

ANNUAL MEETING OF MEDWAY COUNCIL

25 MAY 2011

ELECTION OF LEADER

Report from: Neil Davies, Chief Executive

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Leisure, Culture, Democracy and Governance

Summary

This report requests the Council to elect a Leader for a four year period in accordance with the provisions of the Local Government Act 2000 as amended by the Local Government and Public Involvement in Health Act 2007.

1 Budget and Policy Framework

- 1.1 The election of a Leader of the Council is a matter for the first Annual Meeting of the Council following on from the ordinary election of all Councillors.
- 1.2 The Leader must appoint one Member of the Council to be his deputy.
- 1.2 The Leader may make arrangements to delegate some matters to the Cabinet, a Cabinet Committee, individual Cabinet Members or to employees.
- 1.3 The Cabinet will consist of the Leader together with not less than two but not more than nine other Members of the Council appointed by the Leader, including the Deputy Leader.

2 Background

- 2.1 The current composition of the Council is set out overleaf:

Name of Group	Number of councillors	Proportionality %
Conservative	35	63.64
Labour	15	27.27
Liberal Democrat	3	5.45
Independent Group	2	3.64
	55	100%

2.2 The Council agreed new executive arrangements at a Special Council meeting on 25 November 2010 in accordance with the provisions of the Local Government Act 2000 as amended by the Local Government and Public Involvement in Health Act 2007. In summary, the Council agreed the “indirectly elected leader” form of executive arrangements and these were produced and publicised in accordance with statutory requirements, the key features of which are set out below:

- Under the new arrangements, the Leader will be elected by the Council at its Annual Meeting in 2011, after the local government elections on 5 May 2011. The Leader will hold office for a four year term unless he or she resigns or ceases to be a Councillor.
- The Leader will be responsible for appointing the Deputy Leader. Unless he or she resigns or ceases to be a Councillor they hold this office for the term of the Leader.
- The Leader may, if he or she thinks fit, remove the Deputy Leader from office.
- The Leader will be responsible for appointing the other Cabinet Members, subject to the statutory maximum of ten, and for determining their Portfolios.
- The Council may, by resolution, remove the Leader during his or her four year term of office.
- The allocation of local choice functions between the Executive and the Council will continue as set out in the Council’s current Constitution.

2.3 At the Annual Meeting of the Council, the Leader, once elected, is required to present to the Council a written record of delegations made by him/her for inclusion in the Council's scheme of delegation as Chapter 3 to the constitution.

2.4 The majority group will be proposing the nomination of the Leader of the Council. Nominations from other Members can also be put forward.

2.5 Once elected the Leader of the Council will appoint the Deputy Leader and determine the membership of the Cabinet and the allocation of

portfolios to each of the Cabinet Members for inclusion in chapter 3 of the constitution. Currently, the Cabinet makes decisions collectively. The Council's scheme of delegation of executive functions from the Leader and Cabinet will also be determined by the Leader. The Council has to agree the delegation of any non-executive functions to officers. This is set out in appendix B to the report (which also includes the current executive side delegations).

- 2.6 If other Members are to be proposed as Leader of the Council, a list of proposed Cabinet Members and their proposed portfolios must also be submitted for approval.

3 Financial implications

- 3.1 There are no financial implications arising from this report.

4 Legal implications

- 4.1 The legal implications are set out in the body of the report.

5 Risk management

- 5.1 There are no risk management implications arising from this report.

6 Recommendation

- 6.1 The Council is asked:
- (i) to elect a Leader of the Council until the day of the next Annual Meeting of the Full Council following the ordinary election of all Councillors;
 - (ii) to note the details of those appointed by the Leader to serve as Deputy Leader and Members of the Cabinet and the extent of their individual portfolios (**these will be circulated separately as Appendix A**);
 - (iii) to agree to the delegation of non-executive functions to officers as set out in Appendix B to the report.

