



**Causeway
Coast & Glens
Borough Council**

SCHEME OF DELEGATION TO SENIOR OFFICERS

Date Adopted by Causeway Coast & Glens Borough Council		
Version No.	Revision Date	Revised By

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INTRODUCTION

Causeway Coast & Glens Borough Council is committed to setting and securing the highest standards in its decision making and this Schedule of Delegation provides the framework and guidance for the delegation of powers to senior officers within the Council.

This Scheme of Delegation is made pursuant to the Local Government Act (Northern Ireland) 2014 Section 7 and by reference to the Local Government (Northern Ireland) Act 2014 Section 2 and the Local Government Act 2000 Section 14 and all other enabling powers and the proper officer appointments made under the relevant provisions.

This Scheme of Delegation shall come into effect on 1st December 2020.

Nothing in this Scheme of Delegation shall prejudice the validity of any actions taken by the officers before 1st December 2020 under any previous schemes.

SECTION 1:	General Conditions and Principles of the Scheme
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1.1 Conditions of the Scheme

- 1.1.1 The Council has chosen to exercise its powers under Section 47(A) of the Local Government (NI) Act 1972 and Part 4 of the Local Government (NI) Act 2014 to delegate powers to discharge certain of its functions to various officers of Council.
- 1.1.2 The Council and its Committees shall retain authority for decisions on matters of significant strategic policy.
- 1.1.3 The Scheme does not delegate to Senior Officers –
- any matter reserved to full Council and which by law may not be delegated - that is, the power of setting the district rate, or of borrowing money or of acquiring, holding or disposing of land;
 - the adoption of any new policy, or major change to an existing agreed Council policy.
- 1.1.4 Delegation to deal with any matter shall not superseded by the Council's, or relevant Committee's, power to call for a report on any decision or action taken under the Scheme.

1.2 General Principles of the Scheme

- 1.2.1 The Chief Executive and Senior Officers of Council are empowered through this Scheme to make decisions on behalf of the Council in accordance with the general principles contained in this section of the Scheme.
- 1.2.2 The Senior Officers of Council for the purpose of this Scheme are considered to be the:
- Chief Executive
 - Director of Corporate Services
 - Director of Environmental Services
 - Director of Leisure and Development
 - Head of Planning
 - Chief Finance Officer
- 1.2.3 Delegated authority granted to the above officers can be further delegated. However, this does not release the authorised officer from the responsibility arising from the delegated power within this Scheme. Accountability remains with the authorised officer as specified.
- 1.2.4 In the event that a Senior Officer's post ceases to exist or his or her responsibilities are transferred to another Senior Officer temporarily or permanently, then the powers given by this Scheme of Delegation shall be exercisable by the officer in whose area of responsibility the power falls to be exercised.
- 1.2.5 Senior officers must use the authority delegated to them in the interests of Causeway Coast and Glens Borough Council and every function delegated under this Scheme will be exercised subject to, and in accordance with:
- the Council's agreed plans, strategies, policies and objectives
 - Standing Orders, Finance Policy Manual, Equality Scheme, Codes of Conduct and other relevant governance policies contained within the Council's Constitution
 - approved budgets
 - relevant legislation.
- 1.2.6 In exercising these delegated powers the officers concerned shall have broad discretion to use the most efficient and effective means available, including the deployment of staffing and other resources within their control and the procurement of other resources as considered necessary.
- 1.2.7 Authority to exercise any delegated power includes the authority to take all reasonable necessary actions of an incidental or consequential nature and to

take all operational decisions, within agreed policies, in relation to the services for which the officer is responsible.

- 1.2.8 Any reference in the Scheme to a statutory enactment should be taken to include any subsequent amendments, re-enactment, regulations or subordinate legislation made thereunder.
- 1.2.9 The exercise of delegated authority shall be subject to there being appropriate and adequate budgetary provision, both in the year of exercise and future years. Where an officer (“the instructing officer”) requests another officer to exercise powers delegated to the other officer, the instructing officer shall ensure that appropriate and adequate budgetary provision has been made.
- 1.2.10 A senior officer may, notwithstanding his/her power of delegation, consult with the Chief Executive or other senior officers on any matter or in respect of matters which are sensitive or complex, or where legal, administrative or other advice or guidance is necessary.
- 1.2.11 A senior officer may, notwithstanding his/her power of delegation, refer a matter to the appropriate Council Committee in respect of matters which are sensitive or controversial or in unusual circumstances.
- 1.2.12 A senior officer may decide to seek Council or Committee authority rather than exercise delegated authority in any matter.
- 1.2.13 Any decision which may attract to the Council an unusual or onerous legal liability shall be taken in consultation with the Chief Executive and legal services.
- 1.2.14 Any decision which has major financial implications shall be taken in consultation with the Chief Executive and Chief Finance Officer.
- 1.2.15 Where the exercise of a delegated power involves considerations within the remit of another senior officer, the senior officer exercising the power shall consult with that other senior officer prior to taking any final decision.
- 1.2.16 Authority to exercise any delegated power will include the authority to take all reasonable necessary actions of an incidental or consequent nature.
- 1.2.17 A senior officer must not make any decision or take any action in accordance with powers conferred by the Scheme if the decision or outcome could create the perception that an employee is not strictly adhering to the Council’s Code of Conduct for Employees.

SECTION 2:	General Delegated Functions to Senior Officers of Council
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The following general management functions are delegated to the Senior Officers of the Council and should be exercised in accordance with relevant Council policies:

2.1 General Management

- 2.1.1 Take all necessary action for the effective day to day operational management, administration and supervision of the department, services and assets for which the senior officer is responsible.
- 2.1.2 Implement the appropriate key tasks and objectives contained in the Council's Corporate Strategy and Performance Plan for the forthcoming year (as outlined in 1.2.5).
- 2.1.3 Implement operational actions, programmes and initiatives which the senior officer is responsible for as set out in Departmental Business Plans.
- 2.1.4 Pursuant to the authorities above;
- Authorising internal expenditure subject to the expenditure being within agreed estimates.
 - Authorising external expenditure and procurement of goods, works and services subject to Council Procurement Policy and expenditure limits.
 - Working with Elected Members and other politicians.
 - Consulting with the public and other stakeholders.
 - Working with partner public sector bodies including Central Government Departments and other Councils.
 - Working with partner private sector organisations.
 - Granting of small scale hospitality pursuant to Section 37 of the Local Government Act (Northern Ireland) 1972 subject to the financial limits set.
 - Making applications for external funding.
- 2.1.3 Issue the necessary authorisation to officers to exercise their statutory powers.
- 2.1.4 Exercise functions under health and safety legislation in relation to the welfare and safety of employees and persons using Council property.

