Committee’ are separate from the main report, and the agenda provides appropriate information on what is being discussed in Committee. Members’ Services will then place such items in the confidential folder on Sharepoint.

At the meeting, the Chief Executive / Director should advise the Chairman of the requirement to get a proposer and seconder to both go and come out of “In Committee” and for the Chair to give the description of the exempt information giving rise to the exclusion of the public.

### **(3) Notice of Meeting and Agenda**

These are required to be available at the Council offices 5 days in advance of the meeting or if called later, as soon as possible in advance of the meeting. This is also a requirement under Standing Orders.

**Action** – Members' Services have arrangements in place for the agenda to be placed at the concierge desk at LVI Rotunda. In addition, the Schedule of Meetings, on a quarterly basis, has been placed on Council website.

**Note:** - In order to comply with the above, for Committees where Members' Services currently draft reports (G&A and Corporate Services), all relevant information should be with Members' Services by close of play on the Monday of the week prior to the meeting. In relation to the Planning Committee report, which is issued 7 days prior to the meeting, the report should be with Members' Services at latest by 9am, 7 days prior to the meeting taking place.

For all other Committees, all relevant information should be with Members' Services by close of play on Tuesday.

**Note:-** For all tabled and additional reports for Council/Committee, the relevant Director should have the prior approval of the Mayor/Chairman.

**Note:-** Special meetings of Committee and Council should only be held in exceptional circumstances such as to deal with timebound funding and contractual issues which cannot wait to next Council or Committee meeting.

### **(4) Access to reports**

Reports are required to be available for inspection (excluding confidential items) by members of the public at least five days before the meeting or as it becomes available. Members should be sent the reports in the first instance and then made available to the public.

**Action** – Reports will be available for inspection between 9.00am and 5.00pm from Members' Services at LVI.

- (i) At the meeting a reasonable number of copies of the agenda and reports, subject to exclusion of any item deemed confidential, must be made available for inspection by members of the public in attendance.
- (ii) Hard copies of reports will be provided by Members' Services for the Chair of Committee (Mayor for Council meetings).
- (iii) As an interim, it has been agreed that hard copies of the Planning Committee reports will be circulated to all Members of the Planning Committee.

**Action** - Members' Services will provide 3 copies of the report (excluding items deemed confidential) and the agenda for all meetings with 6 copies for meetings of the Planning Committee and Full Council. This will be kept under review. Directors are to advise if there is an item which is likely or has potential to warrant increased public attendance.

**Agreed -**

- that agenda and report for all meetings (excluding confidential items) be placed on the Councils Website at least 5 days prior to the meeting or as soon as they become available

**(5) Minutes**

Draft minutes are required to be published 2 days after the meeting.

**Action –** Members' Services will produce the draft minute and following approval by Chief Executive / Director and then Chair of Committee, will place these in the relevant committee folder in Sharepoint and email Members to advise of this.

The legislation requires that a Council "as soon as is reasonably practicable" place on its website a copy of the minutes.

**Action -** After the minutes of a meeting have been agreed (i.e ratified by Council), Members' Services will forward to MCU for posting on the Council website. Once there are trained administrators, Members' Services will undertake this task.

**(6) Audio Recordings and Webcast**

The legislation requires a Council to make an audio recording of any meeting of the Council which is open to the public. The recording must be made available at the Council offices for a period of 6 years from the date of the meeting and published on the Council website for two years.

Whilst this only applies to the monthly meeting of Council it was agreed in October 2022 to provide the following:

- Audio recordings of standing committee meetings;
- Livestream of Council Meetings;
- Webcast recordings of Council meetings.

**Audio recordings of standing committee meetings**

- Where an item is deemed to be confidential and considered "In Committee" the recording will be paused.
- Audio recordings will be uploaded to the Council website within two days following ratification of minutes at the monthly Council Meeting.
- Audio recordings will be available on the Council website for a period of two years and available at the Council offices for a period of 6 years.

**Livestream and webcast recordings of Council meetings**

- Council meetings will be livestreamed through the Council's website.
- Where an item is deemed confidential and considered "In Committee" the broadcast and recording will be paused.
- A webcast recording will be published on the Council website following approval of the minutes by the Mayor and Chief Executive.
- Webcast recordings will be available on the Council website for a period of two years and available at the Council offices for a period of 6 years.

**Action** – At this juncture, Centre Management will arrange for a technician to be in attendance at monthly meetings of Council to facilitate the livestream and record these meetings (excluding any items deemed confidential and "In Committee"). After the meeting Member Services will check the recording to ensure that any item "In Committee" has not been recorded and that the audio quality is adequate. Dependent on the items discussed at the meeting, the Chief Executive or relevant Director may also be asked to review this. Members' Services will then forward to MCU a copy of the linked recording and this will be posted on the website.

## **SCHEDULE 6**

### **ACCESS TO INFORMATION : EXEMPT INFORMATION**

#### **PART 1**

#### **DESCRIPTIONS OF EXEMPT INFORMATION**

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

# LISBURN & CASTLEREAGH CITY COUNCIL

## Governance & Audit Committee

### Terms of Reference

#### 1. Statement of Purpose

The Governance & Audit Committee is a key component of Lisburn & Castlereagh City Council's Corporate Governance Framework.

The purpose of the Governance & Audit Committee is to provide independent assurance of the adequacy of all aspects of the risk management framework and the internal control environment. It provides independent review of Lisburn & Castlereagh City Council's governance, performance management, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.

These Terms of Reference summarise the core functions of the Governance & Audit Committee.

#### 2. Membership

The Governance & Audit Committee is appointed from, and reports to, full Council, it is comprised of 15 Members (plus 2 ex-officio Members) of the Council appointed by the Council, and one independent member. The Chair of the Committee will be rotated annually between members.

#### 3. Meetings

The quorum for the Governance & Audit Committee is set out in Section 29.3 of the Council's Standing Orders.

*"Except where authorised by statute or order by the Council, business shall not be transacted at a meeting of any Committee (except Planning) unless as least one third of the whole number of the Committee is present."*

The Governance & Audit Committee will meet at least four times a year and will normally be attended by the Chief Executive, the Head of Internal Audit and officers as required. A representative of the Northern Ireland Audit Office (NIAO) will also be invited to attend.

Other special meetings can be convened as deemed appropriate by the Chair in consultation with the appropriate Director/s.



## **4. Responsibilities**

The Governance & Audit Committee has the following responsibilities:

### Governance and Control

- Monitor and review Council's corporate governance arrangements including stewardship.
- Review the Annual Governance Statement.
- Agree and monitor governance related policies such as register of interests, whistleblowing and anti-fraud policies.
- Consider the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
- Consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
- Review the assessment of fraud risks and potential harm to the Council from fraud and corruption and monitor the Anti-Fraud and Corruption Policy Statement and Strategy.