Lead officer contact

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Appendices

Appendix A - Appointment details (To follow)
Appendix B - Employee delegation scheme

Background papers

None

PART 4 - EMPLOYEE DELEGATION SCHEME

General scheme of delegation	
Description of delegation	Responsibility delegated from
1. General scheme of delegation to Chief Executive and directors	
1.1 The Chief Executive should be responsible for management arrangements across the whole Council and directors shall have the responsibility to manage the department and service area for which they are responsible	Council/ Leader/Cabinet
1.2 In managing the service all directors shall be authorised in their discretion to exercise such powers as may be provided by the relevant legislation including the service or receipt of notices, the making of agreements, the making, revoking or amending of orders, the authorisation of any action or the institution, defence or conduct of proceedings, appeals and enforcement byelaws, authorisation of named employees to enforce specific powers and making of grants or loans within the budget and policy framework. Where the areas of responsibility and powers of an employee refer to specific acts of parliament, regulations, orders or guidance any subsequent re-enactment or amendment of the same shall apply	Council/ Leader/Cabinet
1.3 Where the Council is by law required to designate a proper officer, the Chief Executive and Directors are authorised to act as proper officers within their area of responsibility save for where a different proper officer is designated either by law or by this constitution	Council/ Leader/Cabinet
1.4 It is the responsibility of the directors and assistant directors referred to in this scheme to delegate matters to ensure matters are dealt with at the appropriate level to maintain the balance between efficiency and control. Employees shall be under a duty to consult and, where appropriate, agree with other appropriate employees before exercising their delegated powers and to consult the Chief Executive in cases of doubt	Council/ Leader/Cabinet
2. Financial delegations	
2.1 Directors may transfer resources between their directorate budget heads, subject to the budget and policy framework rules and the financial rules	Council/ Leader/Cabinet

Description of delegation	Responsibility delegated from
2.2 The financial delegations permit directors to: <ul style="list-style-type: none"> • incur expenditure within approved revenue budgets and generate income; • sell items which become surplus to service; • write off irrecoverable debts in accordance with financial limits forming part of the financial rules; 	Council/ Leader/Cabinet
<ul style="list-style-type: none"> • enter into contracts subject to compliance with financial and contract rules; • commit variations to capital schemes in accordance with the financial rules; • accept the most economically advantageous tender. 	
2.3 A Director shall have authority to award without competition a contract where the particular needs of an individual (either an adult or a child) require a particular social care package, or where an individual has special educational needs which are only available from a particular provider in the opinion as appropriate of the Director of Children and Adults.	Council
3. Personnel delegations	
3.1 Directors may agree to reorganisations within their departments subject to there being: <ul style="list-style-type: none"> • no significant service policy implications or clear departure from existing Council policies; • no expenditure in excess of budget; • no growth in net expenditure beyond the current year; • no changes affecting directors or assistant directors; • consultation with the Assistant Director, Organisational Services. 	Council
3.2 Appoint permanent staff (other than directors and assistant directors) in accordance with the approved structure and to appoint temporary staff as required	Council
3.3 Agree the application of Job Share Schemes to posts	Council
3.4 Agree extensions to sick pay, grant special leave and make maternity and paternity arrangements.	Council
3.5 To discipline, suspend and dismiss employees in accordance with the Council's disciplinary procedure and capability procedures	Council
3.6 Pay gratuities in accordance with Council policy and the Local Government Pension regulations subject to the agreement of the Chief Executive	Council

Description of delegation	Responsibility delegated from
3.7 Authorise payments to staff temporarily undertaking additional duties, as provided for in the conditions of employment	Council
3.8 Refer staff to the Council's occupational health service in appropriate circumstances and to take any consequential action required	Council
3.9 Authorise ex-gratia payments to employees who incur loss or damage to their property whilst engaged in official duties up to a maximum of £250	Council
3.10 Approve the attendance of employees at conferences and courses of training	Council
3.11 Approve financial assistance for post-entry training	Council
3.12 Providing the costs are met from existing budgets, to implement the outcome of job evaluation exercises in conjunction with the Assistant Director, Organisational Services	Council
3.13 Authorise car allowances and to authorise payments in accordance with the conditions of employment and Council policy	Council
3.14 Approve payments of reasonable out-of-pocket expenses for newly appointed employees	Council
3.15 Authorise payments to recompense employees who are required to work on public holidays, when time off in lieu is not practicable	Council
4. Urgent action	
4.1 Matters reserved to Council: In relation to Council responsibilities, subject to consultation with the Leaders of all the groups which comprise at least 1/10 th of the membership of the Council (or their nominees), directors shall have the power to act on behalf of the Council in cases of urgency only where the urgent matter is of such a nature that it may be against the Council's interest to delay and where it is not practicable to obtain the approval of the Council	Council
4.2 Matters reserved to 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	Leader/Cabinet