- 2.1.5 Implement those actions, programmes and initiatives which the senior officer is responsible for, as set out in agreed Council plans and strategies, subject to regular reporting to the relevant Committee of Council and to the expenditure being within agreed estimates (as outlined in 1.2.5).
- 2.1.6 Engage consultancy assistance where required, subject to relevant Council policies and strategies and regular reporting to the relevant Committee of Council on the use of this delegated authority.
- 2.1.7 Commission surveys and other research in connection with the functions of their department, subject to Council policies on procurement.
- 2.1.8 Respond to consultation documents on matters which are routine or which do not have significant policy or financial implications for the Council.
- 2.1.9 Make initial applications for grant funding from external bodies where there is not sufficient time for Council approval to be obtained providing that there is no commitment for Council funding and that any subsequent decision to proceed remains subject to Committee approval.
- 2.1.10 Develop and implement specific promotions, schemes and events in line with any relevant Council policies.
- 2.1.11 Instruct the legal services section of Council to take legal proceedings in relation to the recovery of debt(s), the enforcement of contractual rights, the service of notices, the prosecution of statutory offences and the instituting and defending of claims and proceedings affecting the senior officer's area of responsibility.
- 2.1.12 Entering into arrangements with other public authorities or bodies for the provision of services.
- 2.1.13 Approving the use of marketing and promotional measures to attract and retain users and members of Council's services as considered useful.

2.2 Finance

- 2.2.1 Each Senior Officer should liaise with the Chief Finance Officer in relation to any matter within his/her area of responsibility which is likely to have a material major impact on the finances of the Council before either incurring any commitment or liability, whether provisional or otherwise or by reporting the matter to a Committee of Council.
- 2.2.2 Ensuring that their Department receives all income and does not spend more than the amount of expenditure budgeted in accordance with the Estimates previously agreed by Council

- 2.2.3 Writing off any loss of money (including bad debts) and loss of stores, obsolete equipment and materials in accordance with the limits outlined in the Finance Policy Manual /Debt Management Policy and other Financial Procedures.
- 2.2.4 Authorising appropriate payments to employees in respect of overtime, telephone, travel and subsistence allowances, and other appropriate allowances in accordance with Council policies.
- 2.2.6 Authorising spend of available funding in accordance with the requirements of an external funder where time constraints would not allow advance notification to be made to the relevant Committee or Council
- 2.2.7 Authorising the use of a Council credit card in relation to the purchase of goods and services for Council purposes.
- 2.2.8 Acting as a signatory on Council bank accounts where appropriate (also included under Chief Finance Officer and other officers to sign cheques and hold council credit cards).
- 2.2.9 Authorising investment decisions in line with Council's approved policies and procedures, Finance Policy Manual, and Prudential Code.

2.3 Emergencies and Other Urgent Matters

- 2.3.1 Take such measures as may be required in emergency situations, or in other cases of urgency.
- 2.3.2 Where such measures involve the Council incurring expenditure then the senior officer should advise the Chief Executive and a report submitted to the relevant Committee and/or Council as soon as possible thereafter.
- 2.3.3 Report incidents to the police where a criminal offence or fraud is suspected.

2.4 Staff Management

The exercise of the following delegated powers are subject to consultation with the Director of Corporate Services/Head of Organisational Development and Human Resources to ensure that decisions are taken in accordance with any relevant Council policies and procedures:

- 2.4.1 Recruit, select and appoint successful applicants to posts in accordance with the Council's appointment policies and procedures.
- 2.4.2 Implement, in accordance with Council policies and any instructions given by the Chief Executive, the terms of national and local agreements on salaries and conditions of service.
- 2.4.3 Take action in accordance with the Council's employee relations policies and procedures including, but not limited to, disciplinary, grievances and appeals as appropriate.
- 2.4.4 Allow or disallow all requests for leave of any kind in accordance with the conditions of service adopted by Council.
- 2.4.5 Grant paid special leave to an employee in exceptional circumstances.
- 2.4.6 Terminate or vary contracts of employment in accordance with all relevant Council policies.
- 2.4.7 Authorise employees to attend training and development events, technical visits and courses, including conferences, seminar, exhibitions, workshops and meetings of appropriate professional associations, subject to any relevant Council policies.
- 2.4.8 Undertake service reviews, including the deletion of permanent posts and the creation of new permanent posts, with the proviso that there is no increase in the Department's approved staffing establishment and staffing budget for permanent posts.
- 2.4.9 On completion of an Authorise to Recruit form approved through SLT/relevant Director, progress with filling new temporary posts provided that there is no increase in the Department's approved staffing establishment and staffing budget.
- 2.4.10 On completion of an Agency Request form approved through Director. OD HR action the use of agency resources in accordance with all relevant Council policies.

- 2.4.11 Following approval by SLT, progress the payment of honoraria to an employee in accordance with all relevant Council policies.
- 2.4.12 Take management action in relation to sickness absence in line with the Council's policies and procedures.
- 2.4.13 Authorise the carry-over of annual leave up the limits specified in relevant Council policies.

