

The Arc
High Street
Clowne
S43 4JY

To: All Members of the Council

Contact: Angelika Kaufhold

Telephone: 01246 242529

Tuesday, 12th May 2026

Email: angelika.kaufhold@bolsover.gov.uk

Dear Councillor

ANNUAL COUNCIL

You are hereby summoned to attend a meeting of the Annual Council of the Bolsover District Council to be held in the Council Chamber, The Arc, Clowne on Wednesday, 20th May, 2026 at 10:00 hours.

Register of Members' Interests - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised on page 3 onwards.

Yours faithfully



Solicitor to the Council & Monitoring Officer

Equalities Statement

Bolsover District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society.

Access for All statement

You can request this document or information in another format such as large print or **language** or contact us by:

- **Phone:** [01246 242424](tel:01246242424)
- **Email:** enquiries@bolsover.gov.uk
- **BSL Video Call:** A three-way video call with us and a BSL interpreter. It is free to call Bolsover District Council with Sign Solutions, you just need WiFi or mobile data to make the video call, or call into one of our Contact Centres.
- Call with [Relay UK](#) - a free phone service provided by BT for anyone who has difficulty hearing or speaking. It's a way to have a real-time conversation with us by text.
- **Visiting** one of our [offices](#) at Clowne, Bolsover, Shirebrook and South Normanton

**ANNUAL COUNCIL
AGENDA**

***Wednesday, 20th May, 2026 at 10:00 hours taking place in the Council Chamber, The Arc,
Clowne***

Item No.		Page No.(s)
1.	Election of the Chair of the Council To elect the Chair of the Council for the 2026/27 Municipal Year. Once elected the Chair will make the Declaration of Acceptance of Office.	
2.	Appointment of Vice-Chair of the Council To appoint the Vice-Chair of the Council for the 2026/27 Municipal Year. Once appointed the Vice-Chair will make the Declaration of Acceptance of Office.	
3.	Apologies For Absence To receive apologies for absence.	
4.	Declarations of Interest Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of: a) any business on the agenda b) any matters arising out of those items and if appropriate, withdraw from the meeting at the relevant time.	
5.	Minutes To approve the Minutes of the Council meeting held on 4 th March 2026.	5 - 12
6.	Appointment of the Deputy Leader and Members of the Executive The Leader will confirm the appointment of the Deputy Leader of the Council and the Members of the Executive for the 2026/27 Municipal Year.	13 - 14

- 7. Establishment of Committees and Proportionality 2026/27**
- To establish the Council's Committees and Advisory Groups for the 2026/27 Municipal Year – **report and appendices to follow.**
- 8. Appointments to Committees**
- To consider appointments to established committees and advisory groups for the 2026/27 Municipal Year – **report and appendices to follow.**
- 9. Nominations of Chairs and Vice-Chairs of Committees**
- To consider nominations for Chairs and Vice-Chairs of Committees for the 2026/27 Municipal Year – **report and appendices to follow.**
- 10. Appointments to Outside Bodies** 15 - 20
- To consider appointments to Outside Bodies (Council Functions) for the 2026/27 Municipal Year.
- 11. Standards Committee Annual Report 2025/26** 21 - 29
- To consider the Standards Committee Annual Report 2025/26.
- 12. Operation of Urgency Rules and Thresholds for Key Decisions** 30 - 35
- To set the thresholds for Key Decisions for the 2026/27 Municipal Year and to consider the use of Urgency Rules for the previous Municipal Year.
- 13. Scheme of Delegation** 36 - 62
- To approve the Scheme of Delegation (Part 3 of the Council's Constitution).
- 14. Closing of Annual Council and Comfort Break prior to commencement of Ordinary Council**

Agenda Item 5

COUNCIL

Minutes of a meeting of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Wednesday, 4 March 2026 at 10:00 hours.

PRESENT:-

Members:-

Councillor Duncan Haywood in the Chair

Councillors Duncan McGregor (Vice-Chair), David Bennett, Anne Clarke, Rowan Clarke, Amanda Davis, Louise Fox, Steve Fritchley, Justin Gilbody, Donna Hales, Tom Munro, Mark Hinman, Cathy Jeffery, Chris Kane, Tom Kirkham, Clive Moesby, Sandra Peake, Lisa Powell, Jeanne Raspin, Sally Renshaw, John Ritchie, Phil Smith, Emma Stevenson, Janet Tait, Ashley Taylor, Catherine Tite, Rita Turner, Vicky Waplington, Deborah Watson, Jen Wilson and Jane Yates.

Officers:- Steve Brunt (Strategic Director of Services), Theresa Fletcher (Strategic Director of Finance & Section 151 Officer), Jim Fieldsend (Strategic Director of Governance and Legal Services & Monitoring Officer), Sarah Kay (Strategic Interim Director of Growth), Angelika Kaufhold (Governance and Civic Manager), and Coby Bunyan (Scrutiny Officer).

CL78-25/26 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Dooley, Fletcher, Hiney-Saunders, and Wood.

CL79-25/26 DECLARATIONS OF INTEREST

The Monitoring Officer reminded Members that they were likely to have a Disclosable Pecuniary Interest in relation to the Level of Council Tax item as follows:

Any Councillor who was a resident of the District would need to declare an interest however there was an automatic dispensation to remain and to speak and vote on the item.

- Members in arrears of Council Tax of more than 2 months must not vote on a decision which might affect budget calculations, and they must disclose at the meeting that this restriction applied to them.
- A failure to comply with these requirements was a criminal offence under Section 106 of the Local Government Finance Act 1992.

The Monitoring Officer requested that Members indicate by a show of hands whether they were a resident of the District and all of those present bar Councillor Chris Kane indicated that was the case. As previously advised the automatic dispensation applied.

Councillor Chris Kane indicated that he was not a resident of the District and therefore was not required to declare in interest in this item.

COUNCIL

No Members indicated that they were 2 months or more in arrears with council tax which would preclude them from voting on the Level of Council Tax item.

There were no further declarations of interests in any of the remaining items of business.

CL80-25/26 CHAIR'S ANNOUNCEMENTS

The Chair, on behalf of the Council sent best wishes to Councillor Hiney-Saunders and his family.

CL81-25/26 MINUTES

Moved by Councillor Haywood and seconded by Councillor Munro
RESOLVED that the minutes of a meeting of Council held on
28th January 2026 be approved as a true and correct record.

CL82-25/26 QUESTIONS FROM THE PUBLIC

No questions were submitted to this meeting of Council under Rule 8 of the Council Procedure Rules.

CL83-25/26 QUESTIONS FROM MEMBERS

No questions were submitted by Members of Council under Council Procedure Rule 9.

CL84-25/26 MOTIONS

In accordance with Council Procedure Rule 10 no Motions on Notice were submitted by Members for consideration.

CL85-25/26 PETITIONS OR DEPUTATIONS

No petitions or deputations were received.

CL86-25/26 CHANGE TO THE COUNCIL'S CONSTITUTION - DEFINITION OF WORKING DAY

Council considered a report presented by Councillor Hales, Portfolio Holder for Performance and Corporate Governance which sought approval for a change to the Council's Constitution as recommended by the Standards Committee. It proposed the addition of the definition of Working Day to be included as follows:

“working day to mean Monday to Friday excluding weekends and bank/public holidays.”

COUNCIL

This definition was used in many pieces of legislation including the Companies Act 2006 and the Data Protection Act 2018 and recognised by organisations such as ACAS and HMRC.

Moved by Councillor Hales and seconded by Councillor Munro

RESOLVED that approval be given to amend the Constitution to include a definition of the term “working day” to mean Monday to Friday excluding weekends and bank/public holidays.

CL87-25/26 LEVEL OF COUNCIL TAX 2026/27

Prior to consideration of the report the Section 151 Officer & Director of Finance provided an update to Members having received the final Local Government Settlement from Government which confirmed:

- The Council Tax report was based on the approval of the Medium-Term Financial Plan (MTFP) report which was considered by Council in January 2026.
- The MTFP figures had been based on the Government’s provisional finance settlement and as Members were previously advised there was a chance that the government had made an error this year in relation to the business rates pooling income which would lead to a revision of income in the final settlement.
- This error was corrected by Government in the final settlement which meant a reduction in income for all years for Bolsover District Council.
- Government was providing a grant for 2026/2027 which compensated for the reductions in revenue support grant and income protection, but there was a loss of £725k in business rates which would not be compensated for.
- This compensatory grant would only apply for the 2026/2027 financial year, so the reductions in income for future years compared to what was originally in the MTFP would now be £2.1m for 2027/2028; £2.4m for 2028/2029 and £1.6m for 2029/2030.
- It was proposed to fund these losses from the National Non-Domestic Rates Growth Protection Reserve, so there would be no change overall to the bottom line of the MTFP.
- Previously, it was predicted that there would be a balance of £16.9m in the reserve by the end of this financial year, and in the original MTFP this figure would not have changed by the end of the final year of the plan. However, taking account of the changed Government settlement, these figures were updated and it meant that by the end of the MTFP a balance in the reserve of £9.1m was predicted. This may change next year if a further grant for 2027/2028 was announced as part of the 2027/2028 settlement.
- An updated MTFP report would be submitted to Council in May for approval.

COUNCIL

Councillor Moesby, Portfolio Holder for Resources then presented the report which set out the proposed level of Council Tax for 2026/27. Members were reminded that the Bolsover District share of the Council Tax was agreed at the January 2026 meeting at the maximum allowed for a Band D property. This report included the increases for the remaining precepts for the Council Tax as detailed in the report.

The Localism Act 2011 required the billing authority to calculate a Council Tax requirement for the year. The approved demand on the Collection Fund for the Council should be £5,087,952. The Council had received all parish precept demands which totalled £5,395,398.45 so the total demand on the Collection Fund 2026/27 would be £10,483,350.45.

