

Bolsover District Council



Standards Committee

Officer Delegation Scheme – Report 2

Report of the Assistant Director & Monitoring Officer

Classification	This report is Public
Report By	Assistant Director & Monitoring Officer Jim.fieldsend@bolsover.gov.uk 01246 242472
Contact Officer	As above

PURPOSE/SUMMARY OF REPORT

- To propose a change to officer delegation scheme relating to making of footpath diversion orders

REPORT DETAILS

1. Background

- 1.1 The current scheme of officer delegation enables both the Executive Director of Resources and Executive Director of Strategy and Development 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).
- 1.2 These regulations provide for the making of footpath orders under the Highways Act however it does not provide for footpath orders under the Town & Country Planning Act 1990.
- 1.3 As many footpath orders are made under the Town & Country Planning Act this report is proposing that this power is included within the delegations.

2. Details of Proposal

- 2.1 Standards Committee is asked to approve the amendment of the relevant power from:

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).

to:

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.

3. Reasons for Recommendation

To include all available rights of way powers

4 Alternative Options and Reasons for Rejection

Not to agree to the above addition. This is rejected as there is no reason why Town & Country Planning Act powers should be excluded from the delegation

RECOMMENDATION(S)

That the Committee give consideration to proposals for the amendment to the Scheme of Delegation for Officers as set out in the report and support the submission of the proposal to Council.

IMPLICATIONS:

Finance and Risk:

Yes

No

Details:

On behalf of the Section 151 Officer

Legal (including Data Protection):

Yes

No

Details:

On behalf of the Solicitor to the Council

Staffing:

Yes

No

Details:

On behalf of the Head of Paid Service

DECISION INFORMATION

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p>Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	<p>No</p>
<p>Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i></p>	<p>No</p>

<p>District Wards Significantly Affected</p>	<p>(please state which wards or state All if all wards are affected)</p>
<p>Consultation: Leader / 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>Details: Councillor Duncan McGregor, Portfolio Holder for Corporate Governance</p>

<p>Links to Council Ambition: Customers, Economy and Environment.</p>
<p>Demonstrating good governance</p>

DOCUMENT INFORMATION	
Appendix No	Title

<p>Background Papers</p>
<p><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></p>