
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 44

The Local Government (Executive Arrangements)
Regulations (Northern Ireland) 2015

PART 1

General

Citation and commencement

1. These Regulations may be cited as the Local Government (Executive Arrangements) Regulations (Northern Ireland) 2015 and shall come into operation on 1 April 2015.

Interpretation

2. In these Regulations—

“the 1972 Act” means the Local Government Act (Northern Ireland) 1972⁽¹⁾;

“the 2011 Act” means the Local Government Finance Act (Northern Ireland) 2011⁽²⁾;

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

“the Planning Act” means the Planning Act (Northern Ireland) 2011⁽³⁾;

“background papers” in relation to a report or part of a report, means those documents other than published works, that—

(a) relate to the subject matter of the report or, as the case may be, the part of the report; and

(b) in the opinion of the proper officer—

(i) disclose any facts or matters on which the report or an important part of the report is based; and

(ii) were relied on to a material extent in preparing the report;

“confidential information” means—

(a) information provided to the council by a government department on terms (however expressed) which forbid the disclosure of the information to the public; or

(b) information the disclosure of which to the public is prohibited by or under any enactment or by the order of a court,

and in either case, a reference to the obligation of confidence is to be construed accordingly;

“copy” in relation to any document includes a copy made from a copy;

“council” means a district council which is operating executive arrangements in accordance with Part 6 of the 2014 Act (executive arrangements) ;

(1) 1972 c. 9 (N.I.)

(2) 2011 c.10 (N.I.)

(3) 2011 c.25 (N.I.)

“decision maker” means the decision-making body by which an executive decision is made;

“decision-making body” means—

- (a) the executive of a council; or
- (b) a joint committee, where all the members of the joint committee are members of a council executive, which is authorised to discharge the function to which the executive decision relates in accordance with these Regulations;

“document” means any report or background papers, other than that only in a draft form, taken into consideration in relation to an executive decision;

“executive decision” means a decision made or to be made by a decision maker in connection with the discharge of a function which is the responsibility of the executive of a council;

“information” includes an expression of opinion, any recommendation and any decision made;

“key decision” has the meaning given in regulation 21 (key decisions);

“newspaper” has the meaning specified by section 52 of the 2014 Act (interpretation and application of this Part);

“nominating officer” has the same meaning as in paragraph 16(1) of Schedule 1 to the 2014 Act (interpretation);

“party” has the same meaning as in paragraph 16(1) of Schedule 1 to the 2014 Act (interpretation);

“planning decision” means—

- (a) any decision on an application under the Planning Act for any agreement, approval, consent or permission; or
- (b) any enforcement decision relating to any development within the meaning of the Planning Act;

“private meeting” means a meeting, or part of a meeting, of the decision-making body during which the public are excluded in accordance with regulation 20(2) (procedures prior to private meetings);

“proper officer” means an officer appointed by the council for the purpose of supporting the executive;

“public meeting” means a meeting of the decision-making body which is open to the public in accordance with section 42 of the 2014 Act (admission to meetings of councils);

“relevant body” means, in relation to any council whose functions are the subject of the arrangements for the joint exercise of functions and where the function is the responsibility of the executive of that council—

- (a) where the council has a cabinet-style executive, the cabinet-style executive; or
- (b) where the council has a streamlined committee executive, the relevant streamlined committee;

“relevant council” means the council whose executive is responsible for the discharge of the function to which the executive decision relates;

“relevant executive” means an executive of a council under Part 6 of the 2014 Act (executive arrangements);

“relevant overview and scrutiny committee” means an overview and scrutiny committee of the relevant council which has terms of reference including the power to review or scrutinise decisions made, or other actions taken, in connection with the discharge of the function to which the decision relates; and

“report” in relation to an executive decision does not include a report in draft form;

“right of recourse to a review” does not include any right to make a complaint to the Northern Ireland Commissioner for Complaints pursuant to the Commissioner for Complaints (Northern Ireland) Order 1996(4).