In order to calculate the Council Tax requirement for the area at the relevant bands, the demands of the County Council, Police Authority, Fire Authority, and Parish Councils also needed to be taken into account. The Council had received all the relevant precept demands from these other local authorities that precept upon the Council as the billing authority for Council Tax.

The following comments were made during discussion:

- Councillor Watson stated that she couldn't support the proposed increase in Council Tax when services were not being improved. The south of the district had no litter picking services and missed out on many improvements services and yet the Council wanted to increase the Council Tax. There didn't appear to be any legacy or benefits for Bolsover residents following on from Local Government Review (LGR) and she sought clarity from the Leader as to what was being done.
- Councillor Yates confirmed that a Strategic Asset Management Plan (SAMP) was being drawn up which would include all assets and an assessment of their condition including playgrounds, parks, and car parks. The aim was for these assets to be left in the best possible condition going into the new Unitary Authority following LGR. However, a lot of the reserves would be needed to upgrade Pleasley Vale Business Park. Members were also asked to share information on Council assets requiring improvement or upgrading within their wards which could then be added to the SAMP.
- The Section 151 Officer confirmed that there wouldn't be a definitive profit for Dragonfly until it has stopped trading after 2026/27.
- The Strategic Director of Services confirmed that remedial works were taking place on Mill Ponds 1 and 2 at Pleasley Vale Business Parks which included one of the culverts for health and safety reasons. Further works will be required in the future. The pond was drained as it needed to be desilted, so the water levels had to be lowered. Consultation had taken place with Derbyshire Wildlife Society and the Environment Agency to obtain the relevant permits. Media communications were due to be published to advise people of the works and reasons for it.

The Chair reminded Members that a recorded vote would need to be taken on this item as required by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.

Moved by Councillor Moesby and seconded by Councillor Ritchie

COUNCIL

RESOLVED that (1) the Council Tax for the Financial Year 2026/27 as set out in the report be approved;

(2) authority be given to the officers as set out in section 1.6 of the report to undertake the identified duties in accordance with section 223 of the Local Government Act 1972, and delegated authority be given to the Council's Chief Financial Officer to authorise any amendments to the list of named officers that may prove necessary during the course of the financial year; and

(3) delegated authority be given to the Director of Finance & Section 151 Officer to recalculate the figures within this report if the Fire Authority approve different figures than those provisionally received.

For the motion (24):

Councillors Bennett, A Clarke, R Clarke, Davis, Fritchley, Hales, Haywood, Hinman, Jeffery, Kirkham, McGregor, Moesby, Munro, Powell, Raspin, Renshaw, Ritchie, Smith, Tait, Taylor, Tite, Turner, Waplington, and Yates.

Against the motion (7):

Councillors Fox, Gilbody, Kane, Peake, Stevenson, Watson, and Wilson.

Abstentions: (0)

CL88-25/26 DOMESTIC ABUSE POLICY

Consideration was given to a report presented by Councillor Moesby, Portfolio Holder for Resources which sought approval for the implementation of a Domestic Abuse Policy to ensure that Bolsover District Council provided a safe, inclusive, and responsive working environment for all employees. The policy formalised the Council's approach to recognising, responding to, and supporting those affected by domestic abuse – whether as victims or perpetrators.

The Domestic Abuse Act 2021 introduced a statutory definition of domestic abuse and a legal framework to better protect victims. Employers had a duty of care to safeguard their workforce, and this policy affirmed the Council's commitment to uphold this responsibility.

Moved by Councillor Moesby and seconded by Councillor Munro

RESOLVED that (1) the Domestic Abuse Policy at Appendix 1 to the report be approved; and

(2) that the HR Team take steps to raise awareness of the policy among staff and management and provide training on how to identify and respond to domestic abuse in the workplace.

CL89-25/26 FUTURE DELIVERY OF THE COUNCIL'S HOUSING STOCK CONDITION SURVEY

Council considered a report presented by Councillor Smith, Portfolio Holder for Housing which sought approval for the creation of a permanent Contract Administrator/Building Surveyor and a specialist Administrative Assistant to deliver the Housing Stock Condition

COUNCIL

Survey programme.

The Council has circa 5,000 residential properties and the additional posts would ensure that the Asset Management Team would have the capacity to deliver the stock condition surveys. The Council's aim was to carry out 1,000 stock condition surveys over a five-year period to maintain compliance with the Regulator of Social Housing Consumer Standards and accurately report on the Decency Standard. The costs of contracting external contractors to undertake the surveys was too costly in comparison to delivering this in-house.

Councillor Davis left the meeting at 10.39 am.

Councillor Kirkham left the meeting at 10.40 am.

Councillor Davis returned at 10.41 am.

Moved by Councillor Smith and seconded by Councillor Ritchie

RESOLVED that (1) approval be given for the creation of a new full-time permanent Contract Administrator/Building Surveyor (Grade 8 £52,903 to £59,308 including on costs) and a specialised Administrative Assistant post (Grade 5 (£37,841 to £41,287 including on costs), based on 2025/26 salary grades; and

(2) approval be given to fund these posts from the existing Housing Revenue Account budget.

CL90-25/26 FIRE DOOR SAFETY INSPECTIONS

Council considered a report presented by the Strategic Director of Services which sought Council approval to increase the Council's Health and Safety Team staffing level to establish resource capacity to undertake fire door safety inspections. It was confirmed that the Council had identified approximately 1,001 fire doors which required inspections twice each year. The proposal was to establish a Bolsover in-house service which could also be offered as a service to Parish and Town Councils for income generation.

The Council had a statutory duty under the Fire Safety Act 2021 to inspect fire safety doors. An assessment had been carried out which showed that the cost for this to be delivered by an external contractor was approximately £60,060 based on an annual inspection of 2,002 doors x £30 per door as compared to the in-house approach which was more economically advantageous at a reduced delivery cost of £11,669 based on 2025/26 salary costs.

Moved by Councillor Munro and seconded by Councillor Hales

RESOLVED that (1) approval be given to the budget of £48,391 for establishing fire door inspections;

(2) approves the establishment of an additional Health and Safety Advisor to the Health and Safety Team; and

(3) approval be given for the Health and Safety Apprentice's contract of employment to be established in the position of Health and Safety Advisor at Grade 7 (salary scale point 18).

COUNCIL

CL91-25/26 WHISTLEBLOWING UPDATE REPORT 2025

Council considered a report presented by Councillor Hales, Portfolio Holder for Performance and Corporate Governance which informed members of the use of the Whistleblowing Policy during 2025.

The Whistleblowing Policy was last reviewed by the Standards Committee on 10th November 2025 with the number of Whistleblowing instances being reported to the Committee on 9th February 2026.

It was confirmed that the two Whistleblowing instances had occurred and were included in Appendix 1 to the report. Due to the need to maintain confidentiality the whistleblowing complaints were anonymised and detailed so as not to reveal the identity of the complainant and member of staff complained about.

Moved by Councillor Hales and seconded by Councillor Moesby
RESOLVED that the report be noted.

CL92-25/26 PAY POLICY STATEMENT 2026/27

Council considered a report presented by Councillor Moesby, Portfolio Holder for Resources which detailed the Council's pay for senior managers and employees in accordance with the requirements of Section 38 of the Localism Act 2011 and Supplementary Guidance 2013.

The Pay Policy Statement had to be approved by Council on an annual basis and reflected the current position based on decisions previously taken by Council.

Under the Local Government Transparency Code 2015 additional organisational information was required to be published annually on the website. This consisted of third tier organisation charts, senior salaries information, including functional responsibilities, budget amounts, and numbers of staff responsible for, together with details of trade union facility time.

Councillor Renshaw left the meeting at 10.51 am.

Moved by Councillor Moesby and seconded by Councillor Bennett
RESOLVED that the Annual Pay Policy Statement 2026/27 be approved.

CL93-25/26 CALENDAR OF COUNCIL MEETINGS 2026/27

Council considered a report presented by Councillor Hales, Portfolio Holder for Performance and Corporate Governance which detailed the proposed Calendar of Council Meetings for 2026/27.

Each year the Council approves a calendar of meetings for the forthcoming year which meets the needs of Members and facilitates decision making in line with statutory deadlines.

COUNCIL

Moved by Councillor Hales and seconded by Councillor Smith

RESOLVED that the Calendar of Council Meetings for 2026/27 be approved.

CL94-25/26 LOCAL GOVERNMENT REORGANISATION - UPDATE

The following update was provided for Members by the Interim Strategic Director of Economic Growth:

- The Government's Local Government Reorganisation Statutory Consultation ends 22nd March 2026.
- The Chief Executive has received an invitation from the Ministry of Housing, Communities and Local Government (MHCLG) to discuss the proposals submitted.
- Derbyshire Chief Executive's continued to meet on a weekly basis and were considering the next steps with a report on proposed governance arrangements for the workstreams etc to be submitted to the next meeting of Derbyshire Strategic Leadership Board in March.
- Active engagement is now taking place with colleagues at Derbyshire County Council with fair representation across all of the Workstreams and working groups which were meeting.
- MHCLG has asked for each proposal put forward by Derbyshire (the four options of the North/South split supported by the Boroughs and Districts and Derby City Council). 'Listening' meetings were due to take place with each respective Chief Executive or group of Chief Executives meeting with MHCLG to 'pitch' the proposal that they supported.
- Government was still pushing forward at pace on the deadlines, and it was hoped that a decision for Derbyshire would be announced by June. This decision would kickstart a huge amount of work in the workstreams.

CL95-25/26 CHAIRMAN'S CLOSING REMARKS

The Chair thanked Members and the public for attending and closed the meeting.

The meeting concluded at 10:58 hours.