### Strategic & Corporate Risk Management

- Agree the Risk Management Policy and Strategy.
- Understand and challenge the risk management framework, and evaluate how well the arrangements are actively working in the Council.
- Review and challenge the adequacy and effectiveness of control processes in responding to risks within the Council's governance, operations, compliance and information services.

### Internal Audit

- Agree the Internal Audit Charter and Strategy.
- Agree the appointment of external providers of internal audit services (following Council procurement).
- Agree the risk-based Internal Audit Plan, including Internal Audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources in addition to any significant changes.
- Review reports from Internal Audit on Internal Audit's performance during the year, including year end opinion and compliance with public sector internal audit standards.

## External Audit

- Review the following reports from the external auditor, including but not limited to
  - Report to Those Charged with Governance
  - Performance Improvement report
- Comment on the scope and depth of external audit work and to ensure it gives value for money
- Advise and make recommendations on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.

## Financial reporting

- Review the Annual Statement of Accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from audit that need to be brought to the attention of the Council.

## Performance

- Agree the Performance Improvement Plan.
- Monitor performance at Council and Directorate level against Corporate Plan KPI's including corporate, statutory and other targets, including but not limited to, Performance Improvement.

The functions and responsibilities detailed are not exhaustive and the Committee will deal with relevant matters as they arise.

### **5. Internal Working Groups**

There are no internal working groups reporting to the Governance and Audit Committee. The Committee may agree to establish other working groups as required throughout the term.

Any matters relating to the operation of the Party Group Leaders Forum will sit with the Governance and Audit Committee.

<b>Group</b>	<b>Meeting</b>	<b>Representation in Current Term</b>	<b>Term</b>
<b>Party Group Leaders Forum</b>	June Council Meeting	1 representative from each political party with 3 or more members	4 years

### **6. External Representation**

The Council is represented on a number of external bodies as set out below. Outcomes are reported through Governance and Audit Committee as required. Other external representation may be agreed as necessary throughout the term.

External Group	Meeting	Representation in Current Term	Term
NILGA's Reform, Devolution and Improvement Network	June Council Meeting	1 position	4 years

Agreed by Council – March 2023

# **LISBURN & CASTLEREAGH CITY COUNCIL**

## **Corporate Services Committee**

### **Terms of Reference**

#### **1. Statement of Purpose**

The Corporate Services Committee is a key component of Lisburn & Castlereagh City Council's Corporate Governance Framework.

The purpose of the Corporate Services Committee is to set the strategic direction of the Council through the Corporate Plan and oversee all aspects of financial management and the effective use of all Council resources.

These Terms of Reference summarise the core functions of the Corporate Services Committee.

#### **2. Membership**

The Corporate Services Committee is appointed from, and reports to, full Council. It is comprised of 15 Elected Members, plus 2 ex-officio Members (Mayor and Deputy Mayor) appointed to the Committee each year at the Annual Meeting of Council.

#### **3. Meetings**

The quorum for the Corporate Services Committee is set out in Section 29.3 of the Council's Standing Orders.

*"Except where authorised by statute or order by the Council, business shall not be transacted at a meeting of any Committee (except Planning) unless as least one third of the whole number of the Committee is present."*

The Corporate Services Committee will meet, typically the second Wednesday of each month (except July and August) and will normally be attended by the appropriate Director/s and other officers in line with the agenda of the meeting.

Other special meetings can be convened as deemed appropriate by the Chair in consultation with the appropriate Director/s.

#### **4. Responsibilities**

The Corporate Services Committee has the following responsibilities:

##### Finance

- Approve and monitor the Council's financial strategy and all matters relating to its implementation, including all revenue and capital financing, budgets and setting of the District rates.
- Monitor and review financial performance, including but not limited to:

- Management accounts (generally quarterly)
- Repairs & Renewals reports
- Bad Debts
- Reserves
- Agree and review Council's financial policies.

#### Human Resources and Organisational Development

- Agree and monitor strategic direction of Human Resources including but not limited to:
  - organisational design/structures
  - policy development
  - Chief Executive and Chief Officer acquisition
  - payroll and pensions
  - attendance management
  - relevant Industrial Relations
  - workforce statistics
  - capacity building
  - Elected Member Professional Development requests
- Agree and monitor compliance with equality obligations across the Council.

#### Efficiency Review

- Agree the outcomes from the Efficiency Review Steering Group in line with delegated responsibilities.

#### Capital Programme

- Review and agree the priority projects for inclusion in the Capital Programme from the ideas captured list.
- Agree and monitor the capital programme approach including overall affordability limits and change control at programme level.
- Approve and monitor overall capital finance strategy for the Council in line with the prudential guidelines.
- Review Post Project Evaluations at programme level including assessment of new and emerging financial and other risks.
  - Agree policies and procedures connected with the delivery of the Council's Capital Programme, eg frameworks, approach to risk etc.

#### Procurement and Contract Management

- Agree and monitor Procurement Strategy.
- Note or agree procurement / tender outcomes (retrospective) and related contract management matters at Council level including all STA's in line with policy.

**Members will note that the Accounting Manual / Scheme of Delegation will require updating but it would be anticipated that changes would include:**

- **Officers ability to appoint suppliers where certain conditions have been met (eg MEAT criteria applied, lowest or only tender in addition to tender value falling within business case value) or where sufficient budget has been included in estimates for matters which do not require business case (NB no longer just lowest cost tender).**

#### Commercial & Innovation

- Agree and review IT Strategy and future Digitisation programme

#### Governance

- Agree the Corporate Plan.
- Agree Council Constitution including Standing Orders, Scheme of Delegation and Scheme of Allowances.
- Agree civic ceremonial events programme and attendance at related engagements.
- Agree and monitor Customer care related policies.
- Agree and monitor corporate communications strategy and policies.
- Monitor Information Governance.

#### Budget Oversight

Approve and monitor annual service budgets for Corporate Services Directorate, Human Resources Directorate and Chief Executive's Office as part of the rates setting process.

#### Other

- Agree business cases and investment decisions in line with the capital governance process for Finance and Corporate Services Directorate, Organisation Development and Innovation Directorate and Chief Executive's Office.
- Agree relevant Service Level Agreements/ Memoranda of Understanding.
- Agree responses to consultations where the following conditions apply:
  - Council has power or duties;
  - Council is not prevented from taking action by other legislation
  - Consultation directly affects the Local Government District or its residents
  - Consultation relates to an area for which the Council is legally competent.

## 5. Internal Working Groups

The internal working groups in the table below report to the Corporate Services Committee. The Committee may agree to establish other working groups as required throughout the term.

