

Annual Meeting of Medway Council – Supplementary agenda No.2

A meeting of the Council will be held on:

Date: 24 May 2023

Time: 7.00pm

Venue: St George's Centre, Pembroke Road, Chatham Maritime, Chatham
ME4 4UH

Items

7 Election of Leader 2023 - 2027

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Please find enclosed Appendix A to the report (details of Cabinet Portfolios).

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

Date: 24 May 2023

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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: Vince Maple

Themes:

- Finance
- Communications and Marketing
- Democracy and Governance
- Strategic Overview of Medway including Council Plan, Risk Management and Performance Monitoring
- Armed Forces Covenant (in conjunction with Armed Forces Champion)

1.2 Deputy Leader: Teresa Murray

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
- Residential Care
- Shared Lives
- Financial Assessments, Adult Social Care Income and Debt
- External inspections
- Carers
- Approved Mental Health Professional (AMHP)
- Older people
- Public Health - Lead Member, including Health and Wellbeing Board
- Voluntary Sector
- Kyndi

1.3 Business Management: Zoe Van Dyke

Themes:

- HR
- Legal
- Bereavement and Registration Services
- Customer and Business Support (CABS)
- Internal Audit and Counter Fraud
- Council Tax and Business Rates Administration / Recovery
- Benefits and Financial Welfare Services

- Complaints Policy and Management
- Category Management / Procurement

1.4 Children's Services (including statutory responsibility): Adam Price (see Note 1)

Themes:

- Early Help and Targeted Support
- Children's Social Care (including Children's Social Work and 0-25)
- Children in Care (including care arrangements)
- Care Leavers
- Corporate Parenting
- Medway Virtual School
- Children's Provider Services (including Adoption and Fostering)
- Safeguarding including Children's Safeguarding Partnership
- Quality Assurance, including Independent Reviewing Officer Service
- Youth Offending Team (YOT)
- Youth Service
- Children's Partnership Commissioning
- External Inspections
- Child Friendly Medway Champion (including Medway Youth Council and Medway Youth Mayor)
- Inclusion
- Special Educational Needs and Disabilities (SEND), including SEND Transport
- Alternative Provision

1.5 Climate Change and Strategic Regeneration: Simon Curry

Themes:

- Climate Change
- Greenspaces
- Medway Norse
- Strategic Regeneration and Planning policy
- Local Plan
- Highways
- Public Transport
- Traffic Management
- Transport Strategy
- Parking Strategy
- Road Safety
- River Strategy
- Flooding
- Emergency Planning
- Public Rights of Way
- Street Cleaning and Waste Collection / Recycling / Waste Disposal

1.6 Community Safety and Enforcement: Tristan Osborne (see Note 3)

Themes:

- Street Lighting
- CCTV
- Community Safety Partnership
- Digital Services (including Medway 2.0)
- Licensing (Executive Functions Only)
- Regulation – Environmental Health, Trading Standards and Enforcement (Executive Functions Only)
- All Wardens
- Parking Enforcement
- Enforcement Hubs

1.7 Economic and Social Regeneration and Inward Investment: Lauren Edwards

Themes:

- Town Centres
- Markets
- Small Business
- Economic Regeneration
- Inward Investment
- Employment
- Labour Market Planning and Strategic Skills Development

1.8 Education: Tracy Coombs

Themes:

- Attendance
- Children missing education
- Early Years
- Education Safeguarding
- Elective Home Education
- Further Education
- Liaison between Higher Education and Schools
- Quality of Education: Mainstream Primary and Secondary Education
- Mainstream School Sufficiency
- Mainstream School Transport
- Early Careers Teachers
- Post 16 participation (including children not in education, employment and training)
- School Organisation and Capital Projects
- School Services (including Admissions and Medway Test)
- Adult Learning and Skills

1.9 Heritage, Culture and Leisure: Harinder Mahil

Themes:

- Events and Festivals
- Heritage
- Leisure and Sport Services
- Libraries and Community Hubs
- Theatres and Arts
- Tourism
- Community Centres
- Archives

1.10 Housing and Property: Naushabah Khan (see Note 2)

Themes:

- All Housing Services, including Housing Revenue Account (HRA)
- Homelessness and Housing Options
- Private Sector Housing
- Medway Development Company
- South Thames Gateway Building Control Partnership.
- Travellers
- Property

*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 Khan 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 Community Safety and Enforcement 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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