

Joint Waste Scrutiny Panel
27 June 2019
Report for decision

Joint Waste Scrutiny membership, terms of reference and meeting dates 2018/19

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<p>Forward Plan Reference:</p>	
<p>Summary:</p>	<p>The report sets out proposed revisions to the Joint Waste Scrutiny Panel's terms of reference and membership of 10 elected members (2 from each partner authority) for 2019/20, as a result of the amalgamation of the former Taunton Deane Borough Council and West Somerset Council to create the new Somerset West and Taunton local authority as of 1 April 2019.</p> <p>In addition, changes to joint waste scrutiny panel and board membership have occurred following the recent district council elections in May 2019. The revised membership from May 2019 until June 2020 from the four district councils and county council is set out in this report. The report also sets out the Joint Waste Scrutiny Panel's meeting dates for 2019/20.</p>
<p>Recommendations:</p>	<p>That the Joint Waste Scrutiny Panel:</p> <ol style="list-style-type: none"> 1. Agrees the amended Terms of Reference for the Joint Waste Scrutiny Panel (set out in Appendix A) 2. Notes that the Somerset Waste Board's constitution and Inter-Authority Agreement will be amended to reflect the revised partner membership of the Somerset Waste Partnership. 3. Notes the revised Board's membership for 2019/20 and Joint Scrutiny Panel of Somerset Waste Board set out in Section 3 and the need for induction training. 4. Agrees the Joint Waste Scrutiny Panel meeting dates for 2019 and 2020 set out in section 3. 5. Notes the proposed visits and workshops set out in section 4.

1. Background

- 1.1. Since 1992 the Somerset Waste Partnership has improved working arrangements in waste management across the County. In 2007, the partner authorities (comprising Somerset County Council, Mendip district council, Sedgemoor district council, South Somerset district council, Taunton Deane borough council and West Somerset council) agreed to establish the Somerset Waste Board as a Joint Committee with an Administering Authority. The Partner Authorities delegated responsibilities for waste collection, waste recycling, and waste disposal to the Waste Board.
- 1.2. The legal powers to constitute a Joint Committee and discharge the Partner Authorities' statutory waste functions and responsibilities to it are in Sections 101 and 102 of the Local Government Act 1972, and the Local Authorities (Arrangement for the Discharge of Functions) (England) (Amendment) Regulations 2001 made under Section 20 of the Local Government Act 2000. A Joint Committee does not have a separate legal personality and as such is not able to hold contracts or employ staff. In this instance a well-established solution is that one of the authorities becomes the 'administering authority' for the purpose of holding contracts and employing staff.
- 1.3. The Board has a Constitution and there is also an Inter-Authority Agreement which sets out how the partners work together and how costs are shared amongst partners.
- 1.4. The Constitution sets out the membership of the Waste Board, its functions and voting arrangements. Following the amalgamation of the two former councils of West Somerset Council and Taunton Deane Borough Council to the new authority of Somerset West and Taunton Council the number of partner organisations has reduced from 6 to 5 and therefore the number of members has reduced from 12 members to 10. Each of the five Partner Authorities is represented on the Board by two Elected Members, one of whom is the Portfolio Holder for Waste and/or Environment functions. The 10 elected members on the Waste Board are supported by officers from Somerset Waste Partnership, the Administering Authority (Somerset County Council) and from partners.

Following the district council elections in May 2019, there have been significant changes to the membership of the Board with 80% of the Waste Board now comprising new members. There will be a requirement for officers to ensure these members benefit from an early induction and training regarding the Waste Partnership and Waste Board Business Plan priorities, services, meeting procedures and standing orders.

- 1.5. The Joint Waste Scrutiny Panel (the Panel) was re-established in Autumn 2017. The Panel aims to allow effective multi-authority scrutiny of the Somerset Waste Board and support the strategic development of the Somerset Waste Partnership. The Panel does not replace or duplicate the role of individual partner scrutiny committees but aims to add value to the joint working of the board. In conducting this role it may:
 - Scrutinise decisions of the Somerset Waste Board
 - Explore specific issues that benefit from member involvement in detailed

- review
- Support the board in developing its strategic development

It is the responsibility of each authority's representative member to report the recommendations of the panel back to their individual scrutiny committees. The Chair of the panel will report the recommendations of the panel to the Somerset Waste Board (or if they are unavailable, they will be reported to an officer), and the minutes of the panel will be circulated to the board.

