

Annual Meeting of Medway Council Supplementary Agenda No.2

A meeting of the Council will be held on:

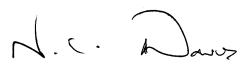
Date:	Wednesday, 18 May 2022
Time:	7.00pm
Venue:	St George's Centre, Pembroke Road, Chatham Maritime, Chatham ME4 4UH

Agenda

- 8 Executive Responsibilities and Scheme of Delegations (Executive and Non Executive) (Pages 3 - 10)**

Please find attached Appendix A to the report. The Appendix sets out the Members of the Cabinet for 2022/2023, as appointed by the Leader of the Council, and their Portfolios.

For further information please contact Wayne Hemingway, Head of Democratic Services on Telephone: 01634 332509 or Email: democratic.services@medway.gov.uk



Neil Davies
Chief Executive

Date: 18 May 2022

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PART 3 - RESPONSIBILITY FOR CABINET FUNCTIONS

The section below sets out a summary of the information presented to the annual meeting of the Council by the Leader of the Council and will be revised if necessary following each annual meeting. In addition, where the Leader makes any change to a portfolio, a Portfolio Holder or the themes within a portfolio, during the course of a municipal year the Leader shall produce a revised version of the table which shall be copied to all members and the Chief Executive, following which it shall replace any previous version in the Constitution.

1. Portfolio, Portfolio Holder and Themes

1.1 Leader: Alan Jarrett

Themes:

- Strategic Leadership of the Council
- Communications and Marketing
- Finance

1.2 Deputy Leader and Housing and Community Services: Howard Doe

Themes:

- Adult Learning
- All Housing Services (including HRA)
- Archives
- Armed Forces Covenant
- Climate Change
- Events and Festivals
- Greenspaces
- Heritage
- Homelessness and Housing Options
- Kyndi
- Leisure Services
- Libraries and Community Hubs
- Medway Development Company
- Sporting Legacy
- Theatres and Arts
- Tourism
- Voluntary Sector

1.3 Adults' Services: David Brake

Themes:

- Adults' Mental Health and Disability Services (including Learning and Physical Disabilities)
- Adults' Partnership Commissioning (25+) and Better Care Fund
- Community Care
- Health and Health Partnerships
- Independent Safeguarding and Review Service
- Older people
- Public Health – Lead Member, including Health and Wellbeing Boards

1.4 Business Management: Gary Hackwell

Themes:

- All Wardens
- Audit and Counter Fraud
- Bereavement Services
- Commissioning
- Community Centres
- Customer Contact
- Democracy and Governance
- Emergency Planning
- Management of Business
- New Joint Ventures
- Registration
- Revenue and Benefits
- Risk Management and Performance Monitoring

1.5 Children's Services – Lead Member (statutory responsibility): Josie Iles (see Note 1)

Themes:

- Children's Partnership Commissioning (0-25)
- Children's Provider Services (including Adoption, Fostering, Supported Accommodation and Residential Care)
- Children's Social Care and Safeguarding Services including Safeguarding Board
- Early Help (including Medway Action for Families, Youth Offending Team (YOT) and Youth Services)
- External Inspections
- Inclusion
- SEND including Mental Health
- SEND Transport

1.6 Education and Schools: Martin Potter

Themes:

- Child Friendly Medway Champion (including Medway Youth Council)
- Early Years
- Education Safeguarding
- Further Education
- Liaison between Higher Education and Schools
- Mainstream Primary and Secondary Education
- Mainstream School Transport
- Newly Qualified Teachers
- School Organisation and Capital Projects
- School Services (including Admissions and Medway Test)

1.7 Front Line Services: Phil Filmer

Themes:

- Highways
- Medway Norse
- Parking
- Public Transport
- Street Cleaning and Waste Collection/Recycling/Waste Disposal
- Street Lighting
- Traffic Management
- Transport Strategy
- Travel Safety

1.8 Inward Investment, Strategic Regeneration and Partnerships: Rodney Chambers OBE

Themes:

- External Funding/Income Generation
- Heritage Champion
- Inward Investment
- Medway the Place
- Strategic Partnerships
- Strategic Regeneration and Planning

1.9 Planning, Economic Growth and Regulation: Jane Chitty (see Note 2)

Themes:

- Economic Development
- Employment
- High Streets
- Licensing (Executive Functions only)
- Local Plan
- Markets
- Planning Policy
- Regulation – Environmental Health, Trading Standards and Enforcement (Executive Functions only)
- Social Regeneration
- South Thames Gateway Building Control Partnership

1.10 Resources: Adrian Gulvin (see Note 3)

Themes:

- Business and Administration Support Service
- Category Management/Procurement
- CCTV
- Community Safety Partnership
- Complaints Policy and Management
- Council Plan and Performance and Service Improvement
- HR
- ICT
- Legal

- Property
- Transformation and Digital Services
- Travellers

*Note 1:

The roles and responsibilities of the Portfolio Holder for Children’s Services are set out in [statutory guidance](#) “The roles and responsibilities of the Lead Member for Children’s Services and the Director of Children’s Services, under sections 18(7) (Director of Children’s Services) and 19(2) (Lead Member for Children’s Services) of the Children Act 2004.