2.5 Procurement

- 2.5.1 Procure goods, services or works not exceeding in value the amount defined in the Council's Procurement Policy (see the authorisation limits outlined in the Council's Procurement Policy).
- 2.5.2 Procure goods, services or works where the contract is in relation to matters of a routine or recurring nature and not of an unusual or controversial nature.
- 2.5.3 Sign contractual documents in accordance with Council policy and procedures.
- 2.5.4 Take action to ensure contract compliance and negotiate claims and contract variations.
- 2.5.5 Refer contracts to arbitration, terminate contracts, withhold payment, enforce contract terms and serve notices in accordance with contract conditions and the Council's Procurement Policy.
- 2.5.6 Approve extensions and renewals to contracts where permissible within the original documentation and subject to Council's Procurement Policy.
- 2.5.7 Take action to ensure contract compliance and negotiating claims and contract variations.
- 2.5.8 Determine a contract awarded by the Council where the contractor is in breach of contract and unable or unwilling to proceed therewith, subject to prior consultation with the Chief Executive and Chief Finance Officer.
- 2.5.9 Making arrangements for the supply of goods and services pursuant to Section 105 of the Local Government Act (Northern Ireland) 1972.

SECTION 3:**Delegated Powers to the Chief Executive****3.1 Preliminary**

- 3.1.1 The Chief Executive, or such other officer as Council may from time to time determine, is the Head of the Paid Service.
- 3.1.2 The Chief Executive acts as the Council's principle advisor on policy matters and has responsibility for ensuring that all delegations are consistent with Council policy.
- 3.1.3 Anything delegated to a Chief Officer is also delegated to the Chief Executive who has authority to act on their behalf and to exercise any relevant functions accordingly.

3.2 Delegated Powers

The Chief Executive has the following delegated powers without prejudice to all statutory duties, responsibilities and powers exercisable by him/her:

- 3.2.1 Undertake all matters associated with the professional management of the Council.
- 3.2.2 Allocate or reallocate responsibility for exercising particular delegated powers to any officer of the Council in the interests of effective corporate management as he/she sees fit.
- 3.2.3 Authorise any senior officer to act on behalf of any other senior officer as required in order to discharge their delegated functions as authorised in this Scheme.
- 3.2.4 Require any officer of the Council to refer a matter to a Council Committee even in instances where the officer may have delegated authority to deal with that matter.
- 3.2.5 Issue a direction as he/she considers appropriate, that any officer shall not exercise a delegated function.
- 3.2.6 Make a decision on the applicability of any delegated power in any specific case.
- 3.2.7 Act, or nominate a senior officer to act, in instances where there may be doubt over responsibility for the exercise of any particular delegated power.

- 3.2.8 Take action on behalf of the Council where considered necessary in the event of an emergency, or as required as a matter of urgency, reporting to the Council as appropriate.
- 3.2.9 Determine, in consultation with the Mayor or relevant Committee Chairs, and Chief Officers all matters which require decision by the Council and oversee arrangements for the administration of meetings of the Council, its Committees, sub committees and working groups.
- 3.2.10 Act as Deputy Returning Officer for Local Government elections in the Causeway Coast and Glens Borough Council area and have responsibility for making appropriate arrangements for Council elections in this area.
- 3.2.11 Act as, and designate suitably qualified officers to act as, the Proper Officer in connection with the signature of, and affixation of the Common Seal of the Council to deeds and other legal documents.
- 3.2.12 Deal with any operational matter not otherwise delegated in the period between the last meeting of the Council and prior to the setting up of a new Council following statutory elections.
- 3.2.13 Approve, in consultation with the Mayor, the attendance of the Chair or Deputy Chair (or nominees) of any of the standing Committees of Council at any conference or seminar held in Northern Ireland where there is insufficient time for Committee approval to be sought and obtained.
- 3.2.14 Invoking, and making whatever arrangements are necessary, for action under the Council's Emergency Plan.
- 3.2.15 Authorise officers to attend court and appear on behalf of the Council during legal proceedings.
- 3.2.16 The Chief Executive is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council.
- 3.2.17 Defending all claims made, or legal proceedings instituted against the Council, including the power to compromise or settle them, as appears necessary or desirable in the best interests of the Council.
- 3.2.19 Briefing Counsel and taking Counsel's opinion.
- 3.2.20 Engaging external legal assistance as required.
- 3.2.21 Engaging such expert witnesses or commissioning such expert reports as may be required

- 3.2.22 Agreeing the involvement of outside agencies in any fraud investigation.
- 3.2.23 Taking any steps or measures necessary in an emergency or other situation of urgency, and in consultation with the Chief Executive, to preserve or defend the Council's legal interests
- 3.2.24 Authorise the settlement of local cases on the best possible terms subject to legal advice.
- 3.2.25 Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Chief Executive or some other person duly authorised by the Council or the Chief Executive, unless any enactment otherwise authorises or requires.
- 3.2.26 Sign the unaudited accounts of Council in accordance with Local Government Accounts and Audit Regulations.
- 3.2.27 Consider ad hoc requests for use of the Council Chamber and authorise the use of the Chamber for such events, functions, meetings, etc., where appropriate.

SECTION 4:	Delegated Powers to the Director of Corporate Services
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The Director of Corporate Services has the following delegated powers without prejudice to all statutory duties, responsibilities and powers exercisable by him/her:

- 4.1 The Director of Corporate Services has been designated as Deputy Chief Executive and as such has been authorised to exercise the functions of the Chief Executive in the absence of, or at the request of, the Chief Executive any of the delegated powers for which the Chief Executive has as listed in section 3.2
- 4.2 In relation to Human Resources, applying national agreements and relevant Circulars from any relevant official recognised body which allows no discretion to the Council.
- 4.3 Approve requests for approval of outside interests or employment made by employees.
- 4.4 Appoint and engage consultants to carry out investigations, provide training or any other independent advice and support.
- 4.5 Represent, or appoint officers to represent Council, in respect of specific employment issues at external bodies and tribunals.