Description of delegation	Responsibility delegated from
5. Departmental schemes of delegation	
5.1 Directors and assistant directors referred to in this scheme may delegate matters for which they are responsible to an appropriate employee. Where the employee is not within the delegating director/assistant director's department such delegation may only occur with the agreement of the proposed employee's director or assistant director.	Council/ Leader/Cabinet
Specific scheme of delegation	
6. Chief Executive	
<p>6.1 Corporate delegations:</p> <ul style="list-style-type: none"> • To be responsible for policy development, the overall strategic direction of the Council and the governance of the Council save for matters which should be referred to the Council or the Leader/Cabinet; • To act as the Council's Head of Paid Service under section 4(1) of the Local Government and Housing Act 1989; • To handle complaints made against the Council (including Ombudsman complaints) and to settle complaints locally where the costs of settlement do not exceed £5,000; • To represent the interests of the Council to the community, local interest groups and external agencies; • To resolve disputes between directorates; <p>Democratic Services:</p> <ul style="list-style-type: none"> • To retain contract staff or appoint consultants on matters related to the management of the Council • To arrange appointments to outside bodies (other than officer appointments) in consultation with group whips to fill casual vacancies and make new appointments during the year; • To make any in-year changes to the membership of Cabinet advisory groups in consultation with group whips. • To arrange the appointment of officers to outside bodies • To add to the list of joint Committees, outside bodies, other bodies and charities in respect of indemnities for members and officers (3684/09/2001); 	<p>Council/ Leader/Cabinet</p> <p>Council</p> <p>Council/ Leader/Cabinet</p> <p>Council/ Leader/Cabinet</p> <p>Council/ Leader/Cabinet</p> <p>Council/ Leader/Cabinet</p> <p>Council</p> <p>Leader/Cabinet</p> <p>Council</p> <p>Council</p>

Description of delegation	Responsibility delegated from
<ul style="list-style-type: none"> • In liaison with party group whips, to agree the nominations of Councillors to places at conferences; • In consultation with party group leaders, to approve future annual increases in travel and subsistence rates, as long as these do not exceed the maximum thresholds stipulated by the Secretary of State and subject to available budget provision; 	<p>Council</p> <p>Council</p>
<ul style="list-style-type: none"> • To approve minor changes to Committee and Sub-Committee memberships in line with the wishes expressed by party groups and insofar as there is no change to the overall size of membership and political balance in each case • To appoint independent people to serve on the Complaints Review Panels dealing with stage 3 adult and children's social care complaints subject to satisfactory completion of an application form by each prospective panel member and no objections from Group Whips to each appointment. <p>Civil protection and civil defence:</p> <ul style="list-style-type: none"> • To approve and implement the Council's Emergency Plan and any amendments to it; • To approve and implement the Council's Civil Defence Plan and any amendments to it. <p>Civic:</p> <ul style="list-style-type: none"> • To accept gifts on behalf of the Council, make arrangements to host and fund visits by royal, foreign, civic, political, twinning and local dignitaries and personalities. 	<p>Council</p> <p>Council</p> <p>Leader/Cabinet</p> <p>Leader/Cabinet</p>
<p>Electoral registration:</p> <ul style="list-style-type: none"> • To designate an adjoining polling district for a polling place where no suitable polling station is available within the original polling place. 	<p>Council</p>
<p>Members' allowances:</p> <ul style="list-style-type: none"> • Dependent carers' allowances - To authorise payment of more than the maximum payable in circumstances where more than 18 hours care is required. • Conference expenses - To agree the nomination of Councillors to attend conferences and also to approve the attendance by Councillors at conferences where these do not appear on the approved list, in liaison with Party Whips. This will only be considered in exceptional 	<p>Council</p> <p>Council</p>