*Note 2:

The Leader and Full Council have delegated the Council’s building control functions to the South Thames Gateway Building Control Joint Committee. The Terms of Reference of the South Thames Gateway Building Control Joint Committee are set out within the Council’s Constitution and include executive and non-executive functions. Councillor Chitty is appointed to sit on the South Thames Gateway Building Control Joint Committee.

*Note 3:

The following services will fall within the remit of the Resources Portfolio, in relation to the Community Safety Partnership:

- Tobacco control, excluding smoking cessation services
- Community safety aspects of alcohol and drug misuse
- Public health aspects of promotion of community safety, violence prevention and response.

Addresses and wards of Cabinet Members can be found on the [Council’s website](#).

2. Additional information

- 2.1 If for any reason the Leader is unable to act or the office of Leader is vacant the Deputy Leader must act in his place. If for any reason the Leader is unable to act or the office of the Leader is vacant **and** the Deputy Leader is unable to act or the office of Deputy Leader is vacant the Cabinet must act in the Leader’s place or must arrange for a Member of the Cabinet to act in his place.
- 2.2 Decisions which fall during recess or are required urgently may be made by the Leader subject to compliance with the Access to Information Rules. The Leader has presently delegated functions to Portfolio Holders to the extent necessary to permit collective decision making by Cabinet. In the event of there being no Leader, Deputy Leader or Cabinet Members, executive functions shall in the interim be carried out by the Chief Executive subject to the Access to Information Rules.
- 2.3 Nothing in section 1 or rule 2.2 above shall fetter or restrict the right of the Leader:

- subject to compliance with rule 7.3 of Article 7 of Chapter 2 of this Constitution to increase or decrease the size of Cabinet
 - subject to compliance with rule 7.5 of Article 7 of Chapter 2 of this Constitution to appoint or dismiss members of the Cabinet.
- 2.3.1 To reorganise the portfolios.
- 2.3.2 To reorganise or re-allocate the portfolio theme.
- 2.3.3 To delegate executive functions or withdraw any delegation.
- 2.3.4 To exercise all rights contained in Article 7 of Chapter 2 of this Constitution or the Leader and Cabinet Rules.
- 2.3.5 To exercise any other rights set out in the Constitution.
- 2.4 The Cabinet as a whole has responsibility to ensure the effective operation of risk management in the Council and this is also included in the themes allocated by the Leader to the Business Management Portfolio Holder.
3. Details of joint arrangements in accordance with Article 10 of the Council's Constitution.
- 3.1 Bus Lane Adjudication Service Joint Committee (BLASJC) – Terms of Reference
- To appoint (re-appoint and dismiss) subject to the Lord Chancellor's consent Bus Lane Adjudicators for the purpose of the Transport Act 2000
 - To appoint a Proper Officer and Deputy
 - To provide or secure the provision of accommodation and administrative staff for the Bus Lane Adjudicators
 - To determine after consultation with the relevant Participating Authority where the Bus Lane Adjudicators are to sit
 - To commission and receive an annual report upon the Bus Lane Adjudication Service from the Bus Lane Adjudicators
 - To make an annual report to the Secretary of State as appropriate on the discharge of the functions of the Bus Lane Adjudicators and to publish the same
 - To establish and approve annual budgets and receive annual accounts and regular monitoring reports on associated expenditure

- Such other associated functions as the Participating Authorities may lawfully arrange for the BLASJC to perform as they from time to time consider appropriate.

3.2 South East Local Enterprise Partnership (SELEP) Accountability Board – Terms of Reference

The SELEP Accountability Board is an executive joint committee of the following authorities. It is constituted under S.101 and S.102 LGA 1972 and Reg. 11(6) of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 (2012/1019).

East Sussex County Council

Essex County Council

Kent County Council

Medway Council

Southend on Sea Borough Council

Thurrock Borough Council

Membership

9 members appointed as follows

Voting Members

1 member appointed by each of the 6 member councils (6)

Non-voting Co-opted members

A business Vice Chairman of the SELEP Strategic Board appointed by the Strategic Board

One member appointed by the Accountability Board on the nomination of the higher education sector (1)

One member appointed by the Accountability Board on the nomination of the further education sector (1)

Chairman

The business Vice Chairman of the SELEP Strategic Board appointed to the Accountability Board shall be the Chairman of the Accountability Board.

Quorum

One third of the members including at least two voting members

Terms of Reference

Within the Partnership's Growth Deal and Strategic Economic Plan and such other plans as may be approved by the Strategic Board, the Accountability Board will be responsible for the implementation of the Partnership's Accountability and Assurance framework and all processes by which bids are assessed, risks considered, approvals made and performance managed including

- Appraisals and approvals, including those of grants and loans, in accordance with Board recommendations
- Monitoring project assessment and delivery
- Ensuring accountability from each of the federated areas relating to expenditure and programme delivery
- Approving variations to schemes
- Quarterly performance reporting on an exceptions basis to the Strategic Board
- Reporting on progress to central government
- Any other accountability or assurance function required by central government or recommended by the Partnership's auditors or the Chief Finance Officer of the Partnership's accountable body.

The Accountability Board will be advised by the Accountable Body's Chief Finance Officer.

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