SALFORD CITY COUNCIL

THE ELECTED CITY MAYOR’S REGISTER OF EXECUTIVE FUNCTIONS DELEGATED TO CHIEF OFFICERS.

Pursuant to my power under section 9E of the Local Government Act 2000 (as amended) the attached sets out the executive functions I have delegated to Chief Officers.

Such delegations are without prejudice to my right to exercise these functions personally.

Signed: Paul Dennett

Dated: 31 August 2018.

City Mayor, Salford City Council.
SALFORD CITY COUNCIL

The City Mayor’s Scheme of Delegation
Chief Officers

OCTOBER 2018
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PART 1

INTRODUCTION AND INTERPRETATION.

1.1 For the purposes of the City Mayor’s scheme of delegation to Chief Officers the term “Chief Officer” includes:

1.1.1 Chief Executive
1.1.2 Deputy Chief Executive
1.1.3 City Solicitor
1.1.4 The Strategic Director People
1.1.5 The Strategic Director Place
1.1.6 The Director of Service Reform and Development
1.1.7 Interim Director(s) of Public Health
1.1.8 Chief Finance Officer

1.2 Chief Officers may only exercise the executive powers delegated to them by the City Mayor in accordance with: -

(a) statute or other legal requirements, including the principles of public law, the Human Rights Act 1998, statutory guidance and statutory codes of practice;

(b) the Council’s Constitution, Standing Orders and the Financial Regulations of the Council;

(c) the revenue and capital budgets of the Council, subject to any variation thereof which is permitted by the Council’s Financial Regulations. And in any event up to (but not including) a maximum value of £150,000

(d) Other than where the law does not allow, any Director or Assistant Director is authorised to act in the absence of the Chief Executive on any matter which is within their areas of responsibility. The most relevant Director or Assistant Director available, or the Chief Executive, is authorised to act on any matter in the absence of another Director or Assistant Director, unless prevented in law.

1.3 Chief Officers may not exercise delegated executive powers where: -

(a) the matter is a function which cannot by law be discharged by an officer;

(b) the City Mayor has determined that the matter should be discharged otherwise than by a Chief Officer;

1.4 Subject to paragraph 1.3 above,
An Officer shall, when exercising a delegation, be under a duty to satisfy himself/herself that the decision conforms to the Council’s Constitution, and other approved policies, and that the decision is within the approved budget. In reaching the decision, the Officer should also observe approved practices and procedures, including those in relation to Ward Member/community consultation.

Decisions as to the commencement and discontinuence/settlement of criminal or civil proceedings must be exercised jointly with the City Solicitor.

1.5 Before exercising delegated executive powers, particularly on matters involving the reputation of Salford City Council, Chief Officers should consider the advisability of consulting the Head of Paid Service, and/or the Monitoring Officer and/or the City Mayor and/or the relevant individual Lead Member/Cabinet Member.

1.6 Before exercising delegated executive powers, on matters of significance to a particular ward or wards, officers should consult, where practicable, the relevant ward councillors.

1.7 The delegated executive powers of Chief Officers set out in this Schedule may be exercised by other officers of Salford City Council authorised by the Chief Officer with the delegated executive power to act on their behalf and in their name, provided that administrative procedures are in place to record the authorisation and to record and monitor decisions so taken. The delegated Chief Officer remains responsible for and accountable to Salford City Council for the exercise of the delegated powers.

1.8 Where a Chief Officer has delegated authority to discharge an executive function in consultation with an individual Cabinet Member/Lead Member, in the absence of that Cabinet Member/Lead Member the Chief Officer may discharge the function in consultation with the City Mayor instead (or in the City Mayor's absence, in cases of urgency, with the Statutory Deputy City Mayor).

1.9 Where a Chief Officer has delegated authority to discharge an executive function in consultation with the City Mayor the Chief Officer may discharge the function in case of urgency in consultation with the Statutory Deputy City Mayor instead.
PART 2

GENERAL DELEGATIONS OF EXECUTIVE FUNCTIONS TO ALL CHIEF OFFICERS

1.1 The Chief Executive, Directors and Assistant Directors (or other Officers designated by them in accordance with paragraph 1.2 below) are authorised to carry out the business of the Council relevant to their areas of responsibility and to take all operational decisions necessary to ensure the smooth running of the Council’s business. They are also authorised to act under all statutory powers (existing and future) in relation to their areas of responsibility. These Officers collectively are referred to as “the Officers”.

1.2 To the extent allowed by the law, the Chief Executive, Directors and Assistant Directors may arrange for any decision delegated to them under this Scheme to be exercised, when necessary, by an Officer of suitable seniority and experience. However, the Officer will remain responsible for any decision taken under these arrangements.

1.3 Before taking a key decision the responsible Officer shall first consult with the relevant Portfolio Holder or Committee Chairman (if available).

1.4 The fact that a matter stands delegated to an Officer under these arrangements shall not preclude the appropriate Portfolio Holder (or Cabinet) from exercising the matter directly. An Officer may consider that a delegated authority should not be exercised and that it should be referred to the appropriate Portfolio Holder (or Cabinet) for determination. The appropriate Portfolio Holder may request that an Officer refrains from exercising a delegated authority in respect of a particular matter and take the decision himself/herself or refer it instead to the Cabinet for a decision. The Cabinet may also determine to reserve decisions about particular matters to itself.

1.5 An Officer shall, when exercising a delegation, be under a duty to satisfy himself/herself that the decision conforms to the Council’s Constitution, and other approved policies, and that the decision is within the approved budget. In reaching the decision, the Officer should also observe approved practices and procedures, including those in relation to Ward Member/community consultation.

1.6 Decisions as to the commencement and discontinuence/settlement of criminal or civil proceedings must be exercised jointly with the City Solicitor.
2 **Inability to Act**

2.1 Other than where the law does not allow, the Strategic Director Place is authorised to act in the absence of the Chief Executive as Deputy Chief Executive.

2.2 Other than where the law does not allow, any Director or Assistant Director is authorised to act in the absence of both the Chief Executive and Deputy Chief Executive on any matter which is within their areas of responsibility.

3. **Financial Limits on the Exercise of Delegations**

3.1 Portfolio Holders (with the exception of the City Mayor or Statutory and Deputy City Mayor in his/her absence or inability to act) are restricted to taking delegated decisions involving expenditure or savings up to but not including £350,000.

4.2 The Chief Executive, or Directors in his/her absence or inability to act, are restricted to taking delegated decisions involving expenditure or savings up to but not including £150,000 (except in emergency circumstances or to protect the interests of the Council).

4.3 Other Officers must not take Non Key Decisions involving expenditure or savings over £25,000 as set out in the Budget and Policy Framework Procedure Rules (Part 4 Section C of the Constitution).