Working Group	AGM / First Home Committee	Number of Positions	Term
Efficiency Review Steering Group	First home committee meeting of Corporate Services Committee	2 representatives from larger parties and one from smaller parties	4 years
Elected Members' Development Steering Group	First home committee meeting of Corporate Services Committee	1 representative from each political party at point of election	4 years
Chief Executive Appraisal	First home committee meeting of Corporate Services Committee	1 representative from each political party (of 2 or more Elected Members) with largest party rep acting as Chair	4 years

## 6. External Representation

The Council is represented on a number of external bodies as set out below. Outcomes are reported through Corporate Services Committee as required. Other external representation may be agreed as necessary throughout the term

External Group	AGM / First Home Committee	Representation in Current Term	Term
National Association of Councillors	Annual Meeting of Council	8 positions	4 years
Northern Ireland Local Government Association	Annual Meeting of Council	8 positions	
Diversity Champion	June Council	1 position	4 years
Knockagh Monument Joint Committee	June Council	2 positions	4 years
NILGA's Regional Elected Member Development Working Group	June Council	1 position	4 years
Somme Advisory Council	June Council	2 positions	4 years

Agreed by Council – March 2023

# LISBURN & CASTLEREAGH CITY COUNCIL

## Communities & Wellbeing Committee

### Terms of Reference

#### 1. Statement of Purpose

The Communities and Wellbeing Committee is a key component of Lisburn and Castlereagh City Council's Corporate Governance Framework.

The purpose of the Communities and Wellbeing Committee is to set the strategic direction for the Council in enhancing the health and wellbeing of communities, by way of policies, initiatives and programmes and the effective use of Council resources.

These Terms of Reference summarise the core functions of the Communities and Wellbeing Committee.

#### 2. Membership

The Communities and Wellbeing Committee is appointed from and reports to, full Council. It is comprised of 15 Elected Members, plus 2 ex-officio Members (Mayor and Deputy Mayor) appointed to the committee each year at the Annual Meeting of Council.

#### 3. Meetings

The quorum for the Communities and Wellbeing Committee is set out in Section 29.3 of the Council's Standing Orders.

*"Except where authorised by statute or order by the Council, business shall not be transacted at a meeting of any Committee (except Planning) unless as least one third of the whole number of the Committee is present."*

The Communities and Wellbeing Committee will meet, typically, the second Tuesday of each month (except in July and August) and will normally be attended by the appropriate Director/s and other officers in line with the agenda of the meeting.

Other special meetings can be convened as deemed appropriate by the Chair in consultation with appropriate Director/s.

#### 4. Responsibilities

The Communities and Wellbeing Committee has the following responsibilities:

##### Communities and Community Planning

- Agree the Council's functions in the development, implementation and review of the Community Plan and its associated Partnerships.



- Monitor the Council's community facilities and other designated amenities to develop and implement activities and initiatives to promote engagement and community wellbeing.
- Monitor the Community Support Plan including the provision of Advice Services.
- Agree and monitor policies, frameworks and partnerships that support community engagement and wellbeing initiatives.
- Agree and monitor the Council's events' calendar.
- Monitor the Council's Museum, Heritage and Arts services and initiatives.

#### Sports and Recreation Services

- Monitor the Council's leisure facilities and other designated amenities to develop and implement activities and initiatives to promote wellbeing and physical activity.
- Monitor sports development programmes and associated activities.
- Agree and monitor policies, frameworks and partnerships that support sport and wellbeing initiatives.

#### Parks and Amenities

- Agree and monitor policies, frameworks and partnerships related to parks, biodiversity, open spaces, sports pitches, golf course fairways and greens and countryside access.

#### Grant Aid and Financial Assistance

- Agree grant-aid awards frameworks and associated funds to promote community, sports and arts/cultural development.
- Agree and monitor major funding programmes, such as the Investment Programme, the Community Investment Fund and other external sources of funding.

#### Financial Oversight

- Approve the draft estimates of expenditure relevant for the Committee

#### Peace Programmes and Policing and Community Safety Partnership

- Agree and monitor strategies and action plans related to externally-funded programmes such as Good Relations, PCSP and Peace programmes.

#### Capital Programme

- Agree business cases and investment decisions in line with the capital governance process.
- Seek and agree third party funding related to capital projects.
- Monitor and evaluate outcomes of capital projects.

## Procurement and Contract Management

- Note or agree procurement / tender outcomes and related contract management matters at Council level including all STAs in line with policy.

***Members will note that the Accounting Manual / Scheme of Delegation will require updating but it would be anticipated that changes would include:***

- ***Officers ability to appoint suppliers where certain conditions have been met (e.g. MEAT criteria applied, lowest or only tender in addition to tender in addition to tender value falling within business case value) or where sufficient budget has been included in estimates for matters which do not require business case (NB no longer just lowest cost tender).***

## Budget Oversight

Approve and monitor annual service budgets the Leisure and Community Wellbeing Directorate as part of the rates setting process.

## Other

- Agree business cases for the Leisure and Community Wellbeing Directorate,
- Agree relevant Service Level Agreements/ Memoranda of Understanding.
- Agree responses to consultations where the following conditions apply:
  - Council has power or duties;
  - Council is not prevented from taking action by other legislation
  - Consultation directly affects the Local Government District or its residents
  - Consultation relates to an area for which the Council is legally competent

## **5. Internal Working Groups**

There are currently no established internal working groups. The Committee may agree to establish Working Groups as required throughout the term.

## **6. External Representation**

The Council is represented on a number of external bodies as set out below. Outcomes are reported through the Community Wellbeing Directorate as required. Other external representation may be agreed as necessary throughout the term.

External Group	Meeting	Representation Current Term	Term
Age Friendly Champion	June Council Meeting	1 position	4 years
Engage with Age	June Council Meeting	1 position	4 years
Lagan Valley Regional Park	June Council Meeting	2 positions	4 years
Lagan Navigation Trust	June Council Meeting	1 position	4 years
Laurelhill Sports Zone	June Council Meeting	1 position	4 years

<b>Lisburn &amp; Castlereagh Housing Liaison Forum</b>	June Council Meeting	9 positions	4 years
<b>Sport Lisburn &amp; Castlereagh</b>	June Council Meeting	2 positions	4 years
<b>Lisburn &amp; Castlereagh Advice Services</b>	June Council Meeting	2 positions (observers)	4 years
<b>NILGA's NI Strategic Migration Partnership</b>	June Council Meeting	1 position	4 years
<b>Parenting Champions</b>	June Council Meeting	3 positions	4 years
<b>Peace Plus Partnership</b>	June Council Meeting	13 positions	4 years
<b>Reserve Forces Cadets (Veteran's Champion)</b>	Annual Meeting of Council	1 position	4 years
<b>Strategic Community Planning Partnership</b>	June Council Meeting	4 positions	4 years
<b>Ulster Grand Prix &amp; Bike Week Steering Group</b>	June Council Meeting	2 positions Mayor and Committee Chairperson	1 year – annual appointment

The Committee will agree, at the beginning of each new Council term, Members' attendance at events, arising from the Council's membership of the above outside bodies, taking place in Northern Ireland. The Council will be responsible for the payment of Members' authorised expenses for the duration of the Council mandate

The functions and responsibilities detailed are not exhaustive and the Committee will deal with relevant matters as they arise.