In accordance with the relevant Council policies regarding Land and Property an Asset Management

- 4.6 Consent to lessees' requests for assignments, sub-lettings, permission to mortgage or charge, changes of use, new buildings, alternations, signage and other matters requiring the Council's consent under the terms of existing leases and amendments of covenant affecting premises and the granting of utility wayleaves and short term licences/temporary easements (in the event that a licence or easement of more than six months duration is sought, same will require to be brought to the Land and Property Sub Committee for approval) in respect of all Council sites and properties.
- 4.7 Approve adjusted rents in respect of leases at Council sites or properties, following the completion of the rent review process in accordance with the provisions of the leases.
- 4.8 Appoint arbitrators/independent experts as appropriate in the case of disputes arising in regard to rent reviews and other property matters.
- 4.9 Permitting the use of such assets by Council Departments and services.
- 4.10 Approval of repeat requests for the use of Council land where the approval has previously been granted by Council.
- 4.11 Through the Public Relations function of Council, respond on behalf of the Council to media queries and issue press statements.
- 4.12 Authorise ICT expenditure to ensure efficient and effective functionality of ICT systems across Council to ensure security, stability and ensure compatibility with existing systems.
- 4.13 Administration of Registration of Births, Deaths and Marriages as per General Register Office policies and procedures.
- 4.14 Allocation and administration of Council cemeteries in accordance with Council policy and procedures
- 4.15 Any delegated authority required to specific circumstances not covered in the policies and procedures, for example liaising with the PSNI regarding burials where no next of kin can be identified.
- 4.16 Maintain a Register of Burials and the allocation of grave spaces and issuing of grants of right of burial.

SECTION 5:	Delegated Powers to the Director of Environmental Services
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The Director of Environmental Services has the following delegated powers without prejudice to all statutory duties, responsibilities and powers exercisable by him/her:

- 5.1 Enforce all regulations, orders and bye-laws made under the legislation set out in **Appendix 1**.
- 5.2 5.1 Enforce all regulations, orders and bye-laws made under the legislation set out in **Appendix 1**.
- 5.2 Authorise individual officers for the purpose of exercising any statutory power or administering formal cautions and authorisation of competent staff to issue and serve statutory notices.
- 5.3 Exercise all powers in relation to the issue (but not refusal) of permits and licences administered by the Directorate. (in relation to - Entertainments, Amusements, Society Lottery, Petroleum, Cinemas, Marriage and Civil Partnership Ceremony licences, IPPC Permits, Food manufacturing Approvals HMO licences Street Trading, Prohibition and Restriction of traffic on roads for special events etc).
- 5.4 Effect (but not cancel or refuse to effect) registrations and the maintenance of statutory registers.
- 5.5 In consultation with Council's legal services, institute legal proceedings (including in relation to the non-payment of fixed penalties) and making legal applications on behalf of the Council.
- 5.6 Execute works where the responsible party is in default of compliance with any Notice or Order and in an emergency, where empowered by statute, and recover costs.
- 5.7 Generally enforce all other statutory powers conferred on the Council or pursuant to any arrangement made under Section 104 or 105 of the Local Government Act (NI) 1972.
- 5.8 Make Orders for the charges to be paid in connection with the use of an off-street parking place.
- 5.9 Make Orders for the use of any off-street parking place and conditions on which it may be used.

- 5.10 Make Orders to authorise the use of a part of an off-street parking place or places for the collection of recyclable material, for advertising or for displaying information to the public.
- 5.11 Make Orders for the suspension of the use of an off-street parking place or any part of it for specified occasions or circumstances.
- 5.12 Authorise under Article 22 (2)(i) of the Health and Safety at Work (Northern Ireland) Order 1978 on behalf of the Council, suitable persons to accompany inspectors who have been appointed by the Council under Article 21 of the said Order.
- 5.13 Arrange burials and cremations under Section 25 of the Welfare Services Act (Northern Ireland) 1971.
- 5.14 Issue approval of plans or rejection of plans; issue contravention notices in respect of work contravening building regulations; issue Regularisation Certificates, Completion Certificates and type approval certificates under Building Regulations legislation.
- 5.15 Detain a dog or cause a dog to be disposed of, sold or destroyed in accordance with Articles 23 or 48 of The Dogs (Northern Ireland) Order 1983.
- 5.16 Agree any transfer or assignment of enforcement responsibility under Regulations 7 and Regulation 8(1) of the Health and Safety (Enforcing Authority) Regulations (Northern Ireland) 1999.
- 5.17 Exercise powers under Article 18 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 in relation to the removal or obliteration of graffiti, placards or posters.
- 5.18 Approve exceptions to the imposition of charges for the collection of commercial waste in accordance with Council policy.
- 5.19 Enforce the provision of the High Hedges Act (NI) 2011 and carry out a series of functions associated with performing the Council's statutory role under the High Hedges legislation, ie
- Enforcing all Regulations or Acts made and remedial notices under the High Hedges Act (NI) 2011
 - Issuing and serving remedial notices
 - Exercising all power in relation to the High Hedges Act (NI) 2011
 - Authorising individual officers for the purpose of exercising any statutory power under the High Hedges Act (NI) 2011.

- 5.20 Manage and implement the refuse collection service, waste management service, recycling centres, landfill sites and recycling operations in accordance with all relevant EU directives and UK legislation.

SECTION 6:	Delegated Powers to the Director of Leisure and Development Services
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Delegated Powers to the Director of Leisure and Development Services are aligned to the organisation structure and represent:

1. Prosperity and Place.
2. Community and Culture.
3. Sport and Wellbeing.
4. Tourism and Recreation.
5. The Funding Unit.

Annual Departmental Business Plans are brought forward by the Director to Council that are aligned to the Corporate Plan and are to deliver the services and projects relevant to a service area vision.

Each service area functions are underpinned by the legislation, government programmes / guidelines and Council strategies / policies at **Appendix 1**.

Prosperity and Place

‘The creation of a high value added, skilled, innovative and enterprising economy, coupled with the regeneration of the physical environment (urban, rural and resort) to create a better place’.

The Director has responsibility for the following functions:

1. **Business Development**. Development of small businesses throughout the Borough. The Alchemy Business Development Programme. Business Engagement throughout the Borough. EU and other Funding Programmes.
2. **Special Projects**. Development of long term projects within the Borough. Development and implementation of FDI and Business Enquiry Proposition. Identifying new economic opportunities and proactively develop the economic landscape within the Borough.
3. **Place/Physical Regeneration**. Manage and coordinate physical regeneration across the Borough. Act as Council’s lead in the Regeneration Programmes. Work with external stakeholders to deliver these schemes and maximize funding opportunities.