CABINET MEMBERS **ROLES AND RESPONSIBILITIES – MAY 2026**

CABINET MEMBER	PORTFOLIO
Councillor Jane Yates, Leader	Policy, Strategy and Communications <ul style="list-style-type: none"> • Human Resources / Payroll
Councillor Donna Hales, Deputy Leader	Corporate Performance and Governance
Councillor Tom Munro To be advised (Junior Cabinet Member)	Growth <ul style="list-style-type: none"> • Planning Development Management • Planning Policy • Housing Strategy (Planning)
Councillor Rob Hiney-Saunders To be advised (Junior Cabinet Member)	Environment <ul style="list-style-type: none"> • Environmental Health & Licensing • Emergency Planning • Street Scene Services • Corporate Health & Safety • Climate Change • ICT
Councillor Jeanne Raspin	Without Specific Portfolio
Councillor Phil Smith To be advised (Junior Cabinet Member)	Housing <ul style="list-style-type: none"> • Housing and Tenancy Management • Housing Repairs and Maintenance • Housing Stock • Estate Management • Homelessness • Housing Strategy (Housing)
Councillor Mary Dooley To be advised (Junior Cabinet Member)	Partnerships, Health & Wellbeing <ul style="list-style-type: none"> • Leisure • Customer Services • Partnerships • Safeguarding • Leisure Go Fuel Café • Arts

<p>Councillor Clive Moesby</p> <p>To be advised (Junior Cabinet Member)</p>	<p>Resources</p> <ul style="list-style-type: none">• Finance• Community Safety & Enforcement Team• Audit• Risk Management• Legal
<p>Councillor John Ritchie</p>	<p>Devolution</p> <ul style="list-style-type: none">• East Midlands Mayoral Combined County Authority• Devolution• Local Government Reorganisation

Bolsover District Council

Meeting of Annual Council on 20th May 2026

Appointments to Outside Bodies (Council Functions) 2026/27

Report of the Strategic Director of Legal, Governance and Monitoring Officer

Classification	This report is Public
Report By	Jim Fieldsend, Strategic Director of Legal, Governance and Monitoring Officer

PURPOSE/SUMMARY OF REPORT

For Council to appoint representatives to Outside Bodies for the 2026/27 Municipal Year.

REPORT DETAILS

1. Background

1.1 Council is asked to consider the list of Outside Bodies (Council Functions) attached at **Appendix 1** and to make appointments of representatives.

2. Details of Proposal or Information

2.1 The term of office for each appointment will be from the date of the Annual Council meeting (20th May 2026) until the next Annual Council meeting unless otherwise specified.

2.2 **Appendix 1** includes details of the bodies to be appointed to for the 2026/27 Municipal Year at the time of writing the report. A list of proposed nominations will be circulated before the meeting.

3. Reasons for Recommendation

3.1 To appoint representatives on the list of Outside Bodies (Council functions) as attached at **Appendix 1**.

4. Alternative Options and Reasons for Rejection

4.1 The Council could choose not to appoint to the Outside Bodies; however, this is not recommended as it would fail to provide a representative of the Council to these organisations.

RECOMMENDATION(S)

1. That Council considers the list of Outside Bodies (Council Functions) attached at Appendix 1 and to make appointments of representatives.
 2. The term of office for each appointment will be from the date of the Annual Council meeting (20th May 2026) until the next Annual Council meeting, unless otherwise specified.
-

IMPLICATIONS:

<u>Finance and Risk</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Details: There are no financial or risk implications arising from this report. <p style="text-align: right;">On behalf of the Section 151 Officer</p>		
<u>Legal (including Data Protection)</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Details: There are no legal or data protection implications arising from this report. <p style="text-align: right;">On behalf of the Solicitor to the Council</p>		
<u>Staffing</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Details: There are no human resource issue implications arising from this report. <p style="text-align: right;">On behalf of the Head of Paid Service</p>		
<u>Equality and Diversity, and Consultation</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Details: None.		
<u>Environment</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment. Details: None.		

DECISION INFORMATION:

<p><input checked="" type="checkbox"/> Please indicate which threshold applies:</p> <p>Is the decision a Key Decision? A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:</p> <p>Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or (b) Results in the Council incurring Revenue Expenditure of £75,000 or more.</p> <p>Capital (a) Results in the Council making Capital Income of £150,000 or more or (b) Results in the Council incurring Capital Expenditure of £150,000 or more.</p> <p>District Wards Significantly Affected: <i>(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)</i> Please state below which wards are affected or tick All if all wards are affected:</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>(a) <input type="checkbox"/> (b) <input type="checkbox"/></p> <p>(a) <input type="checkbox"/> (b) <input type="checkbox"/></p> <p>All <input type="checkbox"/></p>
---	---

<p>Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i></p> <p>If no, is the call-in period to be waived in respect of the decision(s) proposed within this report? <i>(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)</i></p> <p>Consultation carried out: <i>(this is any consultation carried out prior to the report being presented for approval)</i></p> <p>Leader <input checked="" type="checkbox"/> Deputy Leader <input checked="" type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
--	---

Links to Council Ambition:
Customers.

DOCUMENT INFORMATION:

Appendix No	Title
1	Appointments to Outside Bodies (Council Functions) 2026/27

Background Papers
<i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive, you must provide copies of the background papers).</i>
None.

Appendix 1

APPOINTMENTS TO OUTSIDE BODIES 2026/27 (COUNCIL FUNCTIONS)

All Terms of Office expire at the next Annual Council Meeting unless otherwise specified.

Organisation	Representative(s)
Arthur Townrow Pensions Fund (term expiring on 1 st January 2027)	(2 representatives) Councillor Moesby Councillor Dooley
Association of Councillors a) National	(1 representative & 1 sub) Councillor Dooley Councillor Ritchie
Association of Councillors b) English Regional	(1 representative & 1 sub) Councillor Taylor Councillor Yates (substitute)
Derbyshire Police and Crime Panel	(1 representative & 1 sub) Councillor Moesby (Portfolio Holder responsible for Community Safety) Councillor Haywood (substitute)
East Midlands Combined County Authority (non-constituent members)	Leader: Councillor Yates Deputy Leader: Councillor Hales and Councillor John Ritchie (substitutes)
Isabella Smithson's Charity (Administered by The John Pearce Trust)	(3 representatives) Councillor A Clarke Councillor R Clarke Councillor Jeffery
Joint Board (BDC/NEDDC/CBC) Council Appointments - Scrutiny Observers	Leader and Deputy Leader (Executive Appointments) Councillor Bennett (Scrutiny Representative Observer) Councillor Taylor Councillor Renshaw (Scrutiny Representative Substitute Observers)

Organisation	Representative(s)
Local Government Association National	Leader: Councillor Yates Deputy Leader: Councillor Hales (substitute)
South Yorkshire Mayoral Combined Authority Board (non-constituent Council members)	Leader: Councillor Yates Deputy Leader: Councillor Hales (substitute)

Bolsover District Council

Annual Council on 20th May 2026

Standards Committee Annual Report

Report of the Strategic Director of Legal, Governance and Monitoring Officer

Classification	This report is public
Report By	Jim Fieldsend Strategic Director of Legal, Governance and Monitoring Officer

PURPOSE/SUMMARY OF REPORT

For Council to consider the Standards Committee Annual Report on the work it has undertaken during the municipal year 2025/26.

REPORT DETAILS

1. Background

1.1 At the end of each municipal year, the Standards Committee produces an annual report of the work it has undertaken during the year for consideration by Annual Council.

2. Details of Proposal or Information

2.1 For Council to consider the Standards Committee Annual Report which sets out the work of the Committee during the municipal year 2025/26.

2.2 The Annual Report 2025/26 is attached as **Appendix 1** to this report.

3. Reasons for Recommendation

3.1 To enable the Council to consider the Annual Report of the Standards Committee in relation to its work during the municipal year 2025/26.

4. Alternative Options and Reasons for Rejection

4.1 This report is to inform the Council of the work of the Standards Committee therefore there are no alternative options.

RECOMMENDATION(S)

That Council notes the Standards Committee Annual Report 2025/26.

IMPLICATIONS:

<u>Finance and Risk</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Details: None arising from this report. <p style="text-align: right;">On behalf of the Section 151 Officer</p>
<u>Legal (including Data Protection)</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Details: None arising from this report. <p style="text-align: right;">On behalf of the Solicitor to the Council</p>
<u>Staffing</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Details: None arising from this report. <p style="text-align: right;">On behalf of the Head of Paid Service</p>
<u>Equality and Diversity, and Consultation</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Details: None arising from this report.
<u>Environment</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment. Details: None arising from this report.

DECISION INFORMATION:

<input checked="" type="checkbox"/> Please indicate which threshold applies:	
Is the decision a Key Decision? A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:	Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>
Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or (b) Results in the Council incurring Revenue Expenditure of £75,000 or more.	(a) <input type="checkbox"/> (b) <input type="checkbox"/>
	(a) <input type="checkbox"/> (b) <input type="checkbox"/>

<p>Capital (a) Results in the Council making Capital Income of £150,000 or more or (b) Results in the Council incurring Capital Expenditure of £150,000 or more.</p> <p>District Wards Significantly Affected: <i>(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)</i> Please state below which wards are affected or tick All if all wards are affected:</p>	<p>All <input type="checkbox"/></p>
---	--

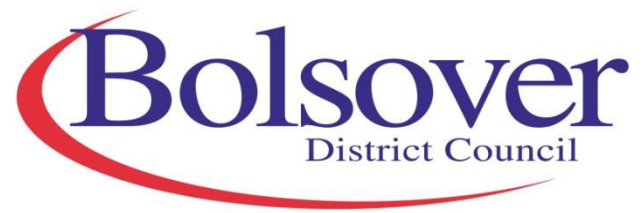
<p>Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i></p> <p>If No, is the call-in period to be waived in respect of the decision(s) proposed within this report? <i>(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)</i></p> <p>Consultation carried out: <i>(this is any consultation carried out prior to the report being presented for approval)</i></p> <p> Leader <input type="checkbox"/> Deputy Leader <input type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input checked="" type="checkbox"/> Standards Committee 11th May 2026 </p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
--	--

Links to Council Ambition:
Customers.

DOCUMENT INFORMATION:

Appendix No	Title
1	Standards Committee Annual Report 2025/26

Background Papers
<i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive, you must provide copies of the background papers).</i>
None.



