

**ROCHDALE METROPOLITAN BOROUGH**  
**COUNCIL**

**CONSTITUTION**

**SCHEME OF DELEGATION**  
**TO INDIVIDUAL CABINET MEMBERS**

December 2010  
Committee Services Section  
Legal and Democratic Services

## **SCHEME OF DELEGATION TO INDIVIDUAL CABINET MEMBERS**

### **GENERAL SCHEME**

#### **1. AUTHORITY TO DELEGATE**

Functions may not be delegated without the approval of the Council on the recommendation of the Regulatory Committee.

#### **2. SENSITIVE ISSUES**

If a matter is regarded by a Member as involving an issue of a sensitive nature, the Member shall not exercise delegated powers in respect of that matter but shall refer the matter to the Cabinet or to the Council for decision as the case may be.

#### **3. DELEGATED FUNCTIONS**

The functions which are delegated to individual Cabinet Members in accordance with Section 1 above are set out in the schedule to this Scheme.

#### **4. DECISIONS NOT TO BE TAKEN BY INDIVIDUAL CABINET MEMBERS**

Notwithstanding any other provisions as contained within the Council's Constitution generally or within this Scheme of Delegation specifically, decisions shall not be taken by an individual Cabinet Member if:-

- (a) the decision is a key decision as defined in Article 13.03 of the Constitution;
- (b) the decision clearly covers more than one portfolio area;
- (c) the Cabinet Member considers it necessary to declare a personal and prejudicial interest in the matter before them.

#### **5. PROCESS**

The Scheme of Delegation to Individual Cabinet Members and the scrutiny of decisions taken in accordance with the Scheme shall operate in accordance with Executive Procedure Rule EP4 and Overview and Scrutiny Procedure Rule OS15.

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### SCHEDULE

<u>Subject</u>	<u>Function</u>	<u>Delegation</u>
A. Expenditure	<ol style="list-style-type: none"><li>1. Approval of Revenue Expenditure in excess of £250,000 but not exceeding £500,000 in relation to externally funded Service Specific Projects, where the expenditure is in line with approved funding criteria. (<i>This relates to Financial Regulation 9.15</i>)</li><li>2. Approval of Capital Expenditure in excess of £250,000 but not exceeding £500,000 in relation to externally funded Service Specific Projects, where the expenditure is in line with approved funding criteria. (<i>This relates to Financial Regulation 12.15</i>)</li></ol>	Relevant Cabinet Member  Relevant Cabinet Member
B. Consultants and Agency Staff	<ol style="list-style-type: none"><li>1. Approval of appointment of Agency Staff for specific work programmes and consultancy arrangements for works and non-works assignments for contracts in excess of £100,000 but not exceeding £500,000. (<i>This relates to Contract Procedure Rule 27.1</i>)</li></ol>	Relevant Cabinet Member
C. Fees and Charges	<ol style="list-style-type: none"><li>1. Approval of introduction or modification of non-discretionary fees and charges.</li></ol>	Relevant Cabinet Member
D. Land and Property	<ol style="list-style-type: none"><li>1. Approval of proposals to acquire land or property up to a value of £100,000, subject to the acquisition being contained within an approved Budget.</li><li>2. Acceptance of Tenders for the sale of land or property.</li></ol>	Cabinet Member for Finance  Cabinet Member for Finance
E. Write-Offs	<ol style="list-style-type: none"><li>1. Write off of irrecoverable debts or losses in excess of £250,000 but not exceeding £500,000. (<i>This relates to the Scheme of Delegation to Officers, Resources BB3 and FF1</i>)</li></ol>	Cabinet Member for Finance
F. Staffing	<ol style="list-style-type: none"><li>1. Staffing approvals which need approval in terms of Budget allocation covered by Delegation A1 above, prior to being forwarded for consideration under Delegated Personnel Arrangements for approval of staffing implications.</li></ol>	Relevant Cabinet Member

G. Taxis	1. Hackney Carriage Fares – Initial approval for public notice purposes.	Cabinet Member for Devolved and Environmental Services
H. Funding Applications	1. Applications and bids for annual funding, grants and allocations, subject to such bids being consistent with the Council's Budget & Policy Framework.	Relevant Cabinet Member
I. Receipt of Reports	1. Formal receipt of reports from regulatory agencies in respect of the Council's Education and Social Services functions and the approval of action plans arising from such reports, subject to those reports having had prior consideration by the relevant Overview & Scrutiny Committee and the action plan not otherwise requiring consideration by the Cabinet as, for example, a variation to the Policy Framework, for budgetary approval etc.	Cabinet Member for Children, Schools & Families or for Adult Care and Health, as appropriate
J. Annual Plans	1. Approval or endorsement of annual Operational Plans, Work Programmes, Performance Frameworks etc. requiring submission to Government or other agencies after consideration by the relevant Overview & Scrutiny Committee.	Relevant Cabinet Member
	2. Approval of annual Service Plans (subject to consideration by the appropriate Overview and Scrutiny Committee).	Relevant Cabinet Member after consultation with relevant opposition Shadow Portfolio Holders.
K. Schools	1. Approval of Annual Admission Arrangements for Primary and Secondary Schools in line with the approved Admissions Policy.	Cabinet Member for Children, Schools & Families
	2. Approval to undertake informal consultation in respect of school reorganisation proposals.	Cabinet Member for Children, Schools & Families after consultation with the Chair(s) of the relevant Township Committee(s)