4. Town and Village Management. Ensuring the vitality of the Borough's towns and villages as places to be. Liaison with representative bodies such as Chambers of Trade and Commerce. Working with external partners who have responsibility for regeneration. (Town and Village Management)
5. Rural Development Programme. Development and delivery of the Rural Development Strategy and Action Plan for the Causeway Coast & Glens Borough Council. Manage allocation of funding across the Borough to fulfil the aims and objectives of the programmes set out by the LAG RDP Strategy.

Community and Culture

'To address local issues associated with disadvantage, social exclusion, good relations, peace building, community safety and the reduction of crime.

To enhance the well-being and increase the prosperity of citizens, communities and visitors by enabling access to and an understanding of culture, arts and heritage.'

The Director has responsibility for the following functions:

1. Community Development - Tackling Deprivation/Neighbourhood Renewal. Community facility development/policy.
2. Cultural Services and the Arts - Management and development of cultural facilities, arts centres and museums. Museum services including collections management. Cultural engagement, outreach & development.
3. Good Relations - Management of the Good Relations strategy and programmes to support Council in its Section 75 (2) functions.
4. PCSP - Facilitation of the Policing and Community Safety Partnership structure, strategic & operational plans.
5. PEACE IV - Facilitation of the PEACE IV Partnership, including the management and delivery of the Peace IV Local Action Plan for the Causeway Coast & Glens Borough area.

Sport and Wellbeing

'The provision of high quality leisure and sport services, accessible to all via need based programmes and sustainable facility provision, enhanced by effective partnership working to create increased levels of participation in physical activity, improved health and wellbeing and an enhanced quality of life'.

The Director has responsibility for the following functions:

1. Policy & Strategy
 - Completion of strategic plans for facility provision and service delivery.
 - Develop and present Safeguarding policy to Council for approval. Implement training programmes for staff as appropriate.

2. Facility Planning & Development
 - Work in partnership with the Capital Projects & Funding Units to develop business cases for projects included in Council's Capital programme and matched with external funding opportunities.
 - Review application and assessment process for Capital Grant Programme (external) and submit any recommendations for improvement to Council for approval in advance of 2019/20 programme (dependent on continuation of funding stream).

3. Health & Safety Assurance
 - Implement action plans for addressing high risk areas and a robust inspection and monitoring programme for all facilities and services.
 - Creation of a H&S culture through regular analysis and reviews of safe systems of operation in both facilities and service delivery.

4. Service delivery
 - Develop action plan for delivering service priorities, focused on optimization of quality, effectiveness and commerciality.
 - Develop a proactive approach to the marketing and promotion of the service and the identification of cost savings and revenue generation opportunities.

5. Performance Management
 - Develop a performance framework for the service with associated KPIs which reflect financial performance, health and wellbeing outputs and social return on investment.
 - Work in partnership with Council's Finance officers, establish robust cost centre management techniques across the unit in order to control and address financial performance.

Tourism and Recreation

'Through best practice in destination and outdoor recreational management, Causeway Coast and Glens Borough Council will support and work in partnership with the statutory, voluntary, community and private sector to develop and sustain the region as a high quality recreational and visitor destination for the benefit of the area's residents, the business sector and visitors hosted within our community'.

The Director has responsibility for the following functions:

1. Holiday and Leisure Park Management - The strategic development of Council's portfolio of Caravan sites to maximise financial return on behalf of the ratepayer. The operational management of the sites and service delivery in line with statutory, corporate and legal responsibilities.
2. Tourism Destination Management - Management of the Destination Management Strategy ensuring a high quality visitor experience and economic return. Coordination and management of the development, marketing, trade support and visitor servicing activities relating to tourism destination management. Development and delivery of a broad range of tourism development projects that have a strong, positive and sustainable benefit for the local economy and community.
3. Coast and Countryside Management - To provide enhanced opportunity for the public to enjoy and appreciate the outdoors on a year round basis through recreational pursuits, the sustainable management of quality venues and promotion of iconic landscape and coast line whilst contributing to tourism, rural development and health & well-being. Co-ordinate the delivery of Council's Biodiversity Action Plan.
4. Event Management - The development, marketing and delivery of a range of events that benefit the local population and bring economic benefit by being an attractor for visitors. Management of Council's portfolio of events. Development and support of events in the Council area.

Funding Unit

'To support the Council's strategic and operational planning activities by identifying and sourcing funding opportunities from National, European & Transnational bodies'.

The Director has responsibility for the following functions:

1. Securing Funding - To secure increased levels of funding to support Councils priorities, strategies and business plans.
2. Business Support for EU & UK Funding Programmes - To provide business support for EU and UK funding Programmes and Projects.
3. External Engagement - To develop and manage external working relationships and to support organisations in sourcing funding.
4. Management & Administration of Council's Grant Funding - Corporate management & administration of Council's Grant Funding programmes.

SECTION 7:**Delegated Powers to the Chief Finance Officer**

The Chief Finance Officer has the following delegated powers without prejudice to all statutory duties, responsibilities and powers exercisable by him/her:

- 7.1 Making safe and efficient arrangements for the proper administration of financial affairs pursuant to Section 1 of the Local Government Finance Act (Northern Ireland).
- 7.2 Due administration of Council reserves.
- 7.3 Approve increases in sums of a capital scheme as provided for under the Financial Regulations.
- 7.4 Make appropriate transfers between the various bank accounts of the Council.
- 7.5 Manage funds in accordance with the limits and conditions imposed by statute and by the Council. This includes a delegated authority, in conjunction with the Chief Executive and Financial Accountant to set up facilities with Financial Institutions for this purpose.
- 7.6 Pay all salaries, wages and other expenses/emoluments to all employees and former employees of the Council in accordance with Council policies and in accordance with the Finance Policy Manual.
- 7.7 Make payments to Members of travelling or other allowances in accordance with the Finance Policy Manual.
- 7.8 Make all payments to suppliers in accordance with Council policies and in accordance with the Finance Policy Manual.
- 7.9 Write off debts under £1,000
- 7.10 The pursuit of debts in accordance with the debt management policy
- 7.11 Approval of essential user car loans
- 7.12 Purchasing approvals in line with limits specified in the Procurement Policy
- 7.13 Authorisation of use of Council debit card

SECTION 8:	Delegated Powers to the Head of Planning
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The Head of Planning, and other appointed senior Planning Officers, have delegated powers as outlined in the Scheme of Delegation for Development Management, Development Plan, Enforcement and Other Planning Functions, and Protocol for the Operation of the Planning Committee as approved by Council's Planning Committee effective from Friday 1st May 2020– see **Appendix 2**.

