

Bolsover District Council

Standards

28th September 2020

<p>Circulation of Delegated Decision Notices</p>

Report of the Joint Head of Corporate Governance and Monitoring Officer

This report is public

Purpose of the Report

- To set out the current arrangements for the circulation of Delegated Decision notices for the Committee's review.

1 Report Details

- 1.1 A review of the Access to Information Rules in the Constitution was undertaken by the Standards Committee in 2016/17. Part of this review considered Delegated Decisions and best practice arrangements.
- 1.2 As part of this review it was agreed at Annual Council that Delegated Decisions no longer be circulated to Members. The majority of Delegated Decision records have been minor contract extensions, street naming, and staffing contract extensions.
- 1.3 As a result of the coronavirus lockdown, delegated powers granted to officers were extended. As a result, there were more key decisions being made by Delegated Decision. As a consequence, a new procedure was put in place Key Decisions made by officers:
 - 28 days advanced notice (or urgency notice procedure if necessary) in line with decisions by Executive
 - Circulation of a report to all members setting out the proposed decision a week in advance, as consultation
 - Circulation of the Delegated Decision notice with call in details
- 1.4 The emergency powers are in place until 30th November 2020, although there are other circumstances in which Key Decisions may be made by officers and the same process will be followed.
- 1.5 Non-Key Delegated Decisions are not currently circulated to all Members
- 1.6 All Delegated Decisions are published on the Council's website.
- 1.7 Before all Delegated Decisions are made, the Leader, Deputy Leader or the relevant Portfolio Holder are consulted. In some instances, consultation with relevant committee chairs is also required.

2 Conclusions and Reasons for Recommendation

2.1 The current arrangements for the circulation of Delegated Decision notices to Members are set out for Members' review.

3 Consultation and Equality Impact

3.1 Standards Committee are consulted by way of this report.

3.2 An equality impact assessment has not been required for this report, however the website and documentation that is published are under review to ensure compliance with accessibility standards.

4 Alternative Options and Reasons for Rejection

4.1 The Standards Committee may propose changes to the arrangements for Delegated Decisions.

5 Implications

5.1 Finance and Risk Implications

5.1.1 There are no finance and risk implications arising from this report.

5.2 Legal Implications including Data Protection

5.2.1 The Council is required to publish records of executive decisions, including those taken by officers, as soon as reasonably practicable.

5.3 Human Resources Implications

5.3.1 There are no staffing implications arising from this report.

6 Recommendations

6.1 That the Committee review arrangements for the circulation of Delegated Decision notices to Members.

7 Decision Information

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: <i>BDC: Revenue - £75,000 <input type="checkbox"/></i> <i>Capital - £150,000 <input type="checkbox"/></i> <i>NEDDC: Revenue - £100,000 <input type="checkbox"/></i> <i>Capital - £250,000 <input type="checkbox"/></i> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No

Has the relevant Portfolio Holder been informed	Yes
District Wards Affected	None directly
Links to Corporate Plan priorities or Policy Framework	

8 Document Information

Appendix No	Title
None	
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 Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
None	
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