

Officer Executive Decisions

Decision Number	Date delegation granted (from the Leader and/or Cabinet	Responsible officer	Details of delegation	Decision taken in accordance with delegation
86/2017	21 August 2017 (urgent decision by the Leader)	Perry Holmes	<p>Legal Claim Against the Council The Leader agreed to authorise the Chief Executive in consultation with himself to take the necessary steps to settle the litigation and to take any other necessary steps to mitigate the Council's financial exposure in this matter.</p> <p>https://democracy.medway.gov.uk/ieListDocuments.aspx?CIId=115&MIId=3928</p>	The case was settled in accordance with the Leader's Urgent Decision and the consent order was sealed by the Court on 27 September 2017.
111/2018	04-Sep-18	Lucy Carpenter	<p>Innovation Park Medway Masterplan Public Consultation The Cabinet agreed to delegate authority to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive, to approve any necessary minor amendments to the draft masterplan, in consultation with the relevant Portfolio Holders, prior to consultation.</p> <p>https://democracy.medway.gov.uk/ieIssueDetails.aspx?IId=23721&Opt=3</p>	The decision was taken in accordance with the Cabinet decision and the consultation document was published online on 17 September 2018.
90/2018	10-Jul-18	Perry Holmes/ Jan Guyler	<p>Shared Licensing Service Between Gravesham Borough Council and Medway Council The Cabinet agreed that all executive licensing delegations currently with the Chief Legal Officer can also be exercised by Gravesham Borough Council's Assistant Director (Communities).</p> <p>https://democracy.medway.gov.uk/ieIssueDetails.aspx?IId=23481&Opt=3</p>	<p>This standing delegation has been added to the Council's Employee Scheme of Delegation, as set out within the Constitution.</p> <p>Date: 16 August 2018</p>

Officer Executive Decisions

Decision Number	Date delegation granted (from the Leader and/or Cabinet	Responsible officer	Details of delegation	Decision taken in accordance with delegation
89/2018	10-Jul-18	Perry Holmes/ Jan Guylar	<p>Shared Licensing Service Between Gravesham Borough Council and Medway Council</p> <p>The Cabinet agreed option one, as set out in paragraph 5.1 of the report, whereby Medway Council shall delegate responsibility for the discharge of its Licensing Service executive functions to Gravesham Borough Council.</p> <p>https://democracy.medway.gov.uk/ieIssueDetails.aspx?IId=23481&Opt=3</p>	<p>This change is reflected in the updated Employee Scheme of Delegation, as set out within the Constitution</p> <p>Date: 16 August 2018</p>
77/2018	08-May-18	Catherine Smith/ Jill King	<p>Medway Guide to Developer Contributions and Obligations (2018)</p> <p>The Cabinet agreed to delegate authority to the Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive, in consultation with the Portfolio Holder for Planning, Economic Growth and Regulation to undertake the annual review of indexation of S106 contributions using the all items retail prices index (RPI) and update the Medway Guide to Developer Contributions and Obligations Supplementary Planning Document accordingly to come into effect on 1 April each year.</p> <p>https://democracy.medway.gov.uk/ieListDocuments.aspx?CIId=115&MIId=3705</p>	<p>This standing delegation has been added to the Council's Employee Scheme of Delegation, as set out within the Constitution.</p> <p>Date: 15 June 2018</p>

Officer Executive Decisions

Decision Number	Date delegation granted (from the Leader and/or Cabinet	Responsible officer	Details of delegation	Decision taken in accordance with delegation
92/2017	05-Sep-17	Perry Holmes	<p>Housing Company - The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Leader, to finalise the Articles of Association in a form similar to those set out in Appendix 4 to the report.</p> <p>https://democracy.medway.gov.uk/ielssueDetails.aspx?IId=20560&Opt=3</p>	<p>This decision has been amended by Cabinet decision 70/2018 (The Cabinet approved the amendments to the Medway Development Company Ltd (MDC) governance structure, as outlined in option 1 of the report and Exempt Appendix 1, to reflect the Teckal test and noted that Cabinet previously delegated authority to the Chief Legal Officer, in consultation with the Leader, to finalise the Articles of Association (decision no. 92/2017) and that Cabinet now approved the form of Articles of Association similar to that of MCG Ltd, as set out in Appendix 1 to the report.</p> <p>https://democracy.medway.gov.uk/ielssueDetails.aspx?IId=22661&Opt=3</p>
93/2017	05-Sep-17	Perry Holmes	<p>Housing Company - The Cabinet agreed to delegate authority to the Chief Finance Officer, in consultation with the Leader, to provide funding to the Company through state aid compliant loans, subject to appropriate due diligence to verify the Company's on-going viability and the viability of projects for which the loans are being provided and loan agreements between the Council and the Company setting out pre-conditions for draw down as well as performance measurements.</p> <p>https://democracy.medway.gov.uk/ielssueDetails.aspx?IId=20560&Opt=3</p>	<p>This standing delegation has been added to the Council's Employee Scheme of Delegation, as set out within the Constitution.</p> <p>Date: 4 May 2018</p>