Standards Committee
Annual Report 2025/26

Standards Committee Annual Report 2025/26

Foreword from the Chair of the Standards Committee

The work of the Standards Committee remains central to the ethical and governance responsibilities of the Council which are an essential element in local government continuing to retain the trust of the public which it serves.

I would like to take the opportunity to thank the Members on the Committee, the Independent Persons and officers of the Council, for their continued hard work and support in the work of the Committee during the year.

Mrs Ruth Jaffray

Co-opted Member

The Annual Report outlines the work of the Standards Committee during the municipal year 2025/26.

Table of Contents

1	Chair and Co-optees of Standards Committee 2025/26.....	4
2	Independent Persons	4
3	Complaints received during the period May 2025 to May 2026	4
4	Response to the consultation on Strengthening the Standards and Conduct Framework.	4
5	Consideration of requests for Dispensation.	4
6	Constitution Review Work	5
7	Policy Review Work	5
	Whistle-blowing Policy Review.....	5
	RIPA Policy Review	5
8	Gifts and Hospitality	6
9	Member Training Attendance.....	6

1 Chair and Co-optees of Standards Committee 2025/26

The Articles of the Constitution require that a co-opted member be appointed Chair of the Standards Committee. The Council therefore approved the appointment of Mrs Ruth Jaffray in November 2016 who has undertaken that role since then.

2 Independent Persons

The Council has three Independent Persons who advise the Monitoring Officer on complaints against District or Parish Councillors and also advise Councillors who were the subject of complaints. These are Mr S Wainwright, Mr A Davies and Mr M Kenyon.

3 Complaints received during the period May 2025 to May 2026

From the start of May 2025, the Monitoring Officer has received 16 complaints. This is a reduction on last year when only 22 were received. 5 complaints related to the action of a district councillor and 10 relating to parish councillors.

Most incidents are relatively minor and where a potential breach was identified they were dealt with through informal methods such as an apology/training. Other more serious complaints are dealt with by an informal investigation and four complaints have been through the investigation process. One investigation found the councillor not to have breached the code whereas three have found breaches. Two of those complaints is still be resolved and discussions are taking place as to whether the councillor concerned accepts the findings. The third has resulted in an apology from the councillor concerned which the Monitoring Officer considered to be a proportionate way to conclude the complaint.

4 Response to the consultation on Strengthening the Standards and Conduct Framework.

In February 2026 we received a report outlining the government's proposals to improve the standards regime. Proposals include the power to suspend councillors for serious breached, withdrawal of allowances and a right of review for both complainants and subject members. Such changes to be introduced by the Government as soon as parliamentary time allows.

5 Consideration of requests for Dispensation.

No requests for Dispensation were received during the 2025/26 Municipal Year.

6 Constitution Review Work

One of the functions of the Standards Committee is to undertake a review of the Council's Constitution to ensure it is up to date and in line with legislation and current circumstances. The Committee considered a number of areas that had been identified for review including:

- Inclusion of a definition of the term "working day" in the Constitution.

7 Policy Review Work

Whistle-blowing Policy Review

The Council is committed to updating the Whistle-blowing policy on a regular basis to ensure it is fit for purpose. A review was conducted in January 2025 with no substantive changes being made other than housekeeping amendments. At Council on 8th October 2025 a motion to review the Whistleblowing Policy was submitted and members were reminded that it had already been reviewed and approved in January 2025. A further review of the Whistleblowing Policy took place at Standards Committee on 10th November 2026 with no further changes being made.

The Monitoring Officer has overall responsibility for the maintenance and operation of the policy and would maintain a record of any concerns raised and the outcomes. The Monitoring Officer is also required to report as necessary to the Council on instances relating to Whistleblowing on an annual basis.

The Monitoring Officer reported to Standards Committee on 9th February 2026 and then to Council on 4th March 2026 that there had been two instances of Whistleblowing reported.

RIPA Policy Review

In early 2025, the Investigatory Powers Commissioner's Office (IPCO) undertook an inspection of the Council's arrangements for dealing with covert surveillance. The IPCO was satisfied that the Council was complying with its obligation as set out in the Regulation of Investigatory Powers Act 2000 (RIPA) and suggested some suggestions on how certain parts of the Policy could be clarified. The RIPA Annual Report included the IPCO's findings and sought approval for amendments to the Policy. The Standards Committee on 9th February 2026 approved the amendments to the Policy.

The Monitoring Officer confirmed that no such powers were used.

8 Gifts and Hospitality

- 8.1 The Council's Constitution specifies detailed arrangements for the registering of gifts and hospitality made to Members and officers.
- 8.2 The annual reporting of offers of gifts and hospitality made to Members and officers ensures that the Council's performance on this matter is monitored on a regular basis and that any changes in procedure can be introduced if necessary. The register of Gifts and Hospitality is also published on the Council's website.
- 8.3 In February 2026, the Standards Committee received and noted an annual report in respect of offers of gifts and hospitality made to Members and officers for the period January 2025 to December 2025.
- 8.4 Members are reminded that advice is available from the Monitoring Officer, Deputy Monitoring Officer and Legal Services in relation to any offer of gift or hospitality and Members and officers are encouraged to seek this advice where they were unsure.

9 Member Training Attendance

Part of the Terms of Reference of the Standards Committee is to oversee Members training including attendance at courses. A report relating to Member attendance on training course was considered at the Standards Committee on 11th May 2026.

Footnote: If any Member would like a copy of any of the reports referred to in this report, they should contact the Governance Team on 01246 242529

Bolsover District Council

Meeting of the Annual Council on 20th May 2026

Operation of Urgency Rules and Thresholds for Key Decisions

Report of the Strategic Director of Legal, Governance and Monitoring Officer

Classification	This report is Public
Report By	Jim Fieldsend Strategic Director of Legal, Governance and Monitoring Officer

PURPOSE/SUMMARY OF REPORT

The purpose of this report is to:

- Advise of Key Decisions taken under statutory Urgency Rules in the past 12 months.
- Advise of decisions taken under Urgency Rules within the Council’s Scrutiny Rules (this is where call-in provisions are waived as the decision is urgent and cannot be reasonably deferred).
- Set the Key Decisions thresholds for the forthcoming year in line with the constitutional requirement at Annual Council meetings.

REPORT DETAILS

1. Background

1.1 A Key Decision is an Executive (i.e. Executive or officer) decision which is likely to:

- result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council’s budget for the service or function to which the decision relates; or
- be significant in terms of its effects on communities living or working in an area comprising two or more wards within the District.

In determining the meaning of “significant” the Council must have regard to any guidance for the time, being issued by the Secretary of State. The Council has decided that Revenue income or expenditure of £75,000 or more and Capital expenditure of £150,000 or more is significant.

1.2 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require that all Key Decisions must be published at least 28 days prior to being made. Where this is not possible the

decision may still be made so long as there is compliance with General Exception provisions. This involves informing the Chair of the relevant Scrutiny Committee (or, in their absence the Chair of Council or Vice Chair of Council) and publishing a notice five days prior to making the decision outlining the reasons why compliance with the requirements is not possible.

- 1.3 Where it is impractical to comply with the General Exception rules, a Key Decision may only be taken in cases of Special Urgency. This is where the Chair of the relevant Scrutiny Committee (or, in their absence the Chair of Council or Vice Chair of Council) agrees that the decision is urgent and cannot be reasonably deferred. Again, the Council must publish a notice setting out the reasons why the decision is urgent and cannot be reasonably deferred.
- 1.4 The Leader is required to submit, at least on an annual basis, a report setting out those decisions where Special Urgency rules have been used. The report must cover the period since the last report was issued and contain details of the decisions that were made.
- 1.5 All Key Decisions are subject to the Council's call-in provisions which are set out in the Scrutiny Rules. Call-in provisions may be waived only where a decision is urgent. A decision is urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public interests. The Chair of the relevant Scrutiny Committee (or, in their absence the Chair of Council or Vice Chair of Council) must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. Decisions taken as a matter of urgency are required to be reported to Council, together with the reasons for urgency. In the past 12 months, five decisions have been taken using urgency provisions to waive call-in. **These decisions were:**
 - Service Level Agreement – Household Support Fund 7 (Decision taken by the Chief Executive on 22nd May 2025)
 - Renewal of Insurance Policies (Decision taken by the Strategic Director of Finance and S151 Officer on 30th September 2025)
 - Appointment of a supplier to undertake environmental and flood mitigation works at Pleasley Vale Business Park (Decision taken by the Chief Executive on 1st December 2025)
 - Request from the Dragonfly Board of Directors regarding consideration of a Reserved Matter under the terms of the Dragonfly Companies Shareholder Agreement (Decision taken by the Executive on 1st December 2025)
 - Shirebrook and Langwith Public Space Protection Order Renewal (Decision taken by the Chief Executive on 15th December 2025)

1.5 Finally, the Council is required at its Annual Meeting to review the threshold for Key Decisions (see definition in paragraph 1.1). The current thresholds for Key Decisions, which are recommended to continue, are as follows:

- Revenue Income, Savings or Expenditure - £75,000
- Capital Income or Expenditure - £150,000

2. Details of Proposal or Information

2.1 The Key Decision that was taken using Special Urgency rules related to the Household Support Fund SLA7. The household support fund was a 12 month Grant (1st April 2025 to 31st March 2026) to provide support to vulnerable households who would otherwise struggle to buy food or pay essential utility bills, essential living costs and housing costs. This grant was an opportunity to financially assist vulnerable households across the district, and to sustain tenancies. In order to receive this grant of £183,142 the Service Level Agreement had to be signed as a matter of urgency.

The Chair of the Customer Services Scrutiny Committee was informed of the decision to be taken and agreed that the decision was urgent and not subject to Call-In. The decision was made by the Chief Executive on 22nd May 2025.

