

BARNSELEY, DONCASTER AND ROTHERHAM JOINT WASTE BOARD
Monday, 30th September, 2019

Present:- Councillor Hoddinott (in the Chair); Councillor C. McGuinness (Doncaster MBC) and Councillor S. Howard (Barnsley MBC); together with Mrs. L. Baxter, Ms. K. Boasman, Mr. S. Blakeman, Mr. J. Busby (DEFRA), Mr. P. Hutchinson and Mr. T. Smith.

Apologies for absence were received from Councillor Lamb (Barnsley MBC), Sansome (Rotherham MBC), Mr. P. Castle (Barnsley MBC), Mr. P. Dale (Doncaster MBC) and Mrs. G. Gillies (Doncaster MBC).

32 DECLARATIONS OF INTEREST

No Declarations of Interest were made at the meeting.

33 MINUTES OF THE PREVIOUS MEETING HELD ON 11TH MARCH, 2019 AND ANY MATTERS ARISING

Consideration was given to the minutes of the previous meeting of the Barnsley, Doncaster and Rotherham Joint Waste Board held on 11th March, 2019.

Agreed:- That the minutes of the previous meeting be approved as a correct record.

34 APPOINTMENT OF CHAIRMAN FOR THE MUNICIPAL YEAR 2019/20

Agreed:- That Councillor Lamb of Barnsley Metropolitan Borough Council be appointed Chair of the Barnsley, Doncaster and Rotherham Joint Waste Board for the 2019/20 Municipal Year.

35 APPOINTMENT OF VICE-CHAIRMAN FOR THE MUNICIPAL YEAR 2019/20

Agreed:- That Councillor McGuinness of Doncaster Metropolitan Borough Council be appointed Vice-Chair of Barnsley, Doncaster and Rotherham Joint Waste Board for the 2019/20 Municipal Year.

36 JOINT WASTE BOARD

The Barnsley, Doncaster and Rotherham Joint Waste Manager submitted a report stating that one of the contractual documents entered into between the Barnsley, Doncaster and Rotherham Local Authorities at financial close of the BDR Waste PFI project was an Inter-Authority Agreement (IAA). This IAA creates the Joint Waste Board (“JWB”) as a joint committee pursuant to Section 101(5) of the Local Government Act 1972, which is established as part of the joint working arrangements between the Local Authorities for the management and administration of what are termed Relevant Contracts under the IAA. At the date of today’s

meeting, the BDR Waste PFI Contract is the only Relevant Contract to which the IAA applies and is referred to as the "Principal Contract".

The submitted report detailed how the functions of this Joint Waste Board will be delegated down to the BDR Steering Committee and the BDR Manager in order to deal more efficiently with the day-to-day decisions that will be required under the Principal Contract. All decisions of the JWB, BDR Steering Committee and the BDR Manager will be made in accordance with the provisions of the prevailing Inter-Authority Agreement.

It was noted that the report template stated that the report had been approved by the Assistant Director of Legal Services who had in fact left the Authority some time ago. It was not known whether the report had received approval by the Legal Accountable Officer.

Agreed:- (1) That the report be received and its contents noted.

(2) That the Joint Waste Board notes that:-

(a) with the exception of the decisions reserved to the Local Authorities for a unanimous decision under the Inter-Authority Agreement, all other decisions in respect of the Principal Contract are delegated by the Joint Waste Board to the Authorised BDR Steering Committee Member;

(b) the Authorised BDR Steering Committee Member may elect to delegate certain decisions to the BDR Manager;

(c) the BDR Manager may delegate any decisions delegated to them to a member of the Joint Waste Team (if the right to delegate is granted by the Authorised BDR Steering Committee Member); and

(d) Rotherham Metropolitan Borough Council's representative on the BDR Steering Committee (Tom Smith, Assistant Director Community Safety and Street Scene) will be the Authorised BDR Steering Committee Member for 2019/20.

(3) That the report template be updated to reflect the correct approval status.

(4) That discussion take place with the Democratic Services Manager with regard to webcasting of the meeting.

BDR MANAGER REPORT APRIL TO JULY 2019

Consideration was given to the update report of the BDR Manager covering the period from April 2019 to July 2019.

A number of issues were highlighted including:-

- Resources
- Contract Delivery
- Complaints
- Health and Safety
- Legal
- Finance
- Communications
- Human Resources

Discussion ensued with the following issues raised/clarified:-

- Current recycling performance - 12.51%
- General contract performing satisfactorily
- Investigations had taken place into the complaints received with regard to flies with work undertaken to gain a much better understanding of whether the flies were associated with the site or not
- Significant progress made with regard to fire protection work and on target for completion mid-November
- The increase in “close calls” evidenced a more pro active approach to and awareness of the importance of health and safety

Agreed:- That the report be received and its contents noted.

38 CURRENT ISSUES

The Doncaster representative reported that they had a meeting with their Clinical Commissioning Group the following week to discuss Clinical Waste Service.

The Rotherham representative reported that the Authority had a new agreement in place with Rotherham’s Clinical Commissioning Group which saw them continuing to pay for the collection service.

There was no update from Barnsley.

39 RISK REGISTER

The Barnsley, Doncaster and Rotherham Joint Waste Board considered the updated Waste PFI risk status report (risk register) which had been maintained during the various stages of the joint waste project. The report stated that 16 risks were registered with one new risk proposed for inclusion on the Register. There were currently no risks proposed for deletion in the Register.

Agreed:- That the updated information on the risk status report, as now submitted, be received.

40 EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That under Section 100(A) 4 of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006 (information relates to finance and business affairs).

41 BDR MANAGERS ANNUAL REPORT 2018-19

The Barnsley, Doncaster and Rotherham Joint Waste board submitted a report which highlighted and updated the following issues relating to the Joint Waste Private Finance Initiative (PFI) for the period April 2018 to March 2019:-

- Governance
- BDR Liaison Committee Meeting
- BDR Steering Committee
- Operating Contractor
- Contract Delivery
- Complaints
- Fire Protection Improvements
- Upgrade works
- Health and Safety
- Insurance
- Operational Management Budget 2019-20
- Communications

Agreed:- That the report be noted.

42 ANY OTHER BUSINESS

There was no other business to report.

43 DATE, TIME AND VENUE FOR THE NEXT MEETING

Agreed:- That the next meeting of the Barnsley, Doncaster and Rotherham Joint Waste Board be held on Monday, 2nd December, 2019, at the Town Hall, Rotherham.