Date agreed by Council – March 2023

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# **LISBURN & CASTLEREAGH CITY COUNCIL**

## **Regeneration and Growth Committee**

### **Interim Terms of Reference**

#### **1. Statement of Purpose**

The Regeneration and Growth Committee is a key component of Lisburn & Castlereagh City Council's Corporate Governance Framework.

The purpose of the Regeneration and Growth Committee is to lead on programmes and initiatives that support the Corporate and Community Plan objectives by giving due consideration to matters pertaining to regeneration, economic stimulus, Council's estate and prosperity growth within the Council area.

These Terms of Reference summarise the core functions of the Regeneration and Growth Committee.

#### **2. Membership**

The Regeneration and Growth Committee is appointed from, and reports to, full Council. It is comprised of 15 Elected Members, plus 2 ex-officio Members (Mayor and Deputy Mayor) appointed to the Committee each year at the Annual Meeting of Council.

#### **3. Meetings**

The quorum for the Regeneration and Growth Committee is set out in Section 29.3 of the Council's Standing Orders.

*"Except where authorised by statute or order by the Council, business shall not be transacted at a meeting of any Committee (except Planning) unless as least one third of the whole number of the Committee is present."*

The Regeneration and Growth Committee will meet, typically on the first Thursday of each month (except July and August) and will normally be attended by the appropriate Director/s and other officers aligned to the agenda of the meeting.

Other special meetings can be convened as deemed appropriate by the Chair in consultation with the appropriate Director/s.

#### **4. Responsibilities**

The Regeneration and Growth Committee has the following responsibilities:

##### Place Shaping and Place Making

- Agree an Area Plan and associated planning policies.

- Develop, agree and monitor planning policies and frameworks that support sound land and transport use as well as sustainable growth which contribute to and have regard for the corporate objectives and the regional frameworks.
- Review planning and scrutinise land use policy to deliver sustainable communities, and places to work, live and socialise.
- Monitor the Planning Development Management function performance and improvement including evolving policy requirements.

### Economic Development and Regeneration

- Agree initiatives and programmes supporting economic stimulus and sustainable job growth opportunities.
- Agree the delivery of urban and rural regeneration programmes in line with available funding.
- Agree plans for promotion and encouraging progress in bringing forward key development sites in partnership with relevant stakeholders.
- Agree interventions to attract, at a local level, direct foreign investment.
- Agree the policies and plans to promote the strategic benefits of the Council area to maximise growth at national and international forums.

### Assets

- Agree estates strategies as well as related policies and programmes.
- Agree acquisition and disposal of land and property assets including Community Asset Transfers, vesting and other matters.

### Capital Programme

- Agree business cases and investment decisions in line with the capital governance process
- Seek and agree third party funding related to capital projects.
- Monitor and evaluate outcomes of capital projects.

### Procurement and Contract Management

- Note or agree procurement/tender outcomes and related contract management matters at Council level including all STA's in line with policy.

**Members will note that the Accounting Manual/Scheme of Delegation will require updating but it would be anticipated that changes would include:**

- **Officers ability to appoint suppliers where certain conditions have been met (eg MEAT criteria applied, lowest or only tender in addition to tender value falling within business case value) or where sufficient budget has been included in estimates for matters which do not require business case (NB no longer just lowest cost tender)**

### Budget Oversight

- Approve and monitor annual service budgets as part of the rates setting process.

## Other

- Agree relevant Service Level Agreements / Memoranda of Understanding.
- Agree responses to consultations where the following conditions apply:
  - Council has power or duties;
  - Council is not prevented from taking action by other legislation;
  - Consultation directly affects the Local Government District or its residents;
  - Consultation relates to an area for which the Council is legally competent.
- Approval for the Director, in consultation with the Chairperson and Vice Chairperson, to submit all applications for third-party grant-aid funding in furtherance of agreed programmes and corporate objectives with acceptance returning to committee. *Will require update to Scheme of Delegation*
- Approval for the Director to consider and approve grant aid up to £1,000 should requests be in line with existing policy and should sufficient funding be available within existing budgets.
- Agree annual discretionary fee setting and any potential waivers.

## **5. Internal Working Groups**

The internal working groups in the table below report to the Regeneration and Growth Committee. The Committee may agree to establish other working groups as required throughout the term.

<b>Working Group</b>	<b>AGM/Home Committee</b>	<b>Number of Positions</b>	<b>Term</b>
Brokerstown Road (LD1) Sub Committee (Killultagh & Lisburn South DEAs)	Regeneration and Growth Committee	2 positions Chair and Vice Chair of the day	1 year
Steering Group Coopers Mill/Millmount	Regeneration and Growth Committee	6 positions Castlereagh East DEA Members	4 years

## **6. External Representation**

The Council is represented on a number of external bodies as set out below. Outcomes are reported through Regeneration and Growth Committee as required. Other external representation may be agreed as necessary throughout the term.

<b>External Group</b>	<b>AGM/Home Committee</b>	<b>Representation within Current Term</b>	<b>Term</b>
Lagan Navigation Trust	June Council Meeting	2 positions	4 years
Lagan Valley Regional Park	June Council Meeting	3 positions	4 years

Belfast-Dublin Eastern Economic Corridor	June Council Meeting	3 positions:	4 years
Belfast Region City Deal Engagement Forum	June Council Meeting	4 positions	4 years
Belfast Regional Tourism Partnership	June Council Meeting	2 positions	4 years
LDP Spatial Working Groups: a) Metropolitan Spatial Working Group b) Neighbouring Council Spatial Working Group	June Council Meeting	2 positions	1 year
NILGA Place Shaping & Infrastructure Policy & Learning Network	June Council Meeting	1 position	4 years

Agreed by Council – March 2023

# **LISBURN & CASTLEREAGH CITY COUNCIL**

## **Environment and Sustainability Committee**

### **Terms of Reference**

#### **1. Statement of Purpose**

The Environment and Sustainability Committee is a key component of Lisburn & Castlereagh City Council's corporate governance framework.