2.2 The Key Decision that was taken using Special Urgency rules related to the renewal of Insurance Policies to meet the timescales associated with renewing the Council's insurance policies by the 1st of October 2025, the decision to renew insurance policies has to be made prior to the end of September 2025. However, the nature of the brokering business means, negotiations with insurance companies takes place almost to the renewal date, and therefore delegated powers were granted to the Council's Section 151 Officer to accept the renewed contracts.

The Chair of the Finance and Corporate Overview Scrutiny Committee was informed of the decision to be taken and agreed that the decision was urgent and not subject to Call-In. The decision was made by the Strategic Director of Finance and S151 Officer on 30th September 2025.

2.3 The Key Decision that was taken using Special Urgency rules related to the appointment of a contractor to undertake environmental and flood mitigation works at Pleasley Vale Business Park. The decision was to undertake the revised scope of work for the mitigation works to be funded utilising £603,537 of the £608,537 previously agreed by the Executive on 23rd June 2025 and the allocation of £257,900 from reserves.

The Chair of the Customer Services Scrutiny Committee was informed of the decision to be taken and agreed that the decision was urgent and not subject to Call-In. The decision was made by the Executive on 1st December 2025.

- 2.4 The Key Decision that was taken related to a request from the Dragonfly Board of Directors regarding consideration of a Reserved Matter under the terms of the Dragonfly Companies Shareholder Agreement. This report was exempt and considered in private to avoid the disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended by the Local Government (Access to information)(Variation) Order 2006).

The Chair of the Local Growth Scrutiny Committee was informed of the decision to be taken in respect of the exempt report and consented to consideration of the report being held in private at the above meeting of Executive. The decision was made by the Executive on 1st December 2025.

- 2.5 The Key Decision that was taken related to the Shirebrook and Langwith Public Space Protection Order Renewal. The Chair of the Customer Services Scrutiny Committee was informed of the decision to be taken and agreed that the decision was urgent and not subject to call-in. The decision was made by the Chief Executive on 15th December 2025.

3. Reasons for Recommendation

- 3.1 To fulfil a statutory duty to report Key Decisions taken under Special Urgency rules and separate constitutional duties to report decisions where call-in has been waived and to set the Key Decision financial thresholds.

4 Alternative Options and Reasons for Rejection

- 4.1 There are no alternative options as there is a statutory duty to report this information and to set the Key Decision thresholds.

RECOMMENDATION(S)

That Council:

1. notes the decisions that was been taken over the past 12 months under Special Urgency Rules;
 2. notes the decisions that have been taken over the past 12 months under Urgency provisions in the Council's Scrutiny Rules; and
 3. agrees that the financial thresholds for Key Decisions be maintained at £75,000 (Revenue) and £150,000 (Capital).
-

IMPLICATIONS:

<u>Finance and Risk</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Details: There are no financial or risk implications arising from this report. On behalf of the Section 151 Officer	
<u>Legal (including Data Protection)</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Details: There are no legal or data protection implications arising from this report. On behalf of the Solicitor to the Council	
<u>Staffing</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Details: There are no human resource issues implications arising from this report. On behalf of the Head of Paid Service	
<u>Equality and Diversity, and Consultation</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Details: None.	
<u>Environment</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment. Details: There are no environmental implications arising from this report.	

DECISION INFORMATION:

<input checked="" type="checkbox"/> <i>Please indicate which threshold applies:</i>	
Is the decision a Key Decision? A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or (b) Results in the Council incurring Revenue Expenditure of £75,000 or more.	(a) <input type="checkbox"/> (b) <input type="checkbox"/>
Capital (a) Results in the Council making Capital Income of £150,000 or more or (b) Results in the Council incurring Capital Expenditure of £150,000 or more.	(a) <input type="checkbox"/> (b) <input type="checkbox"/>

District Wards Significantly Affected: <i>(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)</i> Please state below which wards are affected or tick All if all wards are affected:	All <input type="checkbox"/>
---	-------------------------------------

Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i> If yes, is the call-in period to be waived in respect of the decision(s) proposed within this report? <i>(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)</i> Consultation carried out: <i>(this is any consultation carried out prior to the report being presented for approval)</i> Leader <input type="checkbox"/> Deputy Leader <input checked="" type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input checked="" type="checkbox"/> Relevant Scrutiny Chairs were consulted on the decisions as per the urgency procedures	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>
---	---

Links to Council Ambition:
Customers.

DOCUMENT INFORMATION:

Appendix No	Title

Background Papers
<i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive, you must provide copies of the background papers).</i>
None.

Bolsover District Council

Meeting of the Annual Council on 20th May 2026

Scheme of Delegation for Officers 2026/27

Report of the Strategic Director of Legal, Governance and Monitoring Officer

Classification	This report is Public
Report By	Jim Fieldsend, Strategic Director of Legal, Governance and Monitoring Officer

PURPOSE/SUMMARY OF REPORT

For Council to approve the Scheme of Delegation as outlined in Part 3 of the Council’s Constitution.

REPORT DETAILS

1. Background

- 1.1 It is a requirement under Council Procedure Rule 1.1 (o) of the Council’s Constitution that the Annual Council Meeting agrees the Scheme of Delegation as set out in Part 3 of the Constitution.
- 1.2 The Scheme of Delegation outlines the specific delegation of Council and Executive functions to officers. The scheme includes general powers delegated to all senior managers together with specific powers delegated to the Chief Executive, the Director Finance & Section 151 Officer and Director of Governance and Legal Services & Monitoring Officer
- 1.3 The Scheme also outlines Proper Officer Provisions.

2. Details of Proposal or Information

- 2.1 At its meeting on 21st May 2025, Council approved a change to the Constitution to enable the Monitoring Officer to make changes arising from any new legislation, administrative errors or administrative changes or conflicts in interpretation.
- 2.2 The only changes to the Scheme of Delegation for 2026 relate to administrative changes such as job titles for example following the transfer in-house of the Dragonfly Companies staff or where there has been a change to the title of an existing post within the Council’s structure.

3. Reasons for Recommendation

- 3.1 That Council approves the Scheme of Delegation for Officers in accordance with Council Procedure Rule 1.1 (o).
- 3.2. The framework outlines the specific delegation of Council and Executive Functions to officers in order for them to undertake their work as officers of the Council.

4 Alternative Options and Reasons for Rejection

- 4.1 It is a requirement of the Council's Procedural Rules that a scheme of delegation is approved.

RECOMMENDATION(S)

That Council approves the Scheme of Delegation for Officers as set out in Appendix 1 to this report.

IMPLICATIONS:

<u>Finance and Risk</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Details: There are no financial or risk implications arising from this report. <p style="text-align: right;">On behalf of the Section 151 Officer</p>
<u>Legal (including Data Protection)</u> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Details: It is a requirement under Council Procedure Rule 1.1 (o) of the Council's Constitution, that Annual Council Meeting agrees the Scheme of Delegation as set out in Part 3 of the Constitution. <p style="text-align: right;">On behalf of the Solicitor to the Council</p>
<u>Staffing</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Details: here are no human resource issues implications arising from this report. <p style="text-align: right;">On behalf of the Head of Paid Service</p>
<u>Equality and Diversity, and Consultation</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Details: None.

Environment Yes No

Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.
There are no environmental implications arising from this report.

DECISION INFORMATION:

Please indicate which threshold applies:

Is the decision a Key Decision?

A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:

Yes No

Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or **(b)** Results in the Council incurring Revenue Expenditure of £75,000 or more.

(a) (b)

Capital (a) Results in the Council making Capital Income of £150,000 or more or **(b)** Results in the Council incurring Capital Expenditure of £150,000 or more.

(a) (b)

District Wards Significantly Affected:

(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)

Please state below which wards are affected or tick **All** if all wards are affected:

All

Is the decision subject to Call-In?

(Only Key Decisions are subject to Call-In)

Yes No

If No, is the call-in period to be waived in respect of the decision(s) proposed within this report? ***(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)***

Yes No

Consultation carried out:

(this is any consultation carried out prior to the report being presented for approval)

Yes No

Leader Deputy Leader Executive SLT
Relevant Service Manager Members Public
Other

Links to Council Ambition: Customers, Economy, Environment, Housing

Customers.

DOCUMENT INFORMATION:

Appendix No	Title
1	Scheme of Delegation

Background Papers

(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive, you must provide copies of the background papers).

None.

3.1 SCHEME OF DELEGATION FOR OFFICERS

4.10.1 Introduction

- (1) This scheme has been adopted by Bolsover District Council and sets out the extent to which the powers and duties of the Council is delegated to officers under the Local Government Act 1972, the Local Government Act 2000 and all other powers enabling delegation to officers. It is adopted with the intention of giving a streamlined, clear and simple decision-making process. It should be interpreted widely.
- (2) Under this scheme officers must keep Members properly informed of action arising within the scope of these delegations. Officers must liaise closely with the relevant Portfolio Holder on Executive Functions and the relevant Chairman of the regulatory committee when the matter falls within the remit of that committee.
- (3) All references to legislation shall be deemed to include any subsequent amendments to such legislation.
- (4) Officers must consult the local Ward Member(s) when they exercise any delegated powers specifically affecting their ward and when the matter is likely to be politically sensitive or contentious unless legal reasons prevent this. Officers must take account of the views of the relevant Ward Member(s) before exercising their delegated power.
- (5) Under section 101 of the Local Government Act 1972 the Council may authorise an officer of the Authority to commission and monitor work for and on behalf of the Council by people who are not officers of the Authority and such people will be bound by this scheme, and the obligations contained in it, at all times when engaged on Council business (for example Environmental Health).
- (6) References to powers of 'the Council' include functions of the Executive.
- (7) Any reference to a function shall be deemed to include a reference to all statutory powers relating to that function and shall be deemed to include authority to exercise all such powers.
- (8) All delegations are intended to be cumulative. Each delegation may be read on its own unless it is specifically expressed to be subject to another.
- (9) All delegations to officers are subject to:-
 - Statutory requirements
 - Contract Procedure Rules
 - Financial Regulations/Finance Rules
 - Consideration of the policies and plans of the relevant Council
 - The Employee Code of Conduct and adopted protocols

- Any financial limits set out in any budget agreed by Council and in accordance with Financial, Contract and Property Procedure Rules
- The Budget and Policy Framework set by Council and any other Council policy having regard to any report by the Head of Paid Service, the Monitoring Officer or the Officer designated under section 151 of the Local Government Act 1972
- Any provision contained within this Constitution.

