

Manchester City Council Report for Information

Report to: Executive – 25 March 2020

Subject: Delegation of Executive Functions for Council Business Continuity

Report of: Chief Executive, Deputy Chief Executive and City Treasurer, and the City Solicitor

Summary

This report notifies the Executive of the decisions made by the Leader to support the continuity of Council decision making during the COVID-19 virus pandemic.

Recommendations

To note that the Leader has delegated all Executive Functions to meetings of the Executive and also, up to 30 September 2020, to Deputy Leader Councillor Nigel Murphy and the Executive Member for Health and Wellbeing Councillor Craig, either able to act in an individual capacity if the Leader is not able to act.

Wards Affected - All

Financial Consequences – Revenue

Financial Consequences – Capital

There are no revenue or capital consequences that arise directly from this report but it does report on a change to existing the previous delegations the Council's rules on the budget and policy framework as set out in the Constitution.

Contact Officers:

Name: Fiona Ledden
Position: City Solicitor
Telephone: 0161 234 3087
E-mail: fiona.ledden@manchester.gov.uk

Name: Donald Connolly
Position: Head of Governance and Scrutiny
Telephone: 0161 234 3034
E-mail: d.connolly@manchester.gov.uk

Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and

have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

Coronavirus (COVID-19) - NHS website

<https://www.nhs.uk/conditions/coronavirus-covid-19/>

1.0 Introduction

- 1.1 The COVID-19 virus outbreak requires an enormous response by the nation. That is already having a profound impact on the day to day life of citizens and the day to day operation of organisations, including the Council. Further control measures might yet be deployed.
- 1.2 The report explains the action the Leader has taken to make business continuity arrangements for the discharge of the Council's Executive Functions.

2.0 Background

- 2.1 The Council's functions are either:
 - **Council-only:** matters that must be decided at a Council meeting;
 - **Non-Executive Functions:** matters than cannot be decided by the Leader and so are delegated by the Council to a Committee or to an officer;
 - **Executive Functions:** matters to be decided by the Leader which are delegated to the Executive or to officers; and
 - **Scrutiny Functions:** advisory matters to be dealt with by scrutiny Committees.
- 2.2 This report is only concerned with the Executive Functions. The other matters are the subject of a report to the Council on 25 March 2020.

3.0 Additional Delegation of Executive Functions

- 3.1 The Constitution already allows Deputy Leader Councillor Sue Murphy to exercise Executive Functions if the Leader is unable to. The Leader has similarly enabled Councillors Nigel Murphy and Craig to individually exercise any Executive Function that could otherwise have only been exercised by a meeting of the Executive, or by the Leader acting individually.
- 3.2 The practical effect of this is to allow any Executive Decision to be made in one of six ways:
 - By the Leader in an individual capacity; and if the Leader is not able to act then by the two Deputy Leaders or the Executive Member for Health and Wellbeing, each in an individual capacity; or
 - a meeting of the Executive; or
 - an officer who has been delegated the authority to make the decision.
- 3.3 Delegation of decision making on Executive Functions to officers can therefore be made by any of the first five on the above list. There are already extensive delegations to officers in place, recorded in the Constitution and in the minutes of Executive meetings.
- 3.4 A time limit has been placed on these additional individual delegations and they may be extended or rescinded by the Leader at any time before then.

4.0 Urgent Financial Decision outside of the approved Budget

- 4.1 One potentially significant issue that is addressed in the report to Council relates to major and urgent financial decisions that are outside of the budget approved by the Council: be that the 2019/20 budget or the 2020/21 budget.
- 4.2 The Council is being asked to put in place a mechanism to allow such decisions to be made by any of the six ways listed above, subject to the tests being met that are set out in Rule 5 of the Budget and Policy Framework Procedure Rules in the Constitution. Without this change, any proposed decision that would change the approved budget would require the approval of the Council. And it might be difficult or impossible to call Council meetings during the height of the virus outbreak.