

**North East Derbyshire District Council**

**Council**

**11 January 2021**

**Decisions Made under Emergency Delegated Powers**

**Report of the Head of Corporate Governance & Monitoring Officer**

This report is public

**Purpose of the Report**

- To inform the Committee of decisions that have been made under the Delegated Power to act in an emergency.

**1 Report Details**

- 1.1 The Council's Delegation Scheme grants the following power to the Head of Corporate Resources & Head of Paid Services:

To take such action as he/she considers appropriate in an emergency following consultation with the Leader and/or Deputy Leader as he/she considers the circumstances will allow and, where applicable, inform the relevant Portfolio Holder. Any decisions taken under this paragraph shall be reported by the Director of Corporate Resources to the next meeting of Council explaining the reasons for the decision.

- 1.2 Since March 2020, a number of decisions have been made under this delegated power as a result of the Coronavirus Pandemic:

Reference	Decision	Date
DD-025-20-SS	Emergency delegated powers as a result of delegated powers	25 <sup>th</sup> March 2020
DD-040-20-SS	Extension to Emergency delegated powers as a result of the Coronavirus lockdown	28 <sup>th</sup> May 2020
DD-054-20-JD	Amendment to the Local Council Tax Support Policy in response to Coronavirus Government Guidance	10 <sup>th</sup> July 2020
DD-061-20-SS	Extension to Emergency Delegated Powers As a Result of Coronavirus Lockdown	31 <sup>st</sup> July 2020
DD-081-20-SS	Emergency delegated powers as a result of Coronavirus Lockdown	1 <sup>st</sup> October 2020

- 1.3 Details of each of these decisions and the reasons for them are attached to this report at **Appendices 1 to 5**.

- 1.4 Under the first of these decisions, a set of additional delegated powers were granted to ensure normal business could be continued in the absence of formal member meeting, prevented by the coronavirus lockdown restrictions. These additional powers were extended until 30<sup>th</sup> November 2020.
- 1.5 Decisions that were taken under these extended powers include:

Reference	Decision	Date
DD/028/20/KA	Chesterfield Road, Duckmanton	30 March 2020
DD/032/20/SS	Amendment to Treasury Management Policy in response to Coronavirus Government Guidance	31 March 2020
DD/031/20/SS	Amended to Retail Discount Policy in response to Coronavirus Government Guidance	1 April 2020
DD/037/20/NC	Councillor Dispensation (exempt)	7 May 2020
DD-046-20-KD	Data Protection Policy	13 <sup>th</sup> May 2020
DD-047-20-KD	Access to Information Policy	13 <sup>th</sup> May 2020
DD-048-20-JD	Overt Use of Surveillance Systems Policy	13 <sup>th</sup> May 2020
DD-049-20-SS	Suspension of one agreed change to the Constitution in relation to Planning Committee	29 <sup>th</sup> June 2020
DD-050-20-SS	Community Right to Bid/Assets of Community Value Delegation to Officers	1 <sup>st</sup> July 2020
DD-051-20-KD	Equality & Diversity Policy for Service Delivery	14 <sup>th</sup> July 2020
DD/054/20/JD	Amendment to the Local Council Tax Support Policy in response to Coronavirus Government Guidance	15 <sup>th</sup> July 2020
DD/086/20/LH	Updated Adult Safeguarding Policy	14 <sup>th</sup> October 2020
DD/095/20/JD	Adoption of the Discretionary Test and Trace Self Isolation Payments Policy in response to Coronavirus Government Guidance	26 <sup>th</sup> October 2020
DD/099/20/KA	Chesterfield Road, Duckmanton	9 <sup>th</sup> November 2020

- 1.6 The Data Protection Policy, Access to Information Policy and Overt Use of Surveillance Systems Policy were also approved by Cabinet on 11<sup>th</sup> June 2020.
- 1.7 These decisions are not required to be reported on however they are available on the Council's website should Members wish to view them.

<https://www.ne-derbyshire.gov.uk/documents/delegated-decisions>

## **2 Conclusions and Reasons for Recommendation**

- 2.1 This report is for information.

## **3 Consultation and Equality Impact**

- 3.1 Consultation has been carried out on the individual decisions. Where delegated decisions are Key Decisions, all Members are consulted before the decision is made.
- 3.2 There are no equality impact issues arising from this report as it is for information only.

## **4 Alternative Options and Reasons for Rejection**

- 4.1 There are no alternative options as the report is for the Committee's information only.

## **5 Implications**

### **5.1 Finance and Risk Implications**

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

### **5.2 Legal Implications including Data Protection**

- 5.2.1 There are no legal implications arising from this report.

### **5.3 Human Resources Implications**

- 5.3.1 There are no human resources implications arising from this report.

## **6 Recommendations**

- 6.1 That Council note the decisions made under emergency delegated powers.

## 7 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: BDC:      Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC:   Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>Has the relevant Portfolio Holder been informed</b>	N/A
<b>District Wards Affected</b>	None Directly
<b>Links to Corporate Plan priorities or Policy Framework</b>	None Directly

## 8 Document Information

Appendix No	Title				
1	Emergency delegated powers as a result of delegated powers				
2	Extension to Emergency delegated powers as a result of the Coronavirus lockdown				
3	Amendment to the Local Council Tax Support Policy in response to Coronavirus Government Guidance				
4	Extension to Emergency Delegated Powers As a Result of Coronavirus Lockdown				
5	Emergency delegated powers as a result of Coronavirus Lockdown				
<b>Background Papers</b> (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)					
<table border="1"> <tr> <th>Report Author</th> <th>Contact Number</th> </tr> <tr> <td>Sarah Sternberg Solicitor to the Council and Monitoring Officer</td> <td>01246 242414</td> </tr> </table>		Report Author	Contact Number	Sarah Sternberg Solicitor to the Council and Monitoring Officer	01246 242414
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