

**BARNSELEY, DONCASTER AND ROTHERHAM JOINT WASTE BOARD
14th June, 2013**

Present:- Councillor R. Miller (Barnsley MBC); Councillor B. Mordue (Doncaster MBC) and Councillor R. S. Russell (Rotherham MBC).

Beth Clarke	BDR Joint Waste Project Manager
David Burton	Rotherham MBC
Gill Gillies	Doncaster MBC
Ian Gledhill	Rotherham MBC
Jonathan Baggaley	Rotherham MBC
Matthew Bell	Barnsley MBC
Peter Dale	Barnsley MBC
Steve Noble	DEFRA

Apologies for absence were received from Councillors C. Mills (Doncaster MBC), S. Ali (Rotherham MBC), Sharon Howard, Tracy Holmes (Rotherham MBC) and Dr. Ann Gosse (Barnsley MBC)

K1. APPOINTMENT OF CHAIRMAN FOR THE MUNICIPAL YEAR 2013/2014.

Resolved:- That Councillor Chris Mills of Doncaster Metropolitan Borough Council be appointed Chairman of the Barnsley, Doncaster and Rotherham Joint Waste Board for the 2013/2014 Municipal Year.

K1. APPOINTMENT OF VICE-CHAIRMAN FOR THE MUNICIPAL YEAR 2013/2014.

Resolved:- That Councillor Roy Miller of Barnsley Metropolitan Borough Council be appointed Vice-Chairman of the Barnsley, Doncaster and Rotherham Joint Waste Board for the 2013/2014 Municipal Year.

(Councillor R. Miller in the Chair)

K1. DECLARATIONS OF INTEREST.

There were no declarations of interest made at this meeting.

K1. MINUTES OF THE PREVIOUS MEETING HELD ON 15TH MARCH, 2013.

Consideration was given to minutes of the previous meeting of the Barnsley, Doncaster and Rotherham Joint Waste Board, held on 15th March, 2013.

Resolved:- That the minutes of the previous meeting be approved as a correct record for signature by the Chairman.

K1. MATTERS ARISING.

There were no matters arising to report.

K1. AUTHORISED REPRESENTATIVES.

It was noted that Councillor. B. Mordue was attending this meeting on behalf of Doncaster Metropolitan Borough Council representative, Councillor C. Mills.

K1. IAA2 REPORT.

Further to Minute No. D8 (Delegation of Powers) of the Barnsley, Doncaster and Rotherham Joint Waste Board held on 29th June, 2012, consideration was given to the report presented by the Legal Adviser to this Board, which noted the delegations under the Second Inter-Authority Agreement (IAA2) for the Barnsley, Doncaster and Rotherham Joint Waste Board for the Municipal Year, 2013-2014. This committee had been created pursuant to Section 101(5) of the Local Government Act, 1972.

The report outlined proposals for how the Joint Waste Board would be delegated to the Barnsley, Doncaster and Rotherham Joint Waste Steering Committee, which would be empowered to make day-to-day decisions relating to the Principal Contract. However, the provisions of the Local Government Act, 1972 did not allow for the delegation of powers to be exercised jointly by a committee of officers.

The proposed scheme of delegations for the Barnsley, Doncaster and Rotherham Councils' Joint Waste Project for the 2013-2014 Municipal Year were suggested. The roles would rotate to avoid a conflict of interest so that no Authority was holding more than one of the three key roles: -

- Authorised Barnsley, Doncaster and Rotherham Steering Committee member (Chairperson of that Body): -

Rotherham Metropolitan Borough Council for the 2013-2014 Municipal Year;

- This Officer would subsequently delegate certain functions to the Barnsley, Doncaster and Rotherham Manager in order to deal with the day-to-day functions of the Principal Contract.

- The membership of the Steering Committee would be: -
 - Barnsley Representative: - The Assistant Director, Highways, Engineering and Waste Management and Neighbourhoods. In their absence, the Group Manager, Waste Services;
 - Doncaster Representative: - The Assistant Director, Environment. In their absence, the Head of Service for Environmental Protection;
 - Rotherham Representative: - The Director of Streetpride. In their absence, the Waste Strategy Manager.

Resolved: - (1) With the exception of the decisions reserved to the Authorities for a unanimous decision under IAA2 all other decisions in respect of the Principal Contract are delegated by the Joint Waste Board to the Authorised Barnsley, Doncaster and Rotherham Steering Committee Member.

(2) The Authorised Barnsley, Doncaster and Rotherham Steering Committee Member may elect to delegate certain decisions to the Barnsley, Doncaster and Rotherham Manager.

(3) The Barnsley, Doncaster and Rotherham Manager may delegate any decisions delegated to her to a member of the Joint Waste Team (if the right to delegate is granted by the Authorised Barnsley, Doncaster and Rotherham Steering Committee Member).

(4) The Joint Waste Board noted that Rotherham Metropolitan Borough Council's representative on the Barnsley, Doncaster and Rotherham Steering Committee would be the Authorised Barnsley, Doncaster and Rotherham Steering Committee Member for the Municipal Year, 2013/14.

