
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 44

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

PART 2

Functions and responsibilities

Discharge of executive functions by councils

6.—(1) Subject to paragraph (2), a function of any of the descriptions specified in column (1) of Schedule 4 (circumstances in which functions are not to be the responsibility of a council's executive) (which, but for this paragraph, may be the responsibility of an executive of the council), shall not be the responsibility of such an executive in the circumstances specified in column (2) in relation to that function.

(2) Paragraph (1) shall not apply in relation to the discharge of a function of the description specified in paragraph 3 of column (1) of Schedule 4 where—

- (a) the circumstances which render necessary the making of the determination may reasonably be regarded as urgent; and
- (b) the individual or body by whom the determination is to be made has obtained a statement in writing that the determination needs to be made as a matter of urgency from—
 - (i) the chairperson of the relevant overview and scrutiny committee or, if there is no such person;
 - (ii) the chairperson of every relevant overview and scrutiny committee or, if such persons are unable to act;
 - (iii) the chairperson or, in their absence, the vice-chairperson of the council .

(3) In paragraph (2) “relevant overview and scrutiny committee” means an overview and scrutiny committee of the council concerned whose terms of reference include the power to review or scrutinise decisions or other actions taken in the discharge of functions to which the determination relates.

(4) The individual or body by whom a determination is made pursuant to paragraph (2) shall, as soon as reasonably practicable after the making of the determination, submit to the council a report which shall include particulars of—

- (a) the determination;
- (b) the emergency or other circumstances in which it was made; and
- (c) the reason for the determination.

(5) Section 7 of the 2014 Act (arrangements for discharge of functions of council) shall not apply with respect to the discharge of a function referred to in paragraph (1) which, by virtue of that paragraph, is not the responsibility of an executive of the council.

Changes to legislation:

There are currently no known outstanding effects for the The Local Government (Executive Arrangements) Regulations (Northern Ireland) 2015, Section 6.