LEGISLATION IN RESPECT OF FUNCTIONS DELEGATED TO SENIOR OFFICERS OF COUNCIL

Any delegation to an officer to take action under a particular statutory provision, or relevant local authority bye-law, shall be deemed to authorise action under any statutory re-enactment or amendment of that provision, and any statutory regulations, order or direction made under that provision both before and after the date of this Scheme. References to statutory requirements in this Scheme include relevant European legislation and Directives as applicable.

List of Legislation – Environmental Services:

- Anti-social Behaviour (Northern Ireland) Order 2004
- The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985
- Building Regulations (Northern Ireland) Order 1979
- Building Regulations (Northern Ireland) 2012
- Burial Grounds Regulations 1992
- Byelaws made by Causeway Coast and Glens Borough Council pursuant to Section 90 Local Government Act (NI) 1972
- Caravans Act (Northern Ireland) 1963
- Children and Young Persons (Protection from Tobacco) (Northern Ireland) Order 1991
- Cinemas (Northern Ireland) Order 1991
- Clean Air (Northern Ireland) Order 1981
- Clean Neighbourhoods and Environment Act (Northern Ireland) 2011
- Consumer Protection Act 1987
- Control of Greyhounds etc. Act (Northern Ireland) 1950
- Criminal Justice and Police Act 2001
- Dangerous Dogs Compensation and Exemption Schemes Order (Northern Ireland) 1991
- Dangerous Dogs (Northern Ireland) Order 1991
- Dangerous Substances and Explosive Atmospheres Regulations (Northern Ireland) 2003
- The Dog Control Orders (Prescribed Offences and Penalties) Regulations (NI) 2012
- The Dogs (Northern Ireland) Order 1983
- Dogs (Amendment) Act (Northern Ireland) 2001
- Dogs (Amendment) Act (Northern Ireland) 2011
- The Environment (Northern Ireland) Order 2002
- European Communities Act 1972
- Explosives Act (Northern Ireland) 1970
- Food Act 1984
- Food and Environment Protection Act 1985
- The Food (Northern Ireland) Order 1989
- The Food Safety (Northern Ireland) Order 1991
- The General Product Safety Regulations 2005

- Hairdressers Act (Northern Ireland) 1939
- Health and Personal Social Services (Northern Ireland) Order 1978
- Health and Safety at Work (Northern Ireland) Order 1978
- High Hedges Act (Northern Ireland) 2011
- Housing (Amendment) Act (Northern Ireland) 2011
- The Housing (Northern Ireland) Order 2003
- The Housing (Northern Ireland) Order 1992
- Housing (Northern Ireland) Order 1981
- Houses in Multiple Occupation Act (Northern Ireland) 2016
- The Licensing (Northern Ireland) Order 1996
- The Litter (Northern Ireland) Order 1994 – Excluding Article 10
- Local Government Act (Northern Ireland) 1972
- The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 - excluding provisions relating to the issue of all sex establishment licences and those entertainments licences where adverse representations have been made.
- The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992
- The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995 – excluding provisions relating to street names.
- The Local Government (Northern Ireland) Order 2005
- Noise Act 1996 (as amended)
- Petroleum (Consolidation) Acts (Northern Ireland) 1929
- Petroleum (Transfer of Licences) Acts (Northern Ireland) 1937
- The Petroleum (Consolidation) Act (Amendment of Licensing Provisions) Regulations (Northern Ireland) 2012
- Poisons (Northern Ireland) Order 1976
- Pollution Control and Local Government (Northern Ireland) Order 1978
- The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013
- The Private Tenancies (Northern Ireland) Order 2006
- Public Health Acts 1878 to 1971
- Public Health and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1949
- Rats and Mice Destruction Act 1919
- The Registration of Clubs (Northern Ireland) Order 1996
- Rent (Northern Ireland) Order 1978
- The Road Traffic Regulation (Northern Ireland) Order 1997
- Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010
- The Consumer Rights act 2015
- The Safety of Sports Grounds (Northern Ireland) Order 2006
- The Shops (Sunday Trading) (Northern Ireland) Order 1997
- The Smoking (Northern Ireland) Order 2006
- Street Trading (Regulation) Act (Northern Ireland) 1929 (repealed in part)
- Street Trading Act (Northern Ireland) 2001
- The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008
- The Health (2009 Act) Commencement No.1 Order (Northern Ireland) 2012
- The Planning (Northern Ireland) Order 1991
- The Roads (Northern Ireland) Order 1993

- The Road Traffic Regulation (Northern Ireland) Order 1997
- Sunbeds Act (Northern Ireland) 2011
- Tobacco Advertising and Promotion Act 2002
- Tobacco Retailers Act (Northern Ireland) 2014
- Town Improvement Clauses Act 1847
- The Traffic Management (Northern Ireland) Order 2005
- Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products 2012
- The Waste and Contaminated Land (Northern Ireland) Order 1997
- Welfare of Animals Act (Northern Ireland) 2011
- Welfare Services Act (Northern Ireland) 1971
- The Health Protection (Coronavirus, Restrictions) (No2) Regulations (Northern Ireland) 2020.

List of Legislation – Leisure and Development Services:

Prosperity and Place

The Prosperity and Place service area functions are underpinned by the following legislation, government programmes / guidelines and Council strategies / policies:

- A. The Local Government Order 2002 (8.2 1a) - Promote Economic Development within the Borough.
- B. Local Government Act (Northern Ireland) 2014 – Part 10 Community Planning.
- C. Local Government Act (Northern Ireland) 2014 – Part 11 General Powers of Competence.
- D. Local Government Act (Northern Ireland) 2014 – Part 12 General Duty to Improve.
- E. Northern Area Plan (NAP), adopted by the former Department of the Environment (DOE) on 22nd September 2015.
- F. Disposal of Surplus Public Sector Property in NI (D1).
- G. Disposal of Surplus Public Sector Property in Northern Ireland October 2018.
- H. Local Enterprise Partnerships (LEPs) and Enterprise Zones
- I. Guidance Business Improvement Districts Published 8 November 2014.
- J. Town Improvement Clauses Act (1847).
- K. 2014 – 2020 Rural Development Programme – Version 5.2.
- L. Causeway Coast and Glens Economic Development Strategy (2015).