Officer Executive Decisions

Decision Number	Date delegation granted (from the Leader and/or Cabinet	Responsible officer	Details of delegation	Decision taken in accordance with delegation
94/2017	05-Sep-17	Perry Holmes	<p>Housing Company - The Cabinet agreed to delegate authority to the Chief Finance Officer, in consultation with the Leader, to release funding to the Company for each agreed scheme in the Company's Business Plan subject to financial due diligence and appropriate loan agreements.</p> <p>https://democracy.medway.gov.uk/ielIssueDetails.aspx?IId=20560&Opt=3</p>	<p>This decision has been amended by Cabinet decision no. 72/2018 and the revised standing delegation (<i>To agree, in consultation with the Leader, the business case for each site and to release funding for the development of each site subject to financial due diligence and the availability of capital funding</i>) has been added to the Council's Employee Scheme of Delegation, as set out within the Constitution.</p> <p>Date: 4 May 2018</p> <p>https://democracy.medway.gov.uk/ielIssueDetails.aspx?IId=22661&Opt=3</p>
95/2017	05-Sep-17	Perry Holmes	<p>Housing Company - The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Leader, to identify, declare surplus and dispose of assets at commercial rates that are state aid compliant or to agree suitable equity arrangements that reflect commercial rates of return to the Council, to the company in line with its Business Plan.</p> <p>https://democracy.medway.gov.uk/ielIssueDetails.aspx?IId=20560&Opt=3</p>	<p>This decision has been amended by Cabinet decision no. 72/2018. The standing delegation no longer applies.</p> <p>Date: 10 April 2018</p> <p>Note: A sum of £120m was added to the Capital Programme by the Council on 26 April 2018 (as recommended by Cabinet on 10 April 2018, decision no. 69/2018 refers) for this purpose to fund a five year programme of development of twelve Council owned sites by Medway Development Company Ltd.</p>
96/2017	05-Sep-17	Perry Holmes	<p>Housing Company - The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Leader, to execute the final legal agreements, contracts and all other ancillary documentation that may be needed prior to the setting up of a company setting out the arrangements between the Council and the Company.</p> <p>https://democracy.medway.gov.uk/ielIssueDetails.aspx?IId=20560&Opt=3</p>	<p>The decision was taken in accordance with the Cabinet decision and the Medway Development Company Limited was incorporated on 24 October 2017.</p>

Officer Executive Decisions

Decision Number	Date delegation granted (from the Leader and/or Cabinet	Responsible officer	Details of delegation	Decision taken in accordance with delegation
97/2017	05-Sep-17	Perry Holmes	<p>Housing Company -The Cabinet agreed to delegate authority to the Chief Executive to make the necessary appointments to the Executive Board of Directors, as set out in paragraph 5.3 of the report, under his delegation from Full Council as set out in the Employee Delegation Scheme, in consultation with Group Whips and taking into account the views of the Leader.</p> <p>https://democracy.medway.gov.uk/ielIssueDetails.aspx?IId=20560&Opt=3</p>	<p>Councillors Doe and Gulvin were appointed to the Company in accordance with the Cabinet decision.</p> <p>Date: 24 October 2017</p>
72/2017	11-Jul-17	Perry Holmes	<p>Housing Company - The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Deputy Leader and Portfolio Holder for Housing and Community Services, to commission a Business Case for future Cabinet approval prior to the setting up of a housing company.</p> <p>https://democracy.medway.gov.uk/ielIssueDetails.aspx?IId=20052&Opt=3</p>	<p>A further report on the Housing Company was submitted to Cabinet on 5 September 2017.</p>
73/2017	11-Jul-17	Perry Holmes	<p>Housing Company - The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Deputy Leader and Portfolio Holder for Housing and Community Services, to commission or produce Articles of Association, a Shareholders Agreement and all other ancillary documentation that may be needed prior to the setting up of a company.</p> <p>https://democracy.medway.gov.uk/ielIssueDetails.aspx?IId=20052&Opt=3</p>	<p>A further report on the Housing Company was submitted to Cabinet on 5 September 2017.</p>

Officer Executive Decisions

Decision Number	Date delegation granted (from the Leader and/or Cabinet	Responsible officer	Details of delegation	Decision taken in accordance with delegation
179/2017	17-Jan-17	Perry Holmes / Mo Olatuja / Carrie McKenzie	<p>Staffing Agency Traded Services - The Cabinet agreed to delegate authority to the Chief Legal Officer, in consultation with the Leader, the relevant Portfolio Holder(s) and Chair of the MCG Ltd Board to finalise the governance arrangements for the new company and complete any necessary legal requirements and any other arrangements as necessary.</p> <p>Note: this decision was called in by the Business Support O&S Committee (31 January 2017) – the Committee agreed to take no further action.</p> <p>https://democracy.medway.gov.uk/ielssueDetails.aspx?Ild=18727&Opt=3</p>	The decision was taken in accordance with the Cabinet decision. Ocelot People Solutions went live on 1 October 2017 - Note: this company is now called MGC Recruitment.
159/2013	01-Oct-13	Nick Anthony / Ashley Baxter	<p>Solar Photovoltaic Energy Systems</p> <p>The Cabinet delegated authority to the Assistant Director of Legal and Corporate Services, in consultation with the Portfolio Holder for Finance, to enter into the necessary feed-in tariff contractual arrangements and procure the installation of Solar Photovoltaic systems at Gun Wharf and Medway Tunnel using prudential borrowing on the best terms reasonably obtainable, subject to Full Council first agreeing to amend the capital programme to fund the scheme as set out in paragraph 8.1.1 of the report.</p> <p>https://democracy.medway.gov.uk/ielssueDetails.aspx?Ild=11470&Opt=3</p>	The decision was taken in accordance with the Cabinet decision and the feeding in tariff started 3 March 2016.
The details of any other options considered and rejected and reasons for decision are set out within the relevant Cabinet report.				
Conflicts of interest: None				