K1. BARNSELEY, DONCASTER AND ROTHERHAM MANAGER'S ANNUAL REPORT.

Consideration was given to the submitted annual report of the Barnsley, Doncaster and Rotherham Manager. The information contained within the report included: -

- Background to the project;
- Governance;
- Resources;
- Training;
- Project delivery;
- Technical;
- Audit;

- Legal;
- Communications;
- Health and Safety;
- Risk Register;
- Other, including the Barnsley, Doncaster and Rotherham Joint Waste Project being nominated for a Partnership Award, 2013.

Since publication of the report an update was available in relation to section 6.3.4 'Bolton Road Construction'. The Planning Consent had been referred to the Planning Casework Unit on 16th May, 2013, due to the Green Belt issue. No call-in had taken place, so the decision had been upheld and was now subject to Judicial Review.

Since publication of the report, in relation to section 10.1 'Health and Safety' two injuries that were reportable to the Health and Safety Executive had occurred. In relation to Section 10.2 an incident of ocre water had occurred resulting from a blockage and subsequent stagnation of water. The Environment Agency had been involved and had ruled that there were no issues of concern.

Discussion ensued on the nomination of the Barnsley, Doncaster and Rotherham Joint Waste Project for a Partnership Award. The Project did not win this category, although feedback had suggested that it was very close and the standard of entries had been exceptionally high. The Barnsley, Doncaster and Rotherham Joint Waste Board Elected Members thanked the Officers involved for their hard work.

Resolved: - That the Barnsley, Doncaster and Rotherham Manager's annual report be received and the information noted.

K1. RISK REGISTER.

The Barnsley, Doncaster and Rotherham Joint Waste Board considered the updated Waste PFI transition phase risk register.

It was noted that the risks in relation to business continuity resulting from 'permitting delay' and 'permitting failure' had now been closed off.

There were no issues to report based on the risk status report as at 29th May, 2013.

Resolved:- That the updated information on the risk register be received.

K1. AUDIT SUMMARY REPORT.

Further to Minute No. D35 (Audit Action Plan) of the Barnsley, Doncaster and Rotherham Joint Waste Board held on 15th March, 2013, consideration was given to the report presented by the Barnsley,

Doncaster and Rotherham Manager in relation to the strategic-level governance review of the Waste Management PFI Contract between the three Local Authorities and 3SE. A rating of adequate of assurance was given in relation to the internal control framework, meaning that a sufficient framework of key controls existed, which was likely to result in objectives being achieved, but that the control framework could also be stronger.

The Barnsley, Doncaster and Rotherham Manager reported on the on-going progress in relation to this rating.

There were three actions outstanding in relation to open risks: -

- Contract Manuals – resources had been increased to complete production of contract manuals within the timescales available;
- Terms of Reference – the terms of contract would be merged into a terms of reference specific for each group;
- Rotherham's Finance Systems were being updated and Barnsley, Doncaster and Rotherham procedures were being implemented to comply with the new systems.

Resolved: - That the progress towards the recommendations of the Waste Management PFI Contract Review Audit Report, 2013, be noted.

K1. EXCLUSION OF THE PRESS AND THE PUBLIC.

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and 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 12A to the Local Government Act 1972 as amended (information relating to the financial/business affairs of any person (including the Joint Committee)).

K1. BDR PFI BUDGET 2012-2013.

Consideration was given to a report of the Barnsley, Doncaster and Rotherham Manager and presented by the Finance Strategy Manager (Financial Services, Resources Directorate) detailing the 2012/13 annual return of the Operational Management Budget for the Barnsley, Doncaster and Rotherham Waste Partnership and presenting the 2013/14 Budget for approval.

It was noted that the Annual Governance Statement for the Financial Year 2012-2013 was required to be submitted to the Audit Commission.

The outturn position for the 2012-2013 Financial Year was a reported underspend of £198,095. This outturn position would be subject to

scrutiny by BDO LLP, who had been appointed by the Audit Commission, and by Rotherham Metropolitan Borough Council's Internal Audit, as lead Authority. The financial records would be available for public inspection between 24th June, 2013 and 19th July, 2013. Notice of this would be displayed in the three Authorities between 10th June and 23rd June, 2013.

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

(2) That the 2012/13 annual return of the Operational Management Budget for the Barnsley, Doncaster and Rotherham Waste Partnership, as now submitted, be approved.

(3) That the 2013/14 Operational Management Budget for the Barnsley, Doncaster and Rotherham Waste Partnership, as now submitted, be approved.

K1. DATE, TIME AND VENUE FOR THE NEXT MEETING: -

Resolved: - That the next meetings of the Barnsley, Doncaster and Rotherham Joint Waste Board take place on: -

- Friday 13th September, 2013, briefing to begin at 1.30 p.m., meeting to start at 1.45 p.m., in the Rotherham Town Hall;
- Friday 13th December, 2013, briefing to begin at 1.30 p.m., meeting to start at 1.45 p.m., in the Rotherham Town Hall.