Sport and Wellbeing

The Sport and Wellbeing service area functions are underpinned by the following legislation, government programmes / guidelines and Council strategies / policies:

- A. Health and Safety at Work (Northern Ireland) Order 1978.
- B. Recreation and Youth Service (Northern Ireland) Order 1986 - Provide, maintain and manage facilities for recreational, social, physical and cultural activities.

- C. Local Government Act (Northern Ireland) 2014 – Part 10 Community Planning.
- D. Local Government Act (Northern Ireland) 2014 – Part 11 General Powers of Competence.
- E. Local Government Act (Northern Ireland) 2014 – Part 12 General Duty to Improve.
- F. Everybody Active 2020 / Sport NI.
- G. PHA Exercise Referral.
- H. Rural Needs Act (Northern Ireland) 2016.
- I. Safety of Sports Grounds (Northern Ireland) Order 2006.
- J. Safeguarding Board Act (Northern Ireland) 2011.
- K. Autism Act (Northern-Ireland) 2011.
- L. Children's Services Co-operation Act 2015
- M. Causeway Coast and Glens Sport and Leisure Facilities Strategy (2015).
- N. Causeway Coast and Glens Pitch Strategy (2018).
- O. Causeway Coast and Glens Play Strategy (2018).

Tourism and Recreation

The Tourism and Recreation service area functions are underpinned by the following legislation, government programmes / guidelines and Council strategies / policies:

- A. Health and Safety at Work (Northern Ireland) Order 1978.
- B. Local Government Act (Northern Ireland) 2014 – Part 10 Community Planning.
- C. Local Government Act (Northern Ireland) 2014 – Part 11 General Powers of Competence.
- D. Local Government Act (Northern Ireland) 2014 – Part 12 General Duty to Improve.
- E. Caravans Act (NI) 2011 – Management and Operation of Council's Holiday Parks.
- F. Tourism (Northern Ireland) Order 1992 – Promotion and Development of Tourism within the Borough.
- G. The Recreation and Youth Service (Northern Ireland) Order 1986 - Provision by district councils of facilities for recreational, social, physical and cultural activities.
- H. Access to the Countryside (NI) Order 1983 – Protection of Public Rights of Way
- I. Nature Conservation and Amenity Lands (Northern Ireland) Order 1985 – Provision and protection of Nature Reserves.
- J. Wildlife and Natural Environment Act (Northern Ireland) 2011 (WANE) – Conservation of Biodiversity.
- K. The Conservation (Natural Habitats, etc.) (Amendment) Regulations (Northern Ireland) 2007.
- L. Causeway Coast and Glens Tourism Strategy (2015) and Annual Business Plans.

Community and Culture

The Community and Culture service area functions are underpinned by the following legislation, government programmes / guidelines and Council strategies / policies:

- A. Health and Safety at Work (Northern Ireland) Order 1978.
- B. Local Government Act (Northern Ireland) 2014 – Part 10 Community Planning.
- C. Local Government Act (Northern Ireland) 2014 – Part 11 General Powers of Competence.
- D. Local Government Act (Northern Ireland) 2014 – Part 12 General Duty to Improve.
- E. Recreation and Youth Service (Northern Ireland) Order 1986 - Provide, maintain and manage facilities for recreational, social, physical and cultural activities.
- F. Museums and Galleries (Northern Ireland) Order 1998 - Provide and maintain museums and galleries.
- G. Justice Act (Northern Ireland) 2011 sections 20-34 and schedules 1 and 2 – Establish and operate a PCSP within the Borough.
- H. NI Executive Office’s Strategy for Good Relations, ‘Together Building a United Community’ - Deliver a Good Relations Programme within the Borough.
- I. Section 75 (2) of the Northern Ireland Act 1998 – (Good Relations)
- J. Urban Regeneration and Community Development Policy Framework 2013 - Develop and deliver a Community Support Plan.
- K. Department for Communities ‘Neighbourhood Renewal – People and Place – a Strategy for Neighbourhood Renewal’ - Deliver Local area based NR action plans.
- L. PEACE IV Programme– Local Peace and Reconciliation Action Plans - through the Special European Programmes Body,
- M. Local Government Act NI 1972 – sections 106,107, 108 – Contributions to voluntary bodies.
- N. Causeway Coast and Glens Community Development Strategy (2015-2018), Culture, Arts and Heritage Strategy (2016-2021).
- O. Culture, Arts and Heritage Strategy (2016-2021)
- P. Good Relations Strategy (2018).
- Q. PCSP Strategy (2015-2019).
- R. Peace IV Strategic Plan (2014-2020)

Funding Unit

The Funding Unit area functions are underpinned by the following legislation, government programmes / guidelines and Council strategies / policies:

- A. Managing Public Money July 2013 with annexes revised as at March 2018.
- B. Grant Funding Policy reviewed by Council annually.

Scheme of Delegation for the Planning Department

Scheme of Delegation for the Planning Department

The revised Scheme of Delegation for the determination of planning applications was approved by the Department for Infrastructure on 30 March 2020. The approval is in accordance with Section 31 of The Planning Act (Northern Ireland) 2011. The revised Scheme of Delegation shall take effect from 01 May 2020.

Introduction

Part 4 Section 7 (4) (b) of the Local Government Act (Northern Ireland) 2014 allows a Council committee to delegate certain matters to an officer of the Council. In relation to planning applications, enforcement and other planning matters the person appointed by the Council to exercise delegated powers is the Head of Planning and those senior officers nominated by this officer as detailed in the Scheme of Delegation

Part A – Mandatory applications for determination by the Planning Committee:

Statutory provisions within the Planning Act (Northern Ireland) 2011 require that certain types of application must be determined by the Planning Committee and these cannot therefore be delegated to officers:

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

Part B – Delegated Applications:

The following applications for planning permission shall be delegated for determination by the appointed officer of the Council. The appointed officer is the Head of Planning within the Council and those nominated by this officer.