(10) Where an officer has delegated powers, the Council or the Executive or a committee (as appropriate) can still exercise that power in a particular case if it considers it appropriate to do so. Equally, it is always open to an officer not to exercise delegated powers but to refer the matter up as appropriate.

4.10.2 Exclusions

(1) This Scheme does not delegate:-

- Any matter which by law may not be delegated to an officer.
- Any matter which is specifically excluded from delegation by this scheme, by a decision of the Council, the Executive or a committee or sub-committee.

4.10.3 Authorisations to other Officers

Officers with delegated powers may in writing authorise another officer or officers to exercise those powers. Such authorisations may be subject to limitations and conditions. The officer with the delegated powers must keep a register of all authorisations granted. Copies must also be sent to the Governance & Civic Manager.

4.10.4 Reserve Delegations

The delegated powers held by a post may be exercised by the line manager of that post (or by their line manager) if:-

- that post is vacant.
- the post-holder is not at work for any reason.

4.10.5 Consultation

Officers shall consult as appropriate and have due regard to the advice given. If for any reason it is not practical to consult a person required to be consulted in the exercise of a delegation then the person with the delegated power must consult someone else whom he/she considers to be an appropriate substitute. In particular, consultation must take place with Legal Services, Finance and Human Resources as appropriate.

4.10.6 Restriction on delegations to Strategic Directors/Assistant Directors

- (1) Each delegation to a Strategic Director/Assistant Director is subject to a limitation that it shall not be exercised if the Head of Paid Service, or a Strategic Director, or the Monitoring Officer, or Section 151 Officer has given a direction to that effect.
- (2) The Head of Paid Service, or a Strategic Director, may exercise any delegated power possessed by a Strategic Director/Assistant Director whilst a direction is in force with respect to that delegation.
- (3) In the absence of a Strategic Director, an Assistant Director within that Directorate may exercise any delegated power possessed by that Strategic Director.
- (4) Delegated powers may only be exercised within approved budgets, unless a virement is permitted by the Financial Regulations. The use of the Transformation Reserve can only be authorised by the Head of Paid Service.

4.10.7 Transfer of Functions

- (1) Where the name of a post is changed, or its relevant functions become vested in a different post, any delegated powers possessed by the post shall be retained by the renamed post or transferred to the different post as the case may be. This includes any delegated powers vested in a post by resolution of the Council, the Cabinet/Executive or a Committee/Sub Committee.
- (2) Where a service is restructured, the Head of Paid Service shall have authority to re-allocate the delegated powers to other posts and shall give notice of this to the Monitoring Officer and inform the relevant Portfolio Holder.

4.10.8 Proper Officers

- (1) In addition to the specific powers delegated to Chief Officers, local government legislation specifies that certain officers must have responsibility for a number of specific functions as set out in the various acts of parliament. Each officer with such responsibility is known as the "Proper Officer" in relation to that task. The list of Proper Officers is approved by the Council and set out later in section 4.11
- (2) The Council is also required to appoint certain officers known as Statutory Officers to take responsibility for functions specified in local authority legislation. These functions are in addition to the Scheme of Delegation and are set out in section 4.11

4.10.9 General powers delegated to the Chief Executive Officer and all Strategic Directors and Assistant Directors

- (1) To exercise within approved budgets all matters of day to day administration and operational management of the services and functions for which they are responsible.
- (2) To take all necessary action to achieve and implement the objectives and actions set out in approved policies, strategies, plans and decisions of Council or committees.
- (3) To sign licenses and notices relevant to their service areas subject to consultation with the Monitoring Officer.
- (4) To make decisions on any objection submitted which relates to a proposal, application or other matter within their service area, subject to Committee Terms of Reference.
- (5) Service of any statutory notices affecting their service area subject to consultation with the Monitoring Officer where appropriate.
- (6) To exercise the Council's powers to enter land and premises (and to authorise others to enter land and premises) for the purposes of any of the Council's functions which the officer has responsibility for enforcing or investigating.
- (7) To instruct the Council's Legal Service with respect to any legal matter concerning their department or services.
- (8) To exercise the Council's power to publish information about its services including deciding the content of any publication.
- (9) To decide the terms upon which services will be provided to the public, (which may include providing services on different terms to different individuals or classes of individuals).
- (10) To exclude people from Council premises where they consider this to be warranted in the interests of health and safety or for the maintenance of order.
- (11) To deal with the following employment matters in accordance with Council procedures:
 - (i) The employment of all employees below Assistant Director level including determining the most appropriate means of recruitment and selection
 - (ii) Formulation, review and revision of person specifications and job descriptions for posts within their service areas
 - (iii) Application of conditions of service including the authorisation of leave of absence, purchase of annual leave and payment of honoraria

- (iv) Suspension or dismissal of employees below Head of Service/Assistant Director level
 - (v) Re-grading of posts below Assistant Director level following job evaluation
 - (vi) Determination of job-sharing applications
 - (vii) Waive any part of the notice required to be given by an employee to terminate employment.
- (12) To authorise payments for overtime in accordance with Council procedures.
 - (13) To deal with procurement matters acting at all times within the Council's Financial and Contract Procedure Rules.
 - (14) To acquire, dispose of, grant and obtain rights in land and premises on such terms and conditions as considered appropriate where expenditure is within approved budgets.
 - (15) To acquire, dispose of, grant and obtain rights in vehicles and other equipment and property where expenditure is within approved budgets.
 - (16) To commission goods, services and works within approved budgets whether or not the decision is above or below the key decision threshold.
 - (17) To award a contract without following one of the normal procedures within part 4.8.3 of the Council's Procurement Rules provided that one of the exemptions in part 4.8.4 of the Rules can be applied and the provisions of part 4.8.4 are met.
 - (18) To deal with media enquiries and press releases in conjunction with the Communications Manager/Officer who will contact the relevant Members.
 - (19) To represent the views of the Council in responding to consultations with the Council by any outside body where it is expedient to do so or where the period for a response does not allow the consultation paper to be reported to Members, subject to contacting the relevant Portfolio Holder or the Leader and Deputy Leader where the matter is politically contentious and where appropriate reporting to Executive/Council subsequently.
 - (20) To work with partners to achieve and implement the objectives and actions set out in the approved Council Ambition, Service Plans, Business Plans, policies, strategies or other plans.
 - (21) To carry out any duties or responsibilities as contained with the Financial Regulations.
 - (22) To carry out any functions contained within section 3.2 of Part 3 – Council Functions and section 3.3 – Local Choice Council Functions of the Functions Scheme in so much as they relate to the day to day administration and

operational management of the services and functions for which they are responsible.

- (23) To make non-substantive amendments to Council policy, subject to consultation with the Monitoring Officer, in order to:
- i) reflect changes in the law, government or regulators' guidance, and other Council policies; or
 - ii) correct obvious, technical or clerical errors and to take account of changes of any names or titles.
- (24) To agree to the receipt of any external funding below the key decision level and the acceptance of any associated funding conditions.

4.10.10 Chief Executive Officer

Delegations

Exceptions

- (1) To act as Head of Paid Service for the Council in accordance with the duties set out in Section 4 of the Local Government Act 1989.
- (2) To determine all staffing matter including but not limited to:-
- (i) Determining matters relating to structure (additions, reductions post title changes and other changes to the establishment).
 - (ii) The appointment, dismissal, suspension or discipline of staff, save that in relation to the Directors, Assistant Directors this does not include the appointment and in the case of the statutory officers their dismissal.
- (3) Approving secondments and temporary appointments of any staff.
- (4) To act as the Safeguarding lead.
- (5) To implement shared services with other local authority or public sector bodies by taking any action necessary to facilitate the arrangements including but not limited to redundancies which may result from implementation.

- (6) Following consultation with the section 151 Officer, delegation in respect of points 1,3 and 1.4 of the Local Government Pension Scheme transfers policy.
- (7) Following consultation with the section 151 Officer, if they see fit to accept transfers (in respect of an individual employee's application to transfer in pension from a previous scheme) to the local government pension scheme outside the 12 month period, in those cases where the scheme member has not been informed of the time limit.
- (8) Following consultation with the Licensing Section within the shared Environmental Health service, Legal Services and the Chair of the Licensing Committee to suspend or revoke any Private Hire or Hackney Carriage Driver, Vehicle or Operator Licence in such cases where it would be inappropriate to refer the matter to Licensing Committee for consideration. Where permitted by law, this may be with immediate effect on the grounds of public safety.
- (9) To authorise the making of notices and orders under Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014. In the case of Public Space Protection Orders only these will require consultation with the Leader or Deputy Leader of the Council and relevant ward members, and authorisation given incur any necessary expenditure to create, manage or revoke Public Space Protection Orders.
- (10) To guide and where appropriate direct Directors and Assistant Directors in the exercise of their delegated functions in order to achieve the overall corporate aims and objectives of the Council.
- (11) To express the views of the Council with regard to Local Government and the functions associated with it, within the general policy laid down from time to time by

the Council or its Committees and to act thereon.