2. Revised Constitution for the Board

1.6. A revised Constitution for the Somerset Waste Board is necessary to reflect the new partner authority membership of the Somerset Waste Partnership. The key revisions are:

- Revised the membership of the Board to replace references to Taunton Deane and West Somerset councils with the new authority. The new authority is only entitled to two representatives.
- The Board membership reduces from 12 members to 10 members (still reflecting two members per partner authority)
- Revised quorum requirements from six members to five members, with the requirement for at least one member from each of three (currently four) different Partner Authorities
- The need to review the scrutiny arrangements and in particular the membership of the Joint Scrutiny Panel

2. Joint Waste Scrutiny/Somerset Waste Board Membership 2019-20

2.1. The Board membership for 2019/20 is as follows:

Mendip District Council

Adam Boyden

Tom Ronan

Sedgemoor District Council

Gill Slocombe

Janet Keen

Somerset County Council

David Hall

Clare Paul

South Somerset District Council

Tim Kerley

Sarah Dyke

Somerset West and Taunton Council

Alan Wedderkopp

David Mansell

2.2. The joint waste scrutiny panel membership for 2019/20 is as follows:

Mendip District Council

Garfield Kennedy

Michael Dunk

Sedgemoor District Council

Li Gibson

Ian Dyer

Somerset County Council

Liz Leyshon

Tbc by Place Scrutiny Committee on 19 June 2019

South Somerset District Council

Brian Hamilton

Charlie Hull

Somerset West and Taunton Council

John Hassall

Anthony Trollope-Bellew

3. Joint Waste Scrutiny Panel meeting dates

3.1. The panel is requested to approve the following meeting dates::

3.2.	2019	2020
	TBC	TBC

3.3. All meetings to be held at 10am and will be held at SWP's Office in Broughton House. Agendas and papers will be published five clear working days before the meeting. Where the panel is considering matters ahead of Board consideration, the panel will receive identical papers to the Board.

4. Proposed visits and workshops

4.1. The panel is asked to note the proposed visits and workshops scheduled for 2019:

Friday 19 July – Recycle More/further induction workshop, Broughton House
Monday 22 July – Visit to Walpole Anaerobic Digester
Monday 9 September – Visit to Avonmouth Resource Recovery Centre
Thursday 3 October – Waste and the Climate Emergency (inc. what happens to our recycling), Broughton House
TBC – Visit to Carymoor Environmental Trust, Dimmer landfill and Transfer Station

5. Background papers

5.1 Joint Waste Scrutiny Panel Terms of Reference (Appendix A)

Appendix A: Somerset Joint Waste Scrutiny Panel Terms of Reference

1. Purpose and powers

The Somerset Joint Waste Scrutiny Panel (the Panel) will allow effective multi-authority Scrutiny of the Somerset Waste Board and support the strategic development of the Somerset Waste Partnership. The Panel will not be constituted as a formal joint committee. It does not replace or duplicate the role of individual partner scrutiny committees but aims to add value to the joint working of the board.

2. Membership

The Panel will comprise of two members from each participating authority. They will be appointed annually by the Scrutiny Committee (or equivalent) of each partner authority as determined locally, except that they should not be Executive members of any authority. The following members have been appointed to the Panel as of June 2019:

- **Mendip District Council**
 - Garfield Kennedy
 - Michael Dunk
- **Sedgemoor District Council**
 - Li Gibson
 - Ian Dyer
- **Somerset County Council**
 - Liz Leyshon
 - Tessa Munt
- **South Somerset District Council**
 - Brian Hamilton
 - Charlie Hull
- **Somerset West and Taunton Council**
 - John Hassall
 - Anthony Trollope-Bellew

3. Role

The Panel will act as a “scrutiny commission” or “task group” on behalf of every authority. In conducting this role it may:

- Scrutinise decisions of the Somerset Waste Board
- Explore specific issues that benefit from member involvement in detailed review
- Support the board in developing its strategic development

4. Recommendations

The recommendations of the Panel will be reported to:

- each authority’s Scrutiny Committee via the authority’s representative member
- Somerset Waste Board via the chair of the panel (or via an officer if the chair is unable to be present) with the minutes shared with the board once drafted

If necessary, each Scrutiny Committee can make recommendations to its own Executive and receive a response.

5. Meeting and Support Arrangements

The Panel will meet quarterly. Somerset County Council, as administering authority for the Somerset Waste Partnership, will provide administrative support for the Panel. It is expected the senior officers will attend each Panel meeting. The Panel will be responsible for electing a chair.
