

Chief Executive

In accordance with Council policies, statutory requirements, guidance, Codes of Practice and subject to overall budget provision:

General

To undertake all matters associated with the professional and corporate management of the Council.

The Chief Executive shall be authorised to:

- 1) Have overarching responsibility for the Council's paid service, with direct management responsibility for the executive management team, and without prejudice to the foregoing shall have power subject to compliance with the Constitution, Standing Orders, any relevant provisions of the Financial Regulations, and any legal requirements, to:
- 2) Discharge any function that has been delegated to a Chief Officer where that Chief Officer is unable to act, through absence or otherwise, or where the Chief Officer post with the delegated function is vacant or has been disestablished.
- 3) Discharge any function of the Council or the Executive which has not been specifically delegated to another officer, committee or otherwise reserved by full Council or the Executive and may direct any officer not to exercise a delegated function in special circumstances except where that officer is required to do so by law.
- 4) General Functions These functions can be either Executive or Non-Executive depending on the circumstances.
- 5) Take preliminary steps to protect the rights and interests of the Council subject to consultation with the Leader in relation to any Bill or Statutory Instrument or Order in Parliament.
- 6) Nominate, appoint and remove, in consultation with the Leader, Council representatives on the board of companies, trusts and other bodies (including those companies, trusts and other bodies on which the Council has representatives who have been nominated by other bodies) and to agree constitutional arrangements for such companies, trusts and other bodies and give any necessary consent required within relevant constitutions.
- 7) Take any action which is required as a matter of urgency in the interests of the Council, in consultation with the Leader if time permits.
- 8) All matters associated with the professional management of the Council.
- 9) The implementation of the Council's corporate strategies., including but not limited to the Bury 2030 community strategy and corporate plan.
- 10) The co-ordination of all official publicity, press statements and official publications (subject to any other delegation).
- 11) The taking of any action necessary, including the incurring of expenditure, in connection with an emergency or disaster in the Borough (Note - this delegation is also exercisable by all Executive Directors).

- 12) Determine, in conjunction with the Chief Finance Officer whether representation to the relevant Government Department should be made for activation of the "Bellwin" Scheme of Emergency Financial Assistance to Local Authorities for any expenditure relating to major incidents which occur in the Borough.
- 13) Give professional advice to all parties in the decision-making process.
- 14) Represent the Council on Partnerships and External Bodies.
- 15) Implement and initiate change and service delivery across the Council's services.
- 16) Carry out record keeping for all the Council's Decisions (together with the Monitoring Officer).

- 17) Authorise officers to enter premises in exercise of specific statutory powers.

- 18) The exercise, following consultation with the Cabinet Leader, of the Council powers under s.13 Public Order Act 1986 in relation to public processions.

- 19) To adjust the amounts included in the relocation package for officers.

- 20) To make in-year amendments to the Council Risk Register, in consultation with the Leader of the Council.

- 21) To deal with matters concerned with civic and ceremonial occasions together with civic hospitality, and to determine requests for permission to reproduce the Council's Coat of Arms and symbol.

- 22) To agree indemnity payments to officers acting as directors on behalf of the Council or otherwise covered by the policy on indemnification of officers.

- 23) In consultation with the Monitoring Officer and S15 Officer to administer the scheme of Members' allowances and to uprate such allowances annually in accordance with the formula agreed by the Council.

- 24) Agree in consultation with the Leader, starting salaries (within the range determined by the Council) on appointment of Chief Officers and for any assimilations into revised grades if the Chief Officer's post is re-graded.

- 25) The making of arrangements with other local authorities for the placing of staff at the disposal of those other authorities.

- 26) Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to an exchange of lands effected by an order under Section 19(3) of, or paragraph 6(4) of Schedule 3 to, the Acquisition of Land Act 1981.

- 27) Power to register variation of rights of common.

- 28) To discharge the Council's functions relating to the registration of common land and town or village greens pursuant to Part 1 of the Commons Act 2006 and the Commons (Registration of Town or Village Greens) (Interim Arrangements) (England) Regulations 2007.

- 29) Make all decisions relating to the reclaim of capital grants, cessation of revenue grants and variation to any legal agreement (including financial returns to the Council) in relation to the above expenditure.

- 30) Determine arrangements for civic hospitality.

- 31) Determine attendance at conferences where more than one service is involved in consultation with appropriate Executive Members, Chairs and Chief Officers.

- 32) Attend and vote on behalf of the Council at meetings of any other company or organisation of which the Council is a member, and to nominate a member of staff to attend and vote where the Chief Executive is unable to do so.
- 33) Responsible in consultation with the Council's monitoring officer for considering and determining applications for exemptions from political restriction.
- 34) Carry out the following specific functions -
- a) Responsible for ensuring the promotion of child protection and safeguarding of children in the Borough
 - b) Economic Development
 - c) Business Engagement
 - d) Regeneration
 - e) Strategic Planning
 - f) Strategic Housing
 - g) Housing Development (including Affordable Housing)
 - h) Member of Greater Manchester Combined (the CA) Authority Wider Leadership Team with responsibility for specific portfolios allocated by the Chief Executive of the CA.
- 35) Specific functions in relation to elections:
- a) Duty to appoint an electoral registration officer. Section 8(2) of the Representation of the People Act 1983 (c. 2)
 - b) Power to assign officers in relation to requisitions of the registration officer.
 - c) Section 11 of the Local Government Act 1972 Duty to appoint returning officer for local government elections.
 - d) Duty to divide constituency into polling districts. Sections 18A to 18E of, and Schedule A1 to, the Representation of the People Act 1983 Power to divide electoral divisions into polling districts at local government elections.
 - e) Section 31 of the Representation of the People Act 1983 Powers in respect of holding of elections. Section 39(4) of the Representation of the People Act 1983
 - f) Power to pay expenses properly incurred by electoral registration officers.
 - g) Section 54 of the Representation of the People Act 1983 Power to fill vacancies in the event of insufficient nominations.
 - h) Section 21 of the Representation of the People Act 1985 Duty to declare vacancy in office in certain cases. Section 86 of the Local Government Act 1972 Duty to give public notice of a casual vacancy. Power to make temporary appointments to parish councils.
 - i) Section 87 of the Local Government Act 1972 Section 91 of the Local Government Act 1972 Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000.
 - j) Section 10 of the Representation of the People Act 2000 (c. 2) Duty to consult on change of scheme for elections.
 - k) Sections 33(2), 38 (2) and 40(2) of the 2007 Act Duties relating to publicity. Sections 35, 41 and 52 of the 2007 Act Duties relating to notice to Electoral Commission
 - l) Section 53 of the 2007 Act Functions relating to change of name of electoral area. Section 59 of the 2007 Act