Description of delegation	Responsibility delegated from
<p>6.6 Licensing:</p> <ul style="list-style-type: none"> • Except where a specific Council side responsibility, to manage all licensing and registration functions of the Council including the licensing and registration of pleasure boats, hackney carriage and private hire, sex establishments, street and house to house collections, motor sillage, scrap metal dealers, street trading consents and such other services as may be authorised. • With regard to Licensing Act 2003 matters, to determine: <ul style="list-style-type: none"> (i) An application for a personal licence, if no objection made; (ii) An application for a premises licence/club premises certificate, if no relevant representation made; (iii) An application for a provisional statement, if no relevant representation made; (iv) An application to vary a premises licence/club premises certificate, if no relevant representation made; (v) An application to vary a designated premises supervisor in all cases other than where there is a police objection; (vi) A request to be removed as a designated premises supervisor; (vii) An application for transfer of premises licence in all cases other than where there is a police objection; (viii) Applications for interim authorities in all cases other than where there is a police objection; (ix) A decision on whether a complaint is irrelevant, frivolous, vexatious, etc. <p>Note: A relevant representation is one which relates to the likely effect of the grant of the licence on the promotion of at least one of the four licensing objectives specified in the Licensing Act 2003 (Council 9 December 2004 & 22 November 2007).</p>	<p>Council</p>

Description of delegation	Responsibility delegated from
<ul style="list-style-type: none"> • With regard to the Gambling Act 2005, to determine: <ul style="list-style-type: none"> (i) Fee setting (when appropriate); (ii) An application for a premises licence, where no representations received/representations have been withdrawn; (iii) An application for a variation to a licence, where no representations received/representations have been withdrawn; (iv) An application for a transfer of a licence, where no representations received from the Commission; (v) An application for a provisional statement, where no representations received/representations have been withdrawn; (vi) An application for club gaming/club machine permits, where no objections made/objections have been withdrawn; (vii) Applications for other permits; (viii) A cancellation of licensed premises gaming machine permits; (ix) The consideration of a temporary use notice (Council 7 December 2006) 	Council
<ul style="list-style-type: none"> • With regard to the Local Government (Miscellaneous Provisions) Act 1982, as amended by the Policing and Crime Act 2009; <ul style="list-style-type: none"> (i) To grant any applications for sex establishments and sexual entertainment venues whereby no representations have been received and the Assistant Director is able to agree suitable conditions with the applicant. 	Council
<p>6.7 Housing:</p> <ul style="list-style-type: none"> • Manage the housing service in compliance with current legislation and the policies of the Council; to include the management of shops, garages, and other ancillary buildings associated with the housing management function; • Review the allocation of two smaller properties in return for the release of a larger property and to allocate accommodation according to the merits of each case. 	<p>Leader/Cabinet</p> <p>Leader/Cabinet</p>
<p>6.8 Housing grants and loans:</p> <ul style="list-style-type: none"> • Exercise the function of the Council under the Housing (Grants, Construction and Regeneration) Act 1996 and the Regulatory Reform (Housing Assistance) Order 	Leader/Cabinet