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

- Applications attracting more than 5 objections from separate postal addresses, or, a petition from more than 5 from separate postal addresses raising material planning considerations, where the officer's recommendation is to approve. The objection must include the postal address for the objector to be considered under this exception.
- Applications where the Head of Planning considers that the proposal merits consideration by the Planning Committee. Applications listed on the

'Contentious Delegated Decisions to Issue' where an Elected Member of Council has requested the application be referred to the Planning Committee. The request must be accompanied with a statement outlining the material planning reasons for the referral and be received prior to 10am on the Monday following the issue of the weekly list on which the application is listed.¹ This referral process excludes Pre Application Notices, Applications for Works to Trees, Discharge of Conditions, Non Material Changes, Certificates of Lawful Development and those applications where the refusal relates to road safety, flooding, or where additional information or amendments have been requested but not submitted in full within the timeframe provided.

- Applications submitted by or on behalf of the Chief Executive, a chief officer, a planning officer or elected member of the Council, or their immediate families (spouse, partner, children).
- A legal agreement is required.

¹ A contentious application is one where the decision is to refuse permission or consent. An authorised officer will liaise with the Chairperson and/or Vice Chairperson of the Planning Committee to determine whether the reasons which have been provided constitute material planning reasons so as to merit referral to Planning Committee. The requesting Member will be advised if the request has been successful or rejected.

Part C – Development Plan, Enforcement and Determination of Other Matters

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

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

- the Council's strategic and local policies for the implementation of the Council's objectives in relation to the development of land within the Council area.
- agree the Plan Strategy and Local Policies Plan for the Council Area prior to ratification by the full Council.
- Confirmation of a Provisional Tree Preservation Order.
- Determination of Completion Notices.
- Determination of Discontinuance Notices.
- Confirmation of a Building Preservation Notice.
- Determination of Revocation Orders.
- Application to the Courts for Injunctions.
- Modification and Discharge of Planning Agreements
- Designation, variation or cancellation of a Conservation Area

The following matters are delegated to the appointed officer:

- The research, analysis, evaluation of information, drafting and production of the Plan Strategy and Local Policies Plan, including representing the Council at Independent Examination and making decisions on behalf of Council throughout the Plan preparation, Independent Examination and adoption process.
- To instruct a solicitor or Counsel or other consultant to assist in the preparation of the Plan Strategy and Local Policies Plan; assist in the preparation for, and represent the Council at the Independent Examination as considered necessary by the Head of Planning in consultation with the Planning Committee.
- To monitor the uptake of zoned land within the Local Policies Plan.
- To monitor, review and report on the impact of the implementation of the Plan Strategy and Local Policies Plan.
- Respond to consultations and correspondence on planning matters on behalf of Council.
- The serving of a provisional Tree Preservation Order.
- Updating Tree Preservation Orders as necessary.
- The investigation of formal planning enforcement proceedings through the issuing of Enforcement Notices, Breach of Condition Notices, Listed Building Enforcement Notices, Submission Notices, Stop Notices, temporary Stop Notices, Fixed Penalty Notices, and Planning Contravention Notices.
- The formal reporting of planning enforcement matters to the Public Prosecution Service/ Commencement of proceedings in a Magistrates Court including representing Council at Court hearings and making decisions on behalf of Council during such proceedings.
- Authority to apply to the Magistrates Court for a warrant to enter land and/or buildings in accordance with powers provided in the Planning Act (Northern Ireland) 2011
- Determination of any application for a Certificate of Lawful Development.
- Determination of any application for Listed Building Consent.
- Determination of any application for Conservation Area Consent.
- Determination of any application for Advertisement Consent.
- Determination of any application for carrying out works to trees.
- Determination of any Hazardous Substance Consent.
- Determination of applications for Certificates of Alternative Development Value.
- Determination of applications for Urgent Crown Development and Urgent Crown Listed Building Consent.
- Issuing Building Preservation Notice where immediate action is necessary.
- Determination of a request for a Correction Notice, when commenced.
- Providing advice on planning enquiries
- Providing advice on Pre-Application Discussions
- Providing advice on Pre-Application Notices.
- Applications for Non Material Changes.
- Discharge of planning conditions
- To determine the acceptance or otherwise of Section 46 applications

- To determine the acceptance or otherwise of Section 48 applications
- Determination of the type of planning appeal, preparation and submission of Statements of Case including reasons for refusal, conditions and informatives, Rebuttal Statements and Award of Costs applications, provide responses, agree amendments and make decisions on behalf of Council during appeal proceedings.
- To issue a formal Notice of Decision following a Committee resolution for support or non-support of an application and, for a delegated application, Order, Notice or Consent.
- To instruct a solicitor or counsel to draft and conclude legal agreements as considered necessary by the Head of Planning in connection with the Committee or delegated decisions and appeals.
- To instruct a solicitor or Counsel or other consultant in the preparation for and attendance at Planning Appeals, Independent Examinations, Judicial Reviews and other Hearings including making decisions on behalf of Council during such proceedings.
- In respect of the Planning (Management of Waste from Extractive Industries) Regulations (Northern Ireland) 2015 or any successor, to
 - Consider and determine waste management plans.
- In respect of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 or any successor legislation, to
 - Issue screening opinions determining whether developments fall within Schedule (1) and (2)
 - Issue scoping opinions as to the information to be provided in any Statement, and
 - Undertake appropriate consultations and notifications
 - Determine whether an application should be accompanied by an Environmental Statement
- All other statutory powers connected to the exercise of the planning functions which have been transferred to Council and are not specifically listed, shall be deemed to be delegated unless otherwise provided for within this Scheme.

The appointed officers are as follows:

- Head of Planning
- Officers at Principal Officer grade
- Officers at Senior Planning Officer grade

Part D – Publicity

On adoption of this revised Scheme of Delegation the Council made a copy available on the Council's website at www.causewaycoastandglens.gov.uk. A copy is also available at the Causeway Coast and Glens Borough Council Planning Office, Cloonavin, 66 Portstewart Road, Coleraine, BT52 1EY.