The purpose of the Environment and Sustainability Committee is to set strategic direction for the Council in relation to all matters pertaining to the Environmental Services function. These Terms of Reference summarise the core functions of the Environment and Sustainability Committee.

#### **2. Membership**

The Environment and Sustainability Committee is appointed from, and reports to, full Council. It is comprised of 15 Elected Members plus 2 ex-officio Members (Mayor and Deputy Mayor) appointed to the Committee each year at the Annual Meeting of Council.

#### **3. Meetings**

The quorum for the Environment and Sustainability Committee is set out in Section 29.3 of the Council's Standing Orders.

*"Except where authorised by statute or order by the Council, business shall not be transacted at a meeting of any Committee (except Planning) unless as least one third of the whole number of the Committee is present."*

The Environment and Sustainability Committee will meet, typically the first Wednesday of each month (except July and August) and will normally be attended by the appropriate Director/s and other officers in line with the agenda of the meeting.

Other special meetings can be convened as deemed appropriate by the Chair in consultation with the appropriate Director/s.

#### **4. Responsibilities**

The Environment and Sustainability Committee has the following responsibilities:

##### Building Control and Sustainability

- Agree new street naming applications which do not meet agreed policy.



- Agree applications for a change to a street name or a second language.
- Agree and review Council's Policy in relation to the Building Control Service functions.
- Agree and review Council's Strategy and Policy in relation to Climate and Sustainability.

#### Environmental Health, Risk and Emergency Planning

- Approve the designation of an area for the purpose of street trading.
- Approve Entertainment Licences in premises outside the scheme of delegation.
- Agree and review Council's policy in relation to Enforcement & Regulatory Policy.
- Agree and review relevant Policies and Strategies including, but not limited to, Safeguarding, Cemeteries and Off Street Parking.
- Agree and review rules and regulations for Cemeteries.
- Agree and review the Council's Emergency Plan.

#### Waste Management and Operations

- Agree and review the implementation of the Council's Sub Regional Waste Management Plan and Policies.
- Agree and review the relevant Policies and Strategies including but not limited to Street Cleansing and Fleet.

#### Capital Programme

- Agree business cases and investment decisions in line with the capital governance process.
- Seek and agree third party funding related to capital projects.
- Monitor and evaluate outcomes of capital projects.

#### Procurement and Contract Management

- Note or agree procurement / tender outcomes and related contract management matters at Council level including all STA's in line with policy.

#### Budget Oversight

Approve and monitor annual service budgets for the Environmental Services Directorate as part of the rates setting process.

#### Other

- Agree business cases for Environmental Services Directorate.
- Agree relevant Service Level Agreements / Memoranda of Understanding.
- Agree annual discretionary fee setting and any potential waivers.
- Agree responses to consultations where the following conditions apply:
  - Council has power or duties;
  - Council is not prevented from taking action by other legislation;
  - Consultation directly affects the Local Government District or its residents;
  - Consultation relates to an area for which the Council is legally competent.
- Approval for the Director, in consultation with the Chairperson and Vice Chairperson,

to submit all applications for third-party grant-aid funding in furtherance of agreed programmes and corporate objectives with acceptance returning to committee.

## 5. Internal Working Groups

There are currently no established internal working groups. The Committee may agree to establish Working Groups as required throughout the term.

## 6. External Representation

The Council is represented on a number of external bodies as set out below. Outcomes are reported through Environment and Sustainability Committee as required. Other external representation may be agreed as necessary throughout the term.

External Body	AGM / First Home Committee or Council	Number of Positions	Term
Arc21	Annual Meeting of Council	3 positions	4 years
Drainage Council for Northern Ireland		1 position	4 years
Northern Ireland Local Government Partnership on Traveller Issues	June Council Meeting	1 position	1 year
Sustainable NI's All Party Group on Sustainable Development	June Council Meeting	2 positions	4 years

Agreed by Council – March 2023

# **LISBURN & CASTLEREAGH CITY COUNCIL**

## **Planning Committee**

### **Terms of Reference**

#### **1. Statement of Purpose**

The Planning Committee is a key component of Lisburn & Castlereagh City Council's Corporate Governance Framework with the exception that it operates in a quasi-judicial manner with delegated authority for determining planning applications.

The purpose of the Planning Committee is to hear evidence from officers, supporters and objectors to development proposals in line with the attached Protocol for the Operation of the Lisburn and Castlereagh Planning Committee. In addition, the committee should have regard for planning precedents and appeals against their decisions. A key aspect of the committee is to continue to keep under review, and scrutinise performance of, the development management function within this Council area.

These Terms of Reference summarise the core functions of the Planning Committee.

#### **2. Membership**

The Planning Committee is appointed from the full Council who note the minutes of their determinations. It is comprised of 11 Elected Members, with no ex-officio Members, appointed to the Committee each year at the Annual Meeting of Council.

#### **3. Meetings**

The quorum for the Planning Committee is set out in Section 29.3 of the Council's Standing Orders.

"Except where authorised by statute or order by the Council, business shall not be transacted at a meeting of any Committee (except Planning) unless as least one third of the whole number of the Committee is present. In the case of Planning Committee, business shall not be transacted unless at least one-half of the whole number of the Committee is present."

The Planning Committee will meet, typically on the first Monday of each month, and will normally be attended by the appropriate Director and Head of Planning and Capital Development, and/or other authorised planning officers aligned to the agenda of the meeting.

Other special meetings can be convened as deemed appropriate by the Chair in consultation with the appropriate Director.

#### **4. Responsibilities**

The Planning Committee has the following delegated responsibilities as per the Protocol:

- Determine major planning applications

- Determine all applications made on behalf of the Council
- Determine all referred applications from the delegated planning list on the basis that the procedures set out within the attached Protocol are followed
- Hear pre determination submissions from applicants as required
- Determine applications referred by the Head of Planning and Capital Development
- Monitor and review overall performance of the planning function
- Monitor the number of enforcement notices and convictions pursued

Agreed by Council – March 2023



**Lisburn &  
Castlereagh  
City Council**

**Protocol for the Operation of the  
Lisburn & Castlereagh City Council  
Planning Committee**

**Reviewed: March 2021**

**Effective Date: 03 May 2021**

**[www.lisburncastlereagh.gov.uk](http://www.lisburncastlereagh.gov.uk)**

# **Protocol for the Operation of the Lisburn & Castlereagh City Council Planning Committee**

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## **PURPOSE OF THE PROTOCOL**

1. The purpose of this Protocol is to outline practical handling arrangements for the operation of Lisburn & Castlereagh City Council's Planning Committee (the "Committee").
2. The Protocol should be read in conjunction with the relevant provisions of the Council's Standing Orders and the Code of Conduct for Councillors. It is not intended to replace either document.