Description of delegation	Responsibility delegated from
<p>2002 and in accordance with any other relevant legislation and Council Policy;</p> <ul style="list-style-type: none"> • Authorise the determination of hardship cases where improvement grant applicants have proved to be in receipt of housing benefit and or income support; • Approve the payment of renovation grants, disabled facilities grants and home repair assistance, in accordance with the renovation grant policy and within the allocated resources in the approved capital programme; • Consider applications to waive repayment of renovation grants where an elderly or infirm person is disposing of the grant property to live permanently in a care home or to be cared for at a relative's home and to demand repayment of the full grant. 	<p>Leader/Cabinet</p> <p>Leader/Cabinet</p> <p>Leader/Cabinet</p>
<p>6.9 Rent officer service:</p> <ul style="list-style-type: none"> • Manage the rent officer service in compliance with current legislation and the policies of the Council. 	<p>Leader/Cabinet</p>
<p>6.10 Contracts:</p> <ul style="list-style-type: none"> • Contract Procedure Rules – To carry out executive functions delegated to the Monitoring Officer, as set out in the Contract Procedure Rules. • Exemptions and Exceptions to Contract Procedure Rules – To carry out functions delegated to the Monitoring Officer, as set out in paragraph 1.8 of the Contract Procedure Rules. • The Assistant Director, Housing and Corporate Services is authorised where appropriate to vary the terms and conditions of contract as specified in the contract rules; 	<p>Leader/Cabinet</p> <p>Council</p> <p>Leader/Cabinet</p>
<p>Assistant Director, Customer First, Leisure, Culture, Democracy and Governance</p>	
<p>6.11 Cemeteries and cremation:</p> <ul style="list-style-type: none"> • Manage the burials, cremation and cemetery service in compliance with current legislation and the policies of the Council; • Pursuant to Section 2 of the Parish Council's and Burial Authorities (Miscellaneous Provisions) Act 1970, to sign grants of exclusive rights of burial. 	<p>Leader/Cabinet</p> <p>Leader/Cabinet</p>
<p>6.12 Electoral registration:</p> <ul style="list-style-type: none"> • Manage the electoral registration and elections service 	<p>Council</p>

Description of delegation	Responsibility delegated from
in compliance with current legislation and the policies of the Council.	
6.13 Registration of births, marriages and deaths: <ul style="list-style-type: none"> • Manage the registration of births, marriages and deaths in compliance with current legislation, guidance from the Registrar General and the policies of the Council. 	Leader/Cabinet
6.14 Libraries: <ul style="list-style-type: none"> • Manage the library and public information services of the Council in compliance with current legislation and the policies of the Council. 	Leader/Cabinet
Assistant Director, Organisational Services	
6.15 Personnel: <ul style="list-style-type: none"> • Agree every three years, suitably rounded, increases in the monetary value of the 25 year long service awards to non-teaching staff, in line with inflation; • Implement the Council's post-entry training scheme; • Negotiate and reach agreement on behalf of the Council on policies and procedures concerning the workforce; • Obtain the necessary statistical information to enable the Council to monitor the composition of its workforce in connection with the implementation of its equal opportunity and other policies. 	Council Council Council Leader/Cabinet
6.16 Information technology: <ul style="list-style-type: none"> • To manage the information and communications technology (ICT) services of the Council including the sale of spare computer time in compliance with current legislation and Council policy; • Establish an overall ICT strategy for the Council and to enforce the policies of the Council in respect of ICT procurement and implementation; • Dispose of surplus ICT equipment for the best price or lowest cost available. 	Leader/Cabinet Leader/Cabinet Leader/Cabinet
Chief Finance Officer	
6.17 Financial: <ul style="list-style-type: none"> • To be responsible for all borrowing, investment, and financial decisions, such decisions to be consistent with the Council's treasury policy statement; 	Council

Description of delegation	Responsibility delegated from
<ul style="list-style-type: none"> • Approve the re-phasing of expenditure between years on approved schemes, provided that the impact does not exceed the overall level of the approved programme and the level of resources estimated to be available; • Authorise the opening and closing of any such bank accounts as may be considered necessary in accordance with the bank mandate; • In respect of national non domestic rates, Council tax, and other income and debtors to exercise the powers of the Council including the institution of legal proceedings and all steps necessary to prosecute, enforce judgements and approve the writing off of irrevocable sums; • Determine relief from non-domestic rates in accordance with the approved guidelines. Any appeal arising from a disputed decision made under these delegated powers or where the guidelines do not cover the circumstances surrounding the claim for relief shall be to the Leader/Cabinet; • Manage the housing benefits scheme in compliance with current legislation and policies of the Council; • Fund insurance management initiatives up to a maximum level of £50,000 in total per annum. • Approve in-year additions to the capital programme and revenue budget in consultation with the Finance Portfolio Holder, subject to: <ul style="list-style-type: none"> (i) funding coming from external sources; (ii) no financial contribution being required from the Council; 	<p>Leader/Cabinet</p> <p>Leader/Cabinet</p> <p>Leader/Cabinet</p> <p>Leader/Cabinet</p> <p>Leader/Cabinet</p> <p>Leader/Cabinet</p> <p>Council</p>
<ul style="list-style-type: none"> (iii) funding being ring fenced for specific purposes. 	
<ul style="list-style-type: none"> • To set the Council Tax base, in consultation with the Portfolio Holder for Finance 	Council
<p>6.18 Contracts:</p> <ul style="list-style-type: none"> • To enter into contractual arrangements on behalf of the Council for all contracts involving the purchase of utilities (ie gas, water and/or electricity supply) on behalf of both the Council and schools. This delegation shall apply to both individual contracts let between the Council and the utility supplier, and where the Council enters into any Framework Agreement or Consortia 	Leader/Cabinet

