Rotherham Metropolitan Borough Council

BRIEFING	**TO:**	BDR Joint Waste Board
	DATE:	16/11/2026
	LEAD OFFICER:	Carl Hewlett Interim BDR PFI Waste Manager
	TITLE:	Annual Rotation of Chair

1. Background

1.1 One of the contractual documents entered into between Barnsley Metropolitan Borough Council, Doncaster City Council and Rotherham Borough Council (the "Authorities") at financial close of the BDR Waste PFI project was an Inter-Authority Agreement ("IAA3") being the third joint working agreement between the Authorities following on from procurement phase and pre-financial close versions. This IAA3 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 Authorities for the management and administration of what are termed Relevant Contracts under the IAA3. At the date of this meeting, the BDR Waste PFI Contract is the only Relevant Contract to which IAA3 applies and is referred to as the "Principal Contract".

This briefing details how the functions of the JWB will be delegated down to the BDR Steering Committee chair and then to the BDR Manager (as chair of the Joint Waste Team which reports to the BDR Steering Committee) to more efficiently deal with the day-to-day decisions that will be required under the Principal Contract. All decisions of the JWB, BDR Steering Committee chair and BDR Manager will be made in accordance with the provisions of the prevailing IAA3.

Local authorities may arrange for the discharge of functions by (i) a joint committee or (ii) by an officer of one of them under section 101(5)(a) of the Local Government Act 1972. In this case, a group of officers is established under IAA3 called the BDR Steering Committee, which will be empowered to make the day-to-day decisions required for the management and administration of the Principal Contract. However, the Local Government Act 1972 does not allow the delegation of powers to be exercised jointly by a committee of officers.

To fit with the legislative requirements the Joint Waste Board (JWB) as a joint committee of members therefore delegates its powers to one of the BDR Steering Committee officers (the "Authorised BDR Steering Committee Member"), who will then act in consultation with the other officers from the Authorities on the BDR Steering Committee.

It has been agreed previously that the roles of the Chairman and Vice-Chairman of the JWB will rotate between the three Authorities on an annual basis at the AGM in June/July. For the municipal year 2025/26, this delegation was made to the Barnsley Metropolitan Council member of the BDR JWB, who also acted as the Chairman of that body.

	The structure of the BDR JWB for 2026/27 will be as follows: **Rotherham Borough Council Representative: Chair** **Councillor Lynda Marshall** Waste Services, Leisure and Green Spaces Deputy: Councillor Saghir Alam **City of Doncaster Council representative: Vice Chair** **Councillor Glyn Jones** Deputy Mayor and Portfolio Holder for Environment, Housing and Safer Communities Deputy: Councillor James Church - Cabinet Member for Neighbourhoods, Planning and Public Health **Barnsley Metropolitan Borough Council representative: Member** **Cllr David Goddard** Cabinet Spokesperson Environment & Transport Deputy: Cabinet Support Member – Alan Parker In line with this principle, it has been agreed that the Authorised BDR Steering Committee Member will also rotate annually. For the municipal year 2026/27, this delegation will therefore be made to the Barnsley Borough Council member of the BDR Steering Committee. This officer, as Authorised BDR Steering Committee member, will subsequently delegate certain functions to the BDR Manager to more efficiently deal with the day-to-day decisions that will be required under the Principal Contract. The structure of the BDR Steering Committee will be as follows: **Barnsley Metropolitan BC representative: Chair** The Service Director (Environment & Transport) or in their absence the Head of Commercial and OP Support Services (Environment and Transport) **City of Doncaster Council representative: Vice Chair** The Assistant Director (Environment) or in their absence Head of Waste and Highways Infrastructure **Rotherham Borough Council representative: Member** Service Director (Regeneration and Environment) or in their absence Service Manager (Regeneration and Environment).
2. Key Issues	
2.1	Delegation of decisions in the manner requested facilitates the smooth running of the Joint Waste Board. Without such delegations in place, given that this is a high value, long term joint project involving three local authorities with central government revenue support funding, there would be a serious risk that proper and prompt decision making would prove to be very difficult, with a consequent adverse effect on the efficient operation of the PFI project
3. Key Actions and Timelines	
3.1	The delegations and rotation of Chair and Vice-Chair of the JWB are a contractual requirement of the IAA3 and should take place at the AGM of the JWB in June each year.

4. Recommendations	
4.1	That the JWB note that: 1. Apart from the decisions reserved to the Authorities for a unanimous decision under the IAA3, all other decisions in respect of the Principal Contract are delegated by the JWB to the chair of the BDR Steering Committee (the "Authorised BDR Steering Committee Member"). 2. The Authorised BDR Steering Committee Member may elect to delegate certain decisions to the BDR Manager. 3. 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).