

# Section B

# Executive Functions

## RESPONSIBILITY FOR EXECUTIVE FUNCTIONS

### SECTION B: RESPONSIBILITY FOR EXECUTIVE FUNCTIONS

The Leader of the Council may determine to exercise any of the executive functions of the Council personally, or may arrange for the exercise of any of the Council's executive functions by:-

- (i) the Executive;
  - (ii) another member of the Executive;
  - (iii) a committee of the Executive;
  - (iv) an officer of the Council;
  - (v) an area committee;
  - (vi) another local authority or the executive of another local authority; or
  - (vii) joint arrangements with one or more other local authorities including a joint Committee with such authority or authorities.
- (A) The Leader has delegated all executive functions to the Executive under Section 9E of the Local Government Act 2000, as amended, but this does not prevent the Leader from discharging such functions personally.
- (B) Officers may discharge the executive functions delegated to them in the Scheme of Delegation to Officers, subject to the terms of the delegation.
- (C) Where joint arrangements are established with one or more local authorities and/ or their executives to exercise functions which are executive functions, any joint committee appointed in accordance with those arrangements may, subject to the terms of those arrangements, discharge those executive functions.
- (D) Where executive functions are delegated by the Leader or the Executive to be discharged by another local authority or the executive of another authority, that authority or executive may discharge such functions (subject to the terms of the delegation), but this will not prevent the Leader (or the Council's Executive) discharging such functions themselves.
- (E) The Leader or the Executive may make arrangements with the Leader/Mayor or Executive of another local authority to discharge the executive functions of that authority and, subject to the terms of such arrangements may further delegate the exercise of such functions to an officer of the Council.

#### NOTES

- (i) In exercising delegated powers Officers must have regard to the principles set out in the Introduction to the Scheme of Delegation to Officers.
- (ii) Where the Leader delegates the discharge of executive functions to the Executive, the Executive may (unless the Leader otherwise directs) arrange for the discharge of any of those functions by a committee of the Executive, an area committee or an officer of the authority.

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- (i) **(iii)** Any arrangements made by the Leader for the discharge of executive functions by the Executive or a member of the Executive do not prevent the Leader from exercising those functions.
- (ii) **(iv)** Any arrangements made by the Leader or the Executive for the discharge of executive functions by a committee of the Executive, an area committee or an officer do not prevent the Leader or, as the case may be, the Executive from exercising those functions.
- (iii) **(v)** By an Operating Agreement between the Greater Manchester Combined Authority, the Mayor of Greater Manchester and the ten Greater Manchester district councils, the discharge of the following Executive functions has been delegated to the Greater Manchester Transport Committee –
  - (a) carrying out actions to facilitate the performance by local traffic authorities of their duty to manage road traffic on their own roads and facilitating the same on other local authorities' roads pursuant to sections 16 and 17 (except for sub-sections 17(2) and (3)) of the Traffic Management Act 2004
  - (b) preparing and carrying out a programme of measures designed to promote road safety, including carrying out road safety studies, studies into accidents, accident prevention campaigns, the dissemination of information and advice relating to the use of roads, and arranging for the giving of practical training to road users pursuant to sections 39(2) and 39(3)(a) and (b) of the Road Traffic Act 1988.