Description of delegation	Responsibility delegated from
<p>Agreement for such supplies. NOTE: The Monitoring Officer has the same delegation, as set out in paragraph 1.9.9 of the contract procedure notes.</p>	
<p>6.19 For the avoidance of doubt, the Chief Executive shall have all the delegations of a Director in respect of the Business Support Department.</p>	<p>Council/ Leader/Cabinet</p>
<p>7. Director of Children and Adults</p>	
<p>7.1 Manage the education service in compliance with current legislation and the policies of the Council.</p>	<p>Leader/Cabinet</p>
<p>7.2 Manage the children and families services in compliance with current legislation and the policies of the Council.</p>	<p>Leader/Cabinet</p>
<p>7.3 Services for elderly and disabled:</p> <ul style="list-style-type: none"> • Manage the services for the elderly and disabled people in compliance with the current legislation and policies of the Council; • Exercise the function of the Council under the Community Care (Direct Payments) Act 1996 in accordance with the provisions of the proposed Medway direct payments scheme. 	<p>Leader/Cabinet Leader/Cabinet</p>
<p>7.4 Mental health:</p> <ul style="list-style-type: none"> • Manage the services for adults with mental health problems in compliance with current legislation and policies of the Council; 	<p>Leader/Cabinet</p>
<p>7.5 General:</p> <ul style="list-style-type: none"> • To consider and determine urgent matters in relation to individual cases in consultation with the Leader/Cabinet. 	<p>Leader/Cabinet</p>
<p>7.6 Act as the 'authorised officer' for all contracts falling within the children and adults service.</p>	<p>Leader/Cabinet</p>
<p>7.7 Contracts:</p> <ul style="list-style-type: none"> • To award without competition a contract where a placement is sought for an individual with a registered care provider of their choice under the National Health Service and Community Care Act 1990. 	<p>Council</p>
<p>8. Director of Regeneration, Community and Culture</p>	
<p>8.1 Planning:</p> <ul style="list-style-type: none"> • To manage the Council's functions in relation to the planning function, listed building consent, building preservation, conservation areas, tree preservation, enforcement and planning contravention, purchase 	<p>Council</p>

Description of delegation	Responsibility delegated from
<p>notices, high hedges and hedgerows in compliance with current legislation and Council policy;</p> <ul style="list-style-type: none"> • To determine applications for planning permission except in the following circumstances: <ul style="list-style-type: none"> (i) Where the applicant is the Council and the proposed development is a major proposal or for non-operational purposes. (ii) Where the applicant is a member of the Council or an officer directly or indirectly involved in the planning process. (iii) Where the Director of Regeneration, Community and Culture refers the application to the Planning Committee (eg where the proposals are a significant departure from the development plan or otherwise are of a strategic nature in the context of the Council's planning and development policies). (iv) Where the proposal has other major implications for the authority. (v) Where a member of the Council has within 21 days of the publication of the weekly list of planning applications requested that an application be determined by Committee. In these cases members should identify the material planning considerations to warrant consideration by Committee. (vi) Where a parish council has within 21 days of the publication of the weekly list of planning applications requested that an application be determined by Committee. In these cases Parish Councils should identify the material planning considerations to warrant consideration by Committee. 	<p>Council</p> <p>Council</p> <p>Council</p> <p>Council</p> <p>Council</p> <p>Council</p>
<ul style="list-style-type: none"> (vii) Where three or more relevant letters of representation are received (from separate households) contrary to the proposed decision or where one letter of representation is received from a Parish Council or a Residents' Society or Amenity Society contrary to the proposed decision (except, in the case of a representation by a Parish Council, a Residents' Society or an Amenity Society, where the Director of Regeneration, Community and Culture, in consultation with the Chairman and Spokesmen of 	<p>Council</p>