- (12) To take such action as they consider appropriate in an emergency following consultation with the Leader and/or Deputy Leader as they consider the circumstances will allow and where applicable, inform the relevant Portfolio Holder. Any decisions taken under this paragraph shall be reported by the Chief Executive Officer to the next meeting of Council explaining the reasons for the decision.
- (13) If there is an urgent need for a commercial decision, following consultation with the Leader and/or Deputy Leader and the relevant Portfolio Holder, to make the decision and endorsement will be sought from the Executive or Council as appropriate.
- (14) To formulate and co-ordinate advice on strategic and corporate policy and value for money issues.
- (15) To issue/grant such authorisations as may be necessary to enable any employee to undertake with full legal force the full range of their duties subject to such authorisation remaining in force until the next ordinary meeting of the Committee having authority to issue/grant such authorisations.
- (16) To exercise any of the powers delegated to a Strategic Director or Assistant Director.
- (17) To determine applications under the Regulation of Investigatory Powers Act 2000 and related legislation.
- (18) Following consultation with the Leader or Deputy Leader and on recommendation of the Monitoring Officer, to approve expenditure in pursuance or determination of any employment related disputes including settlement agreements.
- (19) To make customers vexatious under the Compliments, Comments and Complaints Policy.

- (20) To authorise the use of earmarked reserves or Transformation Reserves.

Delegated decisions relating to Transformation Reserves to be initialed by the Section 151 Officer to evidence they have seen them.

- (21) Following consultation with the Leader and Deputy Leader, to determine any matter the Council is required to make a decision on under Part 5 Chapter 3 (Assets of Community Value) of the Localism Act 2011 and the Assets of Community Value (England) Regulations 2012.
- (22) To undertake and determine a review under section 92 of the Localism Act 2011 of a listing of an asset of community value, where the original decision was made by another Director.
- (23) To undertake and determine a review of a decision on compensation in relation to a listing of an Asset of Community Value under Regulation 16 of the Assets of Community Value (England) Regulations 2012, where the original decision was made by another Director.
- (24) Following consultation with the Leader and the relevant Portfolio Holder, to determine the action the Council will take on a Neighbourhood Plan proposal following receipt of the examiner's report, in accordance with rule 18 of the Neighbourhood Planning (General) Regulations 2012, where there is insufficient time for the matter to be submitted to Executive to meet the statutory deadline.
- (25) Following a consultation with the Leader and the relevant Portfolio Holder, to make a Neighbourhood development Plan where more than half of those voting in an applicable referendum have voted in favour of the plan.

- (26) to carry out Rights of Way functions for which the Council is responsible under Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) together with rights of way powers as set out in the Town & Country Planning Act 1990.
- (27) To approve applications and carry out associated functions pursuant to the Housing Grants, Construction and Regeneration Act 1996, the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 and related legislation (including Disabled Facilities Grants). Applications for discretionary Disabled Facilities Grants must be submitted to Executive.
- (28) To authorise another local authority to carry out the licensing enforcement function in respect of hackney carriage vehicles and private hire vehicles for the Council as well as the Council retaining those functions.
- (29) To authorise the enforcement officers of the Council to issue notices relating to enforcement, make decisions, or do anything required in respect of hackney carriage and private hire licensing enforcement function.
- (30) To authorise the making of Public Space Protection Orders under Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014, following consultation with the Leader or Deputy Leader of the Council and relevant Ward Members, and to incur any necessary expenditure to create, manage or revoke Public Space Protection Orders.
- (31) Following consultation with the Licensing Section within the shared Environmental Health service, Legal Services and the Chair of the Licensing Committee, to suspend or revoke any Private Hire or Hackney Carriage Driver, Vehicle or Operator Licence in such cases where it would be inappropriate to refer the matter to Licensing Committee for consideration. Where permitted by law, this may be with

immediate effect on the grounds of public safety.

- (32) ~~To undertake and determine a review of a decision on compensation in relation to a listing of an Asset of Community Value under Regulation 16 of the Assets of Community Value (England) Regulations 2012, where the original decision was made by another Director.~~ Duplication of (23)
- (33) To serve Section 215 Town and Country Planning Act 1990 notices.
- (34) To act as the Emergency Planning Lead.
- (35) To complaints and remedial action in respect of high hedges under Part 8 of the Anti-Social Behaviour Act 2003, regulations and orders under that Act, in accordance with procedures approved by the Council.
- (36) Following consultation with the Leader and Deputy Leader to agree extended rent-free periods up to 5 years where major building works are undertaken by tenants on Pleasley Vale Business Park.
- (37) (Further delegated to the Assistant Director of Planning) making Local Development Orders (section 61A TCPA) in consultation with the relevant Portfolio Holder.
- (38) (Further delegated to the Assistant Director of Planning) Creating Simplified Planning Zones (section 82n TCPA) in consultation with the relevant Portfolio Holder.
- (39) (Further delegated to the Assistant Director of Planning) Creating Enterprise Zones (section 88 TCPA) in consultation with the relevant Portfolio Holder.
- (40) (Further delegated to the Assistant Director of Planning) discharge of Planning conditions in consultation with the relevant Portfolio Holder.
- (41) Following consultation with the Leader and Deputy Leader to authorise the making of a

compulsory purchase order pursuant to any of the statutory powers enabling the Council to do so and including the exercise by the Council of such powers on behalf of a parish or town council where so requested.

- (42) To act and perform all functions and duties of Electoral Registration Officer, Returning Officer, Deputy Returning Officer, Local Returning Officer, Acting Returning Officer and Local Counting Officer in all elections and referenda.
- (43) To agree to the receipt of any external funding and the acceptance of any associated funding conditions.

4.10.11 Strategic Director Finance and Section 151 Officer

Delegations

Exceptions

- (1) To act as the Section 151 Officer for the Council in accordance with the duties set out in the legislation.
- (2) Have responsibility for the proper administration of the financial affairs of the Council.
- (3) After consulting with the Head of Paid Service and the Monitoring Officer, as Section 151 Officer, to report to the Council Meeting (or to the Executive in relation to an Executive Function) and the External Auditor if they consider that any proposal, decision or course of action will involve incurring unlawful expenditure or is lawful and is likely to cause a loss or deficiency or if the Council is likely to enter an item of account unlawfully.
- (4) To approve the Draft Statement of Accounts prior to consideration by External Audit.
- (5) To determine whether an employee who has left the employment of the Councils shall be granted early release of pension subject to Council approval of the budgetary implications.

- (6) After consultation with the relevant Portfolio Holder, to authorise the write-off of bad debts up to an approval limit of £2,500. Larger debts will be included in a report for information to the Executive/Cabinet.
- (8) To authorise any amendments to the list of named officers that may prove necessary during the course of the financial year in relation to the duties identified in accordance with s.223 of the Local Government Act 1972.
- (9) To determine applications under the Regulation of Investigatory Powers Act 2000 and related legislation.
- (10) To initial Delegated Decisions relating to Transformation Reserve spend to evidence that the Section 151 Officer has been consulted.
- (11) To authorise small increases in individual budgets of up to £10,000 per budget per year on one occasion in any financial year subject to a delegated decision notice (DD) being produced.
- (12) Following consultation with the Leader and Deputy Leader, to determine any matter the Council is required to make a decision on under Part 5 Chapter 3 (Assets of Community Value) of the Localism Act 2011 and the Assets of Community Value (England) Regulations 2012.
- (13) To undertake and determine a review under section 92 of the Localism Act 2011 of a listing of an asset of community value, where the original decision was made by another Director.
- (14) To undertake and determine a review of a decision on compensation in relation to a listing of an Asset of Community Value under Regulation 16 of the Assets of Community Value (England) Regulations 2012, where the original decision was made by another Director.

- (15) To serve Section 215 Town and Country Planning Act 1990 notices.

4.10.12 Strategic Director of Legal, Governance and Monitoring Officer

Delegations

Exceptions

- (1) To act as Monitoring Officer for the Council in accordance with the duties set out in Section 5 of the Local Government Act 1989.
- (2) To institute, prosecute, defend, conduct, participate in, withdraw or settle any legal proceedings brought by or against the Council, to make any necessary applications and to take steps to enhance or protect the Council's legal position or interest.
- (3) Authority to sign documents in legal proceedings, contracts, contracts in accordance with the Contract Procedure rules whether under seal or not, any document necessary in legal proceedings on behalf of the Council and information and complaints, and lay them on behalf of the Council for the purpose of Magistrates' Court proceedings unless statute provides otherwise.
- (4) Instruction of Counsel and to retain the services of costs specialists, parliamentary agents or outside solicitors and to obtain expert advice on any matter affecting or likely to affect the interests of the Council.
- (5) To negotiate and settle claims and disputes without recourse to court proceedings.
- (6) To represent the Authority and secure the appearance of an advocate on the Authority's behalf in any legal proceedings.
- (7) To conduct, authorise and co-ordinate investigations into complaints under the Members Code of Conduct and make reports or recommendations about them to the Standards Committee.

- (8) To advise whether decisions of the Executive are in accordance with the Budget and Policy Framework.
- (9) To provide advice on the scope of powers and authority to take decisions, financial impropriety, probity and Budget and Policy Framework.
- (10) Monitoring and advising upon all aspects associated with the Regulation of Investigatory Powers Act (RIPA).
- (11) To monitor the use of the Gifts and Hospitality Registers and to maintain and sign acknowledgement of entries in the Gifts and Hospitality Register.
- (12) To authorise officers who are not solicitors to represent the Council in legal proceedings in the Magistrates' Court.
- (13) To authorise persons to collect, recover, prosecute or appear on behalf of the Council in any legal proceedings.
- (14) Following consultation with the Leader and/or Deputy Leader and relevant Portfolio Holder, to make and revoke appointments to outside bodies.
- (15) Following consultation with the Leader and Deputy Leader, to select Members to sit on any appeals hearing dealing with the hearing and determination of appeals relating to employment (including those relating to dismissal or other disciplinary action, sickness absence, pensions and grievance).
- (16) To amend the Polling Place Scheme between reviews, following consultation with the Leader and Deputy Leader.
- (17) To consider and co-ordinate any investigation by the Local Government and Social Care Ombudsman or the Housing Ombudsman subject to informing the Head of Paid Services.

