

## **Bolsover District Council**

### **Standards Committee on 12<sup>th</sup> May 2025**

#### **Report of the Director of Governance and Legal Services & Monitoring Officer**

<b>Classification</b>	This report is public.
<b>Report By</b>	Jim Fieldsend, Director of Governance and Legal Services & Monitoring Officer

#### **PURPOSE/SUMMARY OF REPORT**

- To propose a change to the officer delegation scheme to extend the ability for the Monitoring Officer to make non substantive amendments to Constitution.
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#### **REPORT DETAILS**

##### **1. Background**

Under the current Officer Delegation Scheme the Monitoring Officer has the power to make changes to the Constitution arising from any new legislation, administrative errors or conflicts in interpretation. This does not however enable the Monitoring Officer to make minor changes where there are administrative changes which require non-substantive alterations to the Constitution. For example on pages 70-72 of the Constitution a structure chart sets out the areas of responsibility of the Senior Leaders Team. On occasions the Senior Leadership team changes along with the areas of responsibility. The Monitoring Officer does not have the ability to make the necessary administrative changes to the Constitution to reflect these changes.

##### **2. Details of Proposal or Information**

- 2.1 It is proposed that the Officer Delegation Scheme be amended to enable the Monitoring Officer to make changes to the Constitution to reflect “administrative changes”.
- 2.2 The proposed wording of the delegation to Strategic Director of Service is “to make changes to the Constitution arising from any new legislation, administrative errors **or administrative changes** or conflicts in interpretation”.

##### **3. Reasons for Recommendation**

- 3.1 Delegating the ability to make decisions on all vehicle purchases to the Director of Services will make the process more efficient and enable the Council to take advantage of time limited pricing reductions.

#### 4 Alternative Options and Reasons for Rejection

- 4.1 Not to agree to the delegation. This would slow down the vehicle purchase process and may lead to the Council having to pay higher prices.

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#### RECOMMENDATION(S)

That the Committee consider the proposals for the amendment of the Scheme of Delegation for Officer as set out in the report and recommends the proposal to Council.

<b><u>IMPLICATIONS:</u></b>	
<b><u>Finance and Risk:</u></b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Details:</b>	On behalf of the Section 151 Officer
<b><u>Legal (including Data Protection):</u></b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Details:</b>	The Council is required under the Localism Act 2011 to prepare and keep up-to-date a constitution that contains its standing orders, code of conduct, such other information that the Secretary of State may direct and such other information that the authority considers appropriate. On behalf of the Solicitor to the Council
<b><u>Staffing:</u></b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Details:</b>	None arising from this report. On behalf of the Head of Paid Service

#### DECISION INFORMATION

<b>Is the decision a Key Decision?</b> 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:  <b>Revenue - £75,000</b> <input type="checkbox"/> <b>Capital - £150,000</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> <i>(Only Key Decisions are subject to Call-In)</i>	No

<b>District Wards Significantly Affected</b>	None
<b>Consultation:</b> <b>Leader / Deputy Leader</b> <input checked="" type="checkbox"/> <b>Executive</b> <input type="checkbox"/> <b>SLT</b> <input type="checkbox"/> <b>Relevant Service Manager</b> <input type="checkbox"/> <b>Members</b> <input type="checkbox"/> <b>Public</b> <input type="checkbox"/> <b>Other</b> <input checked="" type="checkbox"/>	Details:

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

<b>DOCUMENT INFORMATION</b>	
<b>Appendix No</b>	<b>Title</b>

<b>Background Papers</b>
<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>