Description of delegation	Responsibility delegated from
<p>the Planning Committee, is of the opinion that the representation contains no reasonable planning grounds supporting the representation).</p> <ul style="list-style-type: none"> • To determine details reserved by conditions, minor amendments to proposals for which consent has been granted, applications for lopping or topping trees, to confirm or reject tree preservation orders where no more than three representations are received from separate households contrary to the proposed decision, applications on the direction of the Secretary of State in respect of a trunk road, applications for Certificates of Lawfulness of existing or proposed use and to determine applications submitted pursuant to s.10 of the Planning (Hazardous Substances) Act 1990; • To contest planning appeals in accordance with Council or Committee policy including the appointment of appropriate legal and professional representatives; • To submit observations upon proposals outside the Medway area upon which the Council has been consulted subject to prior consultation with members representing the wards adjoining the proposed development. 	<p>Council</p> <p>Council</p> <p>Leader/Cabinet</p>
<p>8.2 Building control:</p> <ul style="list-style-type: none"> • To submit comments to the Secretary of the Joint Committee on the first draft of the Building Control Business Plan and on any proposed amendments (during the course of each year), in consultation with the Chief Finance Officer and the Council's representative on the South Thames Gateway Building Control Joint Committee. 	<p>Leader/Cabinet</p>
<p>8.3 Highways and traffic regulations:</p> <ul style="list-style-type: none"> • To manage the highways, parking provision, public rights of way, traffic regulation, traffic calming, road safety and watercourse management services in compliance with current legislation and the policies of the Council; • With respect to the determination of requests for the approval of details submitted pursuant to the provisions of Schedule 6 of the Channel Tunnel Rail Link Act 1996: <ul style="list-style-type: none"> (i) to determine plans and specifications submissions made pursuant to paragraph 15; (ii) to determine requests for the approval of details submitted pursuant to conditions attached to 	<p>Council/ Leader/Cabinet</p> <p>Leader/Cabinet</p> <p>Leader/Cabinet</p> <p>Leader/Cabinet</p>

Description of delegation	Responsibility delegated from
<p>Construction Arrangements Approvals granted under paragraphs 16, 17, 23, 24 and 25 and requests for approval to amendments to matters subject to approval issued under the aforementioned paragraphs;</p> <p>(iii) the determination of restoration plans submitted pursuant to the provisions of paragraph 19;</p> <p>(iv) the determination of additional details submitted pursuant to conditions imposed under paragraph 22(2);</p> <p>(v) the determination of all applications for the construction and working site vehicular access points.</p> <ul style="list-style-type: none"> To respond to all consultative submissions made directly to the Council pursuant to the provision of the Channel Tunnel Rail Link Act 1996 junctions 1-4 widening memorandum of undertaking by either the Highways Agency or the Channel Tunnel Rail Link's nominated undertaker; and to respond to all neighbouring authority consultative submissions. This delegation to be suspended if any member of the Council so requests. 	<p>Leader/Cabinet</p> <p>Leader/Cabinet</p> <p>Leader/Cabinet</p> <p>Leader/Cabinet</p>
<p>8.4 Public transport:</p> <ul style="list-style-type: none"> To manage the public transport regulation, public transport development and transport policies of the Council in compliance with current legislations and the policies of the Council. 	<p>Council/ Leader/Cabinet</p>
<p>8.5 Land:</p> <ul style="list-style-type: none"> To accept blight notices and to approve the purchase of land which is statutorily blighted by highway proposals, and to approve counter-notices where it is considered there is no such statutory obligation; To demolish properties (as part of any scheme approved by the Council). 	<p>Leader/Cabinet</p> <p>Leader/Cabinet</p>
<p>8.6 Street naming and numbering:</p> <ul style="list-style-type: none"> To agree street naming and the naming or numbering of buildings. 	<p>Council</p>
<p>8.7 Gifts for the benefit of the public:</p> <ul style="list-style-type: none"> To accept gifts of seats, trees, etc. on behalf of the Council. 	<p>Leader/Cabinet</p>
<p>8.8 Tree donation:</p>	

