

# **Report of the Monitoring Officer**

7 October 2013

## **Gloucestershire Joint Waste Committee – Terms of Reference**

### **1. Purpose of Report**

The purpose of this report is to recommend for approval by Cabinet and inclusion in the Council's constitution the Terms of Reference of the Gloucestershire Joint Waste Committee, as set out at Appendix A of this report.

### **2. Joint Decision Making**

A Joint Committee allows two or more local authorities to delegate powers and decision making, (within an agreed framework and accountability), to a single decision making body.

According to its Constitution, Gloucestershire County Council may establish joint arrangements with one or more local authorities to exercise non-cabinet functions or to advise Council. Similarly, Cabinet may establish joint arrangements with other local authorities to exercise Cabinet functions. These arrangements may involve the appointment of joint committees whose members may include elected members of other local authorities. The committee need not be politically balanced.

### **3. Gloucestershire Joint Waste Committee**

3.1 There are particular benefits from joint working in recycling and waste management. In recent years, the roles of district councils as waste collection authorities, and county councils as the waste disposal authority, have become increasingly complex and interdependent on one another, with a growing interest in sharing services across district boundaries.

3.2 As a consequence, Gloucestershire Joint Waste Committee was formed in April 2013 under sections 101 and 102 of the Local Government Act 1972 and the Local Authorities (Arrangements for the Discharge of Functions (England) Regulations 2012, to oversee the recycling, waste collection and street cleansing services for three district councils, and to deliver the waste treatment and disposal services for the County.

3.3 The partnership comprises:

- Cheltenham Borough Council;
- Cotswold District Council;
- Forest of Dean District Council
- Gloucestershire County Council

3.4 The agreed framework for the Gloucestershire Joint Waste Committee is an Inter Authority Agreement. Signed in March 2013, the Inter Authority Agreement sets out the delegation of powers to the Joint Waste Committee for the waste collection and disposal and street cleansing of each partner authority, including in Schedule 1 the detailed constitutional and working arrangements.

3.5 The Joint Waste Committee is hosted by Gloucestershire County Council, who will act as the Administering Authority.

3.6 Subject to the agreement of the partner authorities, should another local authority be permitted to join the Joint Waste Committee, then the Inter Authority Agreement provides that the committee shall be dissolved with a view to a new committee being established, the constitution of which shall be based on the Constitution at Schedule 1 of the Agreement.

#### **4. Recommendations