- (18) To consider and report on any report of the Local Government and Social Care Ombudsman or the Housing Ombudsman and to decide on and implement the action to be taken and to approve and make compensation payments on the recommendation of the Ombudsman whether or not a budget exists following consultation with the Head of Paid Service, the Leader and Deputy Leader up to a maximum of £5,000 in respect of each recommendation.
- (19) To provide a dispensation under Section 85 of the Local Government Act 1972, where an application for dispensation has been received and there is no Council meeting in the meeting schedule which could consider the application before expiry, a dispensation may be granted until the date of the next Council Meeting which could consider it.
- (20) to make changes to the Constitution arising from any new legislation, administrative errors or conflicts in interpretation.

4.10.13 Strategic Director of Services

Delegations

Exceptions

- (1) To agree to the purchase of all vehicles subject to the purchase being in accordance with the approved capital budget and the Contract Procedure Rules.

4.11 Proper Officer Provisions

The relevant post holders listed below have been designated as Proper Officers for the purposes of the adjacent legislative provisions and any subsequent amendments:

Proper Officer Provisions And Designation Of Officers To Statutory Functions/Roles

The relevant post holders listed below have been designated as Proper Officers, or have been designated to fulfil statutory functions or roles for the purposes of the adjacent legislative provisions and any subsequent amendments:

Legislative Provision	Function	Proper Officer
Local Government Act 1972		
S.83(1) to (4)	Witness and receipt of Declaration of Acceptance of Office	Strategic Director of Legal, Governance and Monitoring Officer
S.84(1)	Receipt of notice of resignation of elected member	Strategic Director of Legal, Governance and Monitoring Officer
S.88(2)	Arranging a Council meeting to appoint a Chair of the Council	Strategic Director of Legal, Governance and Monitoring Officer
S.89(1)	Notice of casual vacancy	Strategic Director of Legal, Governance and Monitoring Officer
S.100 (except 100(D))	Admission of public (including press) to meetings	Strategic Director of Legal, Governance and Monitoring Officer
S.100B(2)	The officer who may exclude from agendas any information which is likely to be dealt with in the absence of press and public	Strategic Director of Legal, Governance and Monitoring Officer
S.100B(7)	The officer to supply copies of documents to newspapers	Strategic Director of Legal, Governance and Monitoring Officer
S.100C(2)	The officer to prepare a written summary of the proceedings at committees and sub-committees	Strategic Director of Legal, Governance and Monitoring Officer
S.100D(1)(a)	The officer to prepare a list of background papers for inspection	Strategic Director of Legal, Governance and Monitoring Officer
S.100D(5)(a)	The officer to include in the list of background papers those documents which have been relied upon	Strategic Director of Legal, Governance and Monitoring Officer

Part 3.1 Scheme of Delegation for Officers
Draft for approval May 2026

S.100F(2)	The officer to determine when a document should not be open to inspection because it discloses exempt information	Strategic Director of Legal, Governance and Monitoring Officer
S.115(2)	Receipt of money due from officers	S.151 Officer
S137A (5)	Statement on Financial Assistance	Strategic Director of Finance and S.151 Officer
S.146(1)(a) and (b)	Declarations and certificates with regard to transfer of securities	Strategic Director of Finance and S.151 Officer
S.151 (and S.114 Local Government and Finance Act 1988)	The officer responsible for the proper administration of the Council's financial affairs	Strategic Director of Finance and S.151 Officer
S.151 (and S.114 Local Government and Finance Act 1988)	The officer responsible for the proper administration of the Council's financial affairs – Deputy	Strategic Director of Finance and S.151 Officer
S.191 (2) and (4)	Officer to whom an application under S.1 of the Ordinance Survey Act 1841 will be sent	Strategic Director of Legal, Governance and Monitoring Officer
S.225 (1) and (2)	Deposit of documents	Strategic Director of Legal, Governance and Monitoring Officer
S.228(3)	Accounts for inspection by any member of the Council	Director of Finance and S.151 Officer.
S.229(5)	Certification of photographic copies of documents	Legal Services Manager and Deputy Monitoring Officer
s. 234	The officer required to give, make or issue any notice, order or other document under any enactment and to sign the same	Strategic Director of Legal, Governance and Monitoring Officer

S.236(9) and (10)	Sending of copies of byelaws to parish councils, parish meetings and County Council	Legal Services Manager and Deputy Monitoring Officer
S.238	Certification of byelaws	Governance & Civic Manager
S.248	Officer who will keep the Roll of Honorary Aldermen and Freemen	Governance & Civic Manager
Local Government Act 1972 – Schedule 12		
Para 4(2)(b)	Signing of summons to Council meeting	Strategic Director of Legal, Governance and Monitoring Officer
Para 4(3)	Receipt of notice about address to which summons to meeting is to be sent	Strategic Director of Legal, Governance and Monitoring Officer
Local Government Act 1972 – Schedule 14		
Para 25	Certification of resolution passed under this paragraph (Street naming etc)	Strategic Director of Services
Local Government Act 1974		
S.30(5)	To give notice that copies of an Ombudsman's report are available	Strategic Director of Legal, Governance and Monitoring Officer
Local Government (Miscellaneous Provisions) Act 1976		
S.41(1)	The officer who will certify copies of evidence of resolutions and minutes of proceedings	Strategic Director of Legal, Governance and Monitoring Officer
Local Authorities Cemeteries Order 1977		
Regulation 10	To sign exclusive rights of burial	Strategic Director of Services

Representations of the People Act 1983		
S.8	Registration Officer	Chief Executive Officer
S.8	Deputy Registration Officer	Electoral Services Manager
S.35	Returning Officer for Local Elections	Chief Executive Officer
S.35	Deputy Returning Officer for Local Elections	Electoral Services Manager
S.24	Acting Returning Officer for a Parliamentary Election	Chief Executive Officer
S.24	Deputy Acting Returning Officer for a Parliamentary Election	Electoral Services Manager
S.52	To act in place of Registration Officer	Deputy Registration Officer (see above)
S.67	Appointment of election agent	Chief Executive Officer
S.82 and 89	Receipt of election expense declarations and returns and the holding of those documents for public inspection	Chief Executive Officer
S.128, S.131, S.145, S.146	Provisions relating to election petitions	Chief Executive Officer
S. 200	Publication of Notices under the Act	Chief Executive Officer
Sch. 4, (3), (6) and (8)	Elections Expenses	Chief Executive Officer
Local Authorities (Conduct of Referendums) (England) Regulations 2012		
S. 4, S41 and S.43	Publicity in connection with the referendum and the Declaration of result	Chief Executive Officer
Local Elections (Parishes and Communities) (England and Wales) Rules 2006		
Rules 5	Officer to receive the request for election to fill a casual vacancy in a Parish Council.	Chief Executive Officer

Local Government Act 2000		
	All references to the Proper Officer in the Local Government Act 2000 and subordinate legislation	Chief Executive Officer except as specifically provided in this scheme
The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012		
Regulation 2	Determination of documents constituting Background Papers	Strategic Director of Legal, Governance and Monitoring Officer
Regulation 12	Recording of Executive decisions made at meetings of the Executive or Cabinet	Strategic Director of Legal, Governance and Monitoring Officer
Regulation 14	Inspection of documents following Executive decisions	Strategic Director of Legal, Governance and Monitoring Officer
Regulation 15	Inspection of background papers	Strategic Director of Legal, Governance and Monitoring Officer
Regulation 13	Individual Executive decisions	Strategic Director of Legal, Governance and Monitoring Officer
Regulation 7	Access to agenda and connected reports	Strategic Director of Legal, Governance and Monitoring Officer
Regulation 10	General exception relating to Key Decisions	Strategic Director of Legal, Governance and Monitoring Officer
Regulation 16	Members' rights of access to documents	Strategic Director of Legal, Governance and Monitoring Officer
Regulation 20	Confidential/exempt information and exclusion of public from meetings	Strategic Director of Legal, Governance and Monitoring Officer
Building Act 1984		
S.78	Signing of Notices	Strategic Director of Services

Public Health Act 1936		
S.85(2)	To serve notice requiring remedial action where there are verminous persons or articles	Strategic Director of Services
Public Health Act 1961		
S.37	Control of any verminous article	Strategic Director of Services
Public Health (Control of Disease) Act 1984		
S11, 18, 20, 21, 22, 24, 29, 31, 36, 40,42, 43 and 48		Strategic Director of Legal, Governance and Monitoring Officer
Public Health (Infectious Diseases) Regulations 1988		
Regulations 6, 8, 9, 10 Schedule 3 and 4		Strategic Director of Legal, Governance and Monitoring Officer
Localism Act 2011		
S. 33	Submission of written requests for Standards Dispensations	Strategic Director of Legal, Governance and Monitoring Officer
S. 81	Administration of Community Right to Challenge	Strategic Director of Legal, Governance and Monitoring Officer
S.87	Maintenance of List of Assets of Community Value	Strategic Director of Legal, Governance and Monitoring Officer
Freedom of Information Act 2000		
S. 36	Qualified Person determining prejudice to effective conduct of public affairs	Strategic Director of Legal, Governance and Monitoring Officer

Local Government and Housing Act 1989		
S.2(4)	Recipient of the list of politically restricted posts	Strategic Director of Legal, Governance and Monitoring Officer
S.3A	Employers certificate for exemption from politically restricted posts	Chief Executive Officer
S.4	Head of Paid Service	Chief Executive Officer
S.5	The Monitoring Officer	Strategic Director of Legal, Governance and Monitoring Officer
S. 5	Deputy Monitoring Officer	Legal Services Manager and Deputy Monitoring Officer
Local Government (Committees and Political Groups) Regulations 1990		
	For the purposes of the composition of committees and nominations to political groups	Strategic Director of Legal, Governance and Monitoring Officer
Local Authorities (Standing Orders) (England) Regulations 2001		
Schedule 1, Part II, para 5.	Officer who will be given written notice of appointment or dismissal of officers listed in Schedule 2, Part II, paragraph 3	Chief Executive Officer
Data Protection Act 2018		
S. 69	Data Protection Officer	Information and Engagement Manager