Description of delegation	Responsibility delegated from
<ul style="list-style-type: none"> To fix the fee for any tree donation scheme. 	Leader/Cabinet
<p>8.9 Buildings at risk:</p> <ul style="list-style-type: none"> To offer grant monies towards urgent repairs of buildings at risk in cases where they may have recently come into new ownership and would, therefore, not meet the normal criteria and where the director is satisfied that a grant is necessary to secure the repair of the building at risk. 	Leader/Cabinet
<p>8.10 Civil protection and defence:</p> <ul style="list-style-type: none"> To manage the emergency planning, civil protection and defence functions in compliance with current legislation and the policies of the Council. 	Leader/Cabinet
<p>8.11 Environmental health and trading standards matters:</p> <ul style="list-style-type: none"> To manage the services of public health, port-health, environmental health, food poisoning and infectious diseases, waste collection and management, street cleansing, health and safety, food safety, shops, markets and street trading, Sunday trading, trading standards, consumer protection, weights and measures, litter, animal health and welfare, pest and dog control services, contaminated land, public conveniences, shopping trolleys, abandoned vehicles and materials on the highway, private drainage, and water supplies in compliance with current legislation and the policies of the Council. 	Council/ Leader/Cabinet
<p>8.12 Planning and transport fees and charges:</p> <ul style="list-style-type: none"> To make minor adjustments to fees and charges during the financial year in line with government guidance as it emerges, within 5% of amount levels. 	Leader/Cabinet
<p>8.13 Museums:</p> <ul style="list-style-type: none"> Manage the museums and archiving services of the Council in compliance with current legislation and the policies of the Council. 	Leader/Cabinet
<p>8.14 Parks and open spaces and professional fun fairs:</p> <ul style="list-style-type: none"> To manage the parks, open spaces and country parks of the Council in compliance with current legislation and the policies of the Council; To determine applications for professional sideshows and amusements in open spaces or recreation grounds in the borough. 	Leader/Cabinet Leader/Cabinet

Description of delegation	Responsibility delegated from
8.15 Allotments: <ul style="list-style-type: none"> • To manage the allotment service of the Council in compliance with current legislation and the policies of the Council. 	Leader/Cabinet
8.16 Medway Partners for Growth Scheme: <ul style="list-style-type: none"> • Applications to the scheme to be considered and determined by the Assistant Director (Development, Economy and Transport) in consultation with the Portfolio Holder. 	Leader/Cabinet
8.17 Sports and leisure facilities, children's play activities and halls of the Council: <ul style="list-style-type: none"> • Manage the sports and leisure facilities, children's play activities and halls of the Council in compliance with current legislation and the policies of the Council. 	Leader/Cabinet
8.18 Arts and entertainment: <ul style="list-style-type: none"> • Manage the arts and entertainment services of the Council including the management of theatres in compliance with current legislation and the policies of the Council. 	Leader/Cabinet
8.19 Medway Park Car Park: <ul style="list-style-type: none"> • The operation of the parking ticket reimbursement system to the Medway Park users. 	Leader/Cabinet
8.20 International Relations Project Funding: <ul style="list-style-type: none"> • In the event of urgent project funding applications being received in the future which require decisions prior to the next scheduled meeting of the International Relations Committee, such applications will be processed as follows: <ul style="list-style-type: none"> - Referral for consideration and determination to a Special Meeting, or - Considered and determined under delegated authority granted to the Director of Regeneration, Community and Culture in consultation with all members of the Committee, subject to any individual application not exceeding 20% of the total budget allocation of the Committee. 	Council

4.1 So far as this scheme relates to delegations to employees for executive functions it is provisional pending confirmation by the Leader of the Council.