

**Scheme 3.3.2**  
**Powers of the Chief Executive**

**General**

- (a) To act as the Council's Head of Paid Service pursuant to s.4 of the Local Government and Housing Act 1989.
- (b) To exercise overall corporate management and operational responsibility of the Council (including overall management responsibility for all Officers).
- (c) In the absence of the Chief Executive the functions of the Chief Executive (including those of the Head of Paid Service) shall be undertaken by one of the Chief Officers as directed by the Leader.

**Staffing**

- (d) The Chief Executive, as Head of Paid Service may, where appropriate, report to Full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of staff required for the discharge of functions and the organisation of staff.
- (e) To have authority over all other Officers of the Council so far as is necessary for the efficient management and execution of the Council's business, functions and services except where Officers are exercising specific responsibilities imposed upon them by statute. This shall include the right to allocate, reallocate and direct all Officers as the Chief Executive shall deem necessary.
- (f) To exercise the powers delegated to any Officer pursuant to this Scheme (so far as the law allows).
- (g) To exercise the power to enter into agreement with other local authorities for the placing of the services of officers from one local authority, at the disposal of the other in accordance with Section 113, Local Government Act 1972 as amended.

**Emergency**

- (h) To carry out the functions of the Council for civil aid and emergency planning and to take any action, including incurring expenditure, in connection with an emergency or a disaster in the borough, and to report back to Council at the earliest practical opportunity.
- (i) In cases of urgency or emergency, to take any decision on behalf of the Council after consultation with the Leader.
- (j) To discharge those functions under s.138(1) of the Local Government Act 1972.

**Elections**

- (k) To discharge the functions of the Electoral Registration Officer and be responsible for elections

#### Other functions

- (l) To undertake those functions assigned to the Chief Executive (if any) under:
  - (i) Part 3, section 4 of this constitution: (functions not to be the responsibility of an authority's Executive).
  - (ii) Part 3, section 5 of this constitution: (local choice functions).
  - (iii) Part 3, section 6, of this constitution: (Proper Officer functions)

#### Miscellaneous

- (m) To exercise the power on behalf of the Council to consent to a dispersal order under the Anti-Social Behaviour Act 2003 and to be a consultee for the purpose of a closure notice under the Anti-Social Behaviour Act 2003.
- (n) To be responsible for the Council's responsibilities and obligations under Health and Safety legislation.

#### Note

- (o) The Chief Executive and the Monitoring Officer are designated by the Secretary of State as qualified persons for the purpose of Section 36 of the Freedom of Information Act 2000. The Monitoring Officer is to be the primary qualified person with the Chief Executive carrying out the function in the Monitoring Officer's absence.
- (p) For the avoidance of doubt, the Chief Executive is authorised to determine anything which is not covered by this Scheme.

