

SOUTH THAMES GATEWAY BUILDING CONTROL JOINT COMMITTEE

19 JUNE 2018

ADMINISTRATIVE ARRANGEMENTS 2018/2019 AND AMENDMENTS TO THE CONSTITUTION

Report from: Michael Turner, Clerk to the Committee

Summary

This report sets out administrative arrangements for the 2018/2019 municipal year and also sets out proposed amendments to the Joint Committee's Constitution as a result of Canterbury City Council joining the Partnership.

1. Budget and Policy Framework

- 1.1 The Constitution for the Joint Committee specifies that the timetable shall be adopted at the Annual General Meeting. Any amendments to the Joint Committee's Constitution must be approved by the Joint Committee.

2. Background

- 2.1 Canterbury, Gravesham, Medway and Swale Councils have all agreed to delegate their respective building control functions to the Joint Committee. This report presents a number of administrative arrangements in connection to the running of the Joint Committee.
- 2.2 The following Members have been appointed to the Committee by the respective partner authorities:

Canterbury

Councillor Robert Jones

Gravesham

Councillor Julia Burgoyne
Councillor David Turner (substitute)

Medway

Councillor Jane Chitty
Councillor David Carr (substitute)

Swale

Councillor Gerry Lewin
Councillor Bryan Mulhern (substitute)

3. Schedule of Meetings

3.1 The Constitution for the South Thames Gateway Building Control Joint Committee specifies that the schedule of meetings shall be agreed at the Annual General Meeting.

3.2 In order to provide some certainty for members and officers, the following provisional timetable for the coming municipal year was agreed at the December 2017 meeting of the Committee:

- Tuesday 19 June 2018
- Thursday 20 September 2018
- Thursday 6 December 2018
- Thursday 14 March 2019.

3.3. All meetings will commence at 10am and will be held at Swale Borough Council's offices in Swale House, East Street, Sittingbourne, Kent ME10 3HT.

4. Proper Officers

4.1 At the last Annual General Meeting the Joint Committee was advised of the officers from the Partner Authorities who will, on behalf of the Joint Committee undertake the roles of Monitoring Officer and Section 151 Officer. These are statutory officers. The purpose of the Monitoring Officer is to ensure the lawfulness and fairness of the Partnership's decisions and the purpose of the S151 Officer is to ensure that proper arrangements are in place for the administration of the financial affairs of the Partnership.

4.2 The Joint Committee is asked to note the following appointments:

- Monitoring Officer – Perry Holmes (Medway and Gravesham)
- Deputy Monitoring Officer – Donna Price (Swale BC)
- Section 151 Officer – Phil Watts (Medway Council)
- Deputy Section 151 Officer – Nick Vickers (Swale BC)

5 Amendments to the Constitution

5.1 As a result of Canterbury City Council joining the Partnership, the Memorandum of Agreement for the STG Partnership has been updated and agreed by all 4 Councils. The Constitution of this Joint Committee forms part of that Agreement and has also been updated (as set out in Appendix 1)... The changes to the Constitution are minor and relate to:

- A new provision to provide for additional authorities.
- The decision to change the name of the Partnership to the STG Partnership.
- Updating references to data protection law due to the introduction of the General Data Protection Regulation.

5.2 The Constitution says that any amendments to the Memorandum of Agreement (which the Constitution is part of) must be approved by the Joint

Committee. The amendments are then subject to the approval of all of the Partner Authorities. All of the Partner Authorities have of course formally agreed to the addition of Canterbury City Council to the Partnership.

6 Financial Implications

6.1 There are no financial implications arising from this report.

7. Legal Implications

7.1 The Joint Committee was established pursuant to powers under: -

- Local Government Act 1972 – sections 101, 102, 111, 112 and 113
- Local Government Act 2000 – sections 2, 19 and 20
- Regulations made under these acts.

7.2 The arrangements for this joint committee have been designed to ensure compliance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000, which set out the functions that should be carried out by Council (or one of its committee) and functions that can be carried out by the Executive. Building control is a function of the Executive or Cabinet and can be discharged by the Joint Committee and those functions have been delegated by the Partners Authorities' Executives. By law, two elements of the service cannot be executive functions, namely staffing matters and enforcement activity by Development Control, and these have been delegated to the Joint Committee by the Partner Authorities' respective Full Councils.

8. Risk Management

8.1 There are no risk management implications arising from this report.

9. Recommendations

9.1 The Joint Committee is recommended to –

- a) Agree the timetable of meetings for the 2018/2019 municipal year (as set out in paragraph 3.2).
- b) Note the appointment of the Proper Officers listed in paragraph 4.2 of the report.
- c) Agree to select Swale Borough Council to act as secretary to the Joint Committee for the 2018/2019 municipal year.
- d) Agree the proposed amendments to the Constitution set out in Appendix 1.

Lead Officer Contact:

Michael Turner
Medway Council
T: (01634) 332817
E: michael.turner@medway.gov.uk

Appendices:

Appendix 1 – Proposed amendments to the Joint Committee’s Constitution.

Background Papers:

None