## **REMIT OF THE PLANNING COMMITTEE**

### *Development Plan*

3. The Committee will have an oversight role to ensure that the Local Development Plan is monitored annually, particularly in terms of the availability of housing and land for economic development. The Committee will also need to ensure that the Plan is reviewed every 5 years, giving consideration to whether there is a need to change the Plan strategy or zonings, designations and policies.

### *Development Management*

4. The main role of the Planning Committee in relation to development management is to consider planning applications made to the Council as the Local Planning Authority and to decide whether or not they should be approved. The Planning Committee will have full delegated authority, meaning that the decisions of the Planning Committee will not go to the full Council for ratification.

### *Enforcement*

5. The enforcement of planning controls will be delegated to authorised Officers, with the Planning Committee receiving quarterly reports on the progress of enforcement activities.

## **SIZE OF THE PLANNING COMMITTEE**

6. A membership and quorum, as outlined in the Council's Standing Orders, is required for the Planning Committee to convene. Business shall not be transacted unless 50% of the Members of the Committee are present.
7. The Lisburn & Castlereagh City Council Planning Committee will comprise 11 Members with no substitutions permitted.
8. The Head of Planning and Capital Development (or authorised planning officer) is expected to attend all Planning Committee meetings, in addition to Planning Officers presenting their reports.

## **FREQUENCY OF MEETINGS**

9. In accordance with the Council's Standing Orders, Planning Committee meetings will usually be held on a monthly basis. The Planning Committee will normally meet on the first Monday in every month. The Committee shall from time to time fix its own day and hour of meeting and notify the Council. The following will be published on the Council's website at least 5 working days in advance of the meeting:
  - Committee meeting dates and times; and

- The Schedule of Applications to be determined by the Planning Committee

## SCHEME OF DELEGATION

10. A Scheme of Delegation is where decision making for local applications is delegated to an appointed Officer rather than the Council, thereby enabling speedier decisions and improved efficiency. Section 31(1) of the Planning Act (Northern Ireland) 2011 requires a Council to produce a Scheme of Delegation for operation in its area.
11. The Council's Planning Scheme of Delegation relates only to applications falling within the category of **local development** as defined under regulation 2 of The Planning (Development Management) Regulations (Northern Ireland) 2015. Certain statutory restrictions that apply to the Council's Scheme of Delegation prevent certain types of applications from being delegated to Officers, thereby requiring them to be determined by the Planning Committee. These restrictions are set out in Part A of the Council's approved Scheme of Delegation.
12. The Council's Scheme of Delegation is approved by the Department for Infrastructure in accordance with Section 31 of the Planning Act (Northern Ireland) 2011.
13. In accordance with regulation 10 of the Planning (Development Management) Regulations (Northern Ireland) 2015, the Scheme is available to view on the Council's website [www.lisburncastlereagh.gov.uk](http://www.lisburncastlereagh.gov.uk). A copy is also available at the Island Civic Centre, The Island, Lisburn, Co Antrim, BT27 4RL.
14. The Scheme of Delegation will be reviewed periodically to ensure that it remains current and relevant.

## ENFORCEMENT

15. Planning Officers will prepare a quarterly report on the progress of formal enforcement cases which will be circulated to all Members of the Council, detailing the number of notices issued, and convictions obtained, as opposed to providing details of individual cases.

## REFERRAL OF DELEGATED APPLICATIONS TO THE PLANNING COMMITTEE

*Weekly List of Delegated Applications with recommendation to refuse and/or approve with objections received*

16. Where applications have been delegated to Officers and the decision is to refuse planning permission, **Members of the Council** will be notified by email of the recommendation and the reason for the recommendation. If a recommendation is to approve and objections have been received, **Members of the Council** will also be notified by email of the nature of the objections and how they have been considered. If considered appropriate, Members can then request that an application be referred to the Planning Committee for determination.
17. Planning reasons explaining why the application should be determined by the Planning Committee must accompany all such requests. Members should refer to paragraphs 9 of



DMPN 15 – Councils Schemes of Delegation which offers examples of sound and appropriate reasons for referral<sup>1</sup>.

18. In such cases, Members **must** submit a request to the Planning Unit via email to the [planning@lisburncastlereagh.gov.uk](mailto:planning@lisburncastlereagh.gov.uk) inbox clearly stating the planning reason(s) for the request. A Member has 5 working days from the date of the email notification sent to Members under paragraph 16 above in which to submit a request.
19. On receipt of a request, the Chairperson (or Vice Chairperson where applicable) shall liaise with an authorised officer where the reasons provided are not considered sound or appropriate.
20. Where it is agreed that the reason(s) is not sound or appropriate, the referring Member will be advised accordingly.
21. A notification email will be issued to all Members on a weekly basis to advise which applications have been referred to Planning Committee.
22. The Head of Planning and Capital Development or authorised officer may also consider it prudent to refer a delegated application to the Planning Committee for determination. Where the authorised officer considers it prudent to refer a delegated application to Committee, the matter will be discussed and agreed with the Chairperson presiding on this application.

## FORMAT OF PLANNING COMMITTEE MEETINGS

23. Lisburn & Castlereagh City Council will operate its Planning Committee in accordance with its own Standing Orders. The Schedule of Applications to be determined by the Planning Committee will be posted to the Planning Portal website 5 working days prior to the Committee Meeting.

### *Standard Items*

24. The agenda will allow for the inclusion of the following items:
  - Notice of meeting;
  - Apologies;
  - Approval of the minutes of the previous meeting;
  - Declaration of Interests;
  - Schedule of Planning Applications;
  - Other Reports for Noting
  - Development Plan and Enforcement matters (quarterly)AOB

### *Committee Papers*

25. All Planning Committee Members will be sent an agenda in advance of the Committee meeting. The following papers (where appropriate) will also be provided:
  - Minutes of the previous meeting for approval as a complete record;

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<sup>1</sup> [https://www.infrastructure-ni.gov.uk/sites/default/files/publications/infrastructure/dmpn-15-scheme-of-delegation-v1-april-2015\\_0.pdf](https://www.infrastructure-ni.gov.uk/sites/default/files/publications/infrastructure/dmpn-15-scheme-of-delegation-v1-april-2015_0.pdf)

- Schedule of Applications to be Determined (including those brought back following deferral) for consideration by the Committee;
  - Details of applications of regional significance which will have an impact upon the Council area and the Council is a statutory consultee or where it may wish to make a representation;
  - Performance Management Reports;
  - Details of Local Development Plan issues (as required);
  - Details of relevant Enforcement Matters (as required); and
  - Details of proposed Pre-determination hearings (as required).
26. A Pre-Planning Committee Meeting may be held with the Chairperson and Vice Chairperson and other officials in advance of the scheduled Committee meeting taking place.
27. Where necessary, Planning Officers will prepare an addendum report to provide Members with any relevant updates since the agenda was issued.
28. Planning Committee meetings will be open to the public except when access may be restricted in accordance with Section 42 of the Local Government Act (Northern Ireland) 2014.

#### *Declaration of Interests*

29. At the beginning of **every** meeting, Members will be asked to declare whether they have a pecuniary and/or significant private or personal non-pecuniary interest in any item on the agenda.
30. Should a Member declare such an interest they must have regard for the Members Code of Conduct and it is recommended that they leave the meeting room for the duration of that item unless they have registered to speak on the item. Members will then be invited to return to the meeting room and notified of the Committee's decision before the meeting recommences. In this circumstance the Member will be invited into the room to address the Committee and answer questions at an appropriate time.
30. Where a Member, in advance of the relevant Committee meeting, has taken a firm view on a planning application (in essence they have "pre-determined" the application) that Member should make an open declaration at the beginning of the relevant meeting and leave the meeting room for that entire item unless they have registered to speak on the item. In this circumstance the Member will be invited into the room to address the Committee and answer questions at an appropriate time.
31. Once discussions are complete, the Member(s) will be invited to return to the meeting room. Notification of the Committee decision will be provided to the Member(s) before the meeting reconvenes.

#### **PRE-DETERMINATION HEARINGS**

32. The Planning Committee has a **mandatory** requirement to hold pre-determination hearings for those major applications which have been referred to the Department for Infrastructure for call-in consideration but returned to the Council for determination. The pre-determination

hearing should be heard by the Planning Committee and the related application should be decided by the Planning Committee.

33. The Council may also hold pre-determination hearings, at their own discretion, where it is considered necessary to take on board local community views as well as those in support of the development. In deciding whether to apply discretion, Members will take into account the following:
- Relevance of the objections in planning terms;
  - The extent to which relevant objections are representative of the community, particularly in the context of pre-application community consultation and
  - The numbers of representations against the proposal in relation to where the proposal is and the number of people likely to be affected by the proposal.
34. Applicants and those who have submitted relevant representations will be afforded an opportunity to be heard by the Council before it takes a decision. When holding a pre-determination hearing, the procedures will be the same as those applied to 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. In circumstances whereby the Committee decides to hold the hearing on the same day as it wishes to consider and determine the application, the report to Members will also include a recommendation.
35. Pre-determination hearings should take place **after** the expiry of the period for making representations on the application but **before** the Committee meets to discuss the application. Whilst the Committee will endeavour to hold its pre-determination hearings out with the Committee meeting at which the application will be considered, it is recognised that this may not always be possible.

## **PUBLIC SPEAKING**

### *Procedures for Public Speaking*

36. The following procedures will apply to Lisburn & Castlereagh City Council Planning Committee meetings.

### *Registering Requests*

37. Failure to comply with the following criteria will result in an invalid request to speak:
- Requests to speak should be received in writing to the Planning Unit or by email to [planning@lisburncastlereagh.gov.uk](mailto:planning@lisburncastlereagh.gov.uk) no later than 12 noon on the last working day prior to the scheduled Committee meeting.
  - The request must state whether they wish to speak in support or in opposition to a planning application.
  - Requests must be accompanied with a legible written representation of no longer than two sides of an A4 page. This can be written or typically typed in a font such as Arial, minimum size 10, summarising the points to be addressed and provide supplementary information (to include, for example, photographs or otherwise) in support of their case. The written submission is not intended to replace a speaking note if a speaker wishes

to expand on the points raised in the meeting. Exceptions to this, so as to accommodate equality of access, will be at the discretion of the Chairperson.

- A contact number and/or email address must be provided to allow individuals to be invited to/participate in meetings either in person or remotely through on-line access.
- Late requests may be accepted by the Chairperson in exceptional circumstances.

#### *Circulation of Information*

38. The written representation submitted when registering to speak will be circulated to Members in advance of the Committee meeting. Any written representation received after this time will **not** be circulated unless it is agreed by the Chairperson.
39. No documentation must be circulated at the meeting to Members by speakers. If speaking remotely the sharing of any media will not be permitted.
40. MPs/MLAs and all Members may speak about an application. They will be afforded **3 minutes**. Where more than one elected representative is registered to speak for or against a proposal they are encouraged to seek areas of common ground to avoid duplication of issues and questions. Where possible elected representatives are encouraged to share the speaking time allowed.
41. Members of the public in support or objection to a proposal will be afforded **3 minutes** to speak about an application. Where more than one person is registered to speak for or against a proposal only one person from those objecting to the proposal and one person in support of the proposal will be allowed to speak.

#### *Questions of Clarification*

42. Members of the Planning Committee can seek clarification from those individuals who have addressed the Committee through the Chairperson. Members must not enter into a debate on any issue raised until the Chairperson opens the formal debate of all issues before the Committee.
43. When invited by the Chairperson, Planning Officers can address any issues raised and Planning Committee Members can question Planning Officers through the Chairperson.
44. The Chairperson may agree to accept representations outside these procedures.

### **COMMITTEE DECISIONS**

45. The main role of the Planning Committee is to consider applications made to the Council as the Local Planning Authority and decide whether or not they should be approved.

#### *Committee Decision Making Options*

46. The Committee will discuss applications presented to it before taking a vote.
47. Where the recommendation by the officer is accepted the following options are available;
  - Approve the application with conditions as recommended;
  - Approve the application with amended conditions;
  - Refuse the application for the reasons recommended;

- Refuse the application with additional or different reasons recommended
48. Where the recommendation by the officer is not accepted the following options are available:
- Approve the application demonstrating how the relevant policy has been fully engaged with appropriate conditions in consultation with an authorised officer;
  - Approve the application with conditions to be drafted by an authorised officer and approved by Members at the next Planning Committee meeting;
  - Refuse the application with a precise reason or reasons for refusal demonstrating how the relevant policy has been fully engaged.
49. Members must be present for the complete discussion on the item otherwise they cannot take part in the debate or vote on that item.
50. The Chairperson of the Planning Committee has a casting vote.

#### *Decisions Contrary to officer recommendation*

51. The decision as to whether planning permission should be approved or refused lies with the Committee. The views, opinions and recommendations of Planning Officers may on occasion be at odds with the views, opinions or decision of the Planning Committee or its Members. This is acceptable where planning issues are finely balanced.
52. The Committee can accept or place a different interpretation on, or give different weight to the various arguments and material considerations.
53. If the Committee is minded to make a decision contrary to Officer recommendation in accordance with paragraph 48 then:
- The proposer of the motion to go against the Planning Officer's recommendation, or the Chairperson, should state the planning reasons for the proposed decision before a vote is taken. The reasons should be clear, necessary, reasonable and be based on material planning considerations;
  - The Authorised Planning Officer present at the meeting should be given the opportunity to comment upon whether the proposed reasons for the decision are valid and, if an approval is proposed, to recommend appropriate conditions;
  - A detailed minute of the Committee's reasons for departing from the recommendation should be taken and a copy placed on the application file.

#### *Appeal contrary to officer recommendation*

54. In the event of an appeal against a refusal of planning permission contrary to Officer recommendation, the Committee should decide who should attend the appeal to defend the decision. The following options are available:
- Members who proposed and seconded a motion to refuse contrary to Officer recommendation may be called as Council witnesses; and
  - Different Planning Officers from those who made the original recommendation and/or decision making process may be used.

#### *Decisions Contrary to Local Development Plans*

55. Councils are required by the Planning (Notification of Applications) Direction 2017 to formally notify the Department where they are minded to grant planning permission for certain types of application.

56. The direction restricts the grant of planning permission and requires a council to send information to the Department.
57. The schedule attached to the notification direction sets out the following circumstances when councils should notify the Department.
- A major development application which would significantly prejudice the implementation of the local development plans objectives and policies;
  - A major development application which would not be in accordance with any appropriate marine plan adopted under the Marine Act (Northern Ireland) 2013; or
  - A government department or statutory consultee has raised a significant objection to a major development application.
58. If a Committee Member proposes, seconds or supports a decision which is contrary to the Local Development Plan or which will significantly prejudice the implementation of the Local Development Plan's objectives and policies, they will need to provide valid planning reasons to justify their decision and/or clearly explain why their decision will not significantly prejudice the implementation of the Local Development Plan's objectives and policies.
59. If the decision would significantly prejudice the implementation of the current and/or emerging Local Development Plan's objectives and policies then the Planning Officer must be given the opportunity to comment on the reasons provided by Members under paragraph 58 above and on whether the decision requires referral to the Department for Infrastructure.
60. The reasons for any decisions which are made contrary to the Local Development Plan will be formally recorded in the minutes and a copy placed on the application file.

## **DEFERRALS**

61. The Planning Committee can decide to defer consideration of an application to a future meeting for the following reasons:
- For further information;
  - Further negotiations; and/or
  - For a site visit.
62. Members should be aware that deferrals will inevitably have an adverse effect on processing times, and therefore should be an exception. Deferral of a decision to a later Committee meeting can, however also be used to allow time for reflection, where the Committee is minded to refuse a proposal against officer recommendation. This can allow time to reconsider, manage the risk associated with the action, seek legal advice and ensure that Planning Officers can provide additional reports and draft reasons for refusal.

## **SITE VISITS**

63. It is important that requests for site visits are handled in a consistent and organised manner, and that administrative and procedural arrangements on site are understood. The reasons for a site visit should be clearly stated and minuted.
64. Site visits form part of the meeting of the Planning Committee and Members intending to declare a pecuniary and/or significant private or personal non-pecuniary interest in an application or who have pre-determined an application should not attend the site visit. As minimum, those Members who proposed and seconded the site visit should make every

effort to attend, so that they understand the issues when the matter is considered at the following Planning Committee meeting. If a Member is unable to attend as site visit they should give consideration to their ability to participate in the decision making process when the item is returned to a later meeting.

#### *Arranging a site visit*

65. Where a site visit is deemed to be required by Members, the site visit will be carried out in accordance with relevant legislation and guidance in place at the time of the site visit.
66. A Planning Officer will contact the applicant/agent to arrange access to the site. Invitations will be sent to Members of the Planning Committee. Only Members of the Planning Committee, Planning Officers and Council Officials will be permitted to attend the site visit.
67. The full Planning Committee should attend unless there are good reasons not to.
68. It is important for the integrity of the planning process that Planning Committee Members do not carry out their own unaccompanied site visits.
69. A record of the date of the site visit, attendees and any other relevant information will be retained.

#### *Site Visit Procedure*

70. The Chairperson of the Planning Committee will oversee the conduct of site visits. They will start promptly at the time notified to Members and interested persons. At the request of the Committee Chairperson, the Planning Officer may be invited to describe the proposal to Members. Whilst Committee Members will be expected to be familiar with the Planning Officer's report, plans/drawings may be used where necessary.
71. The Planning Officer may indicate 'matters of fact' in relation to the proposal and surrounding land which Members can then take account of. Through the Committee Chairperson, Members can ask the Planning Officer for factual clarification on any planning matter relating to the proposal or surrounding land, such as distances to adjoining properties or the location of proposed car parking.
72. At no time during the site visit should Members debate the merits of the planning application. To do so out with the Planning Committee meeting might imply that Members had made their minds up.
73. At no time during the site visit should the applicant, their agent, any objector or any other Member of the public be allowed to address Members. The public right to address the Planning Committee does not arise until the item is reached on the Committee agenda.
74. In order to assist Members to retain their objectivity, they should keep together in one group with the Chairperson, Planning Officers and Council Officials and should avoid breaking away into smaller groups. Once the site visit is concluded, Members should leave the site promptly.

#### *Record Keeping*

75. The Council will keep a record of Member's attendance at the site visit.
76. The record will be presented to the next meeting of the Planning Committee scheduled to discuss the particular application.

## **REVIEW OF DECISIONS**

77. Best practice suggests that in order to assess the quality of decision making, Members should inspect a sample of implemented planning decisions on an annual basis.
78. Lisburn & Castlereagh City Council's Planning Committee will on an annual basis inspect a sample of implemented planning decisions to assess the quality of the decision making.
79. In addition, to give assurances that the Scheme of Delegation is operating effectively, this inspection will also include a sample of decisions delegated to officers.

## **LEGAL ADVISER**

80. The Lisburn & Castlereagh City Council Planning Committee will have access to legal advice on planning matters at each of its meetings.

## **REVIEW OF PROTOCOL**

81. The reform of local government saw the majority of planning functions transfer to Local Councils in April 2015. This Protocol will therefore be monitored and procedures reviewed as necessary to ensure that they remain current and relevant to the operational needs of the Lisburn & Castlereagh City Council Planning Committee.

## **TRAINING**

82. A Member shall not participate in decision making at meetings of the Planning Committee if they have not attended the training prescribed by the Council.
83. Members of the Planning Committee shall also endeavour to attend any other specialised training sessions provided, since these are designed to extend the knowledge of the Member on planning law, regulations, procedures and development plans and to generally assist the Member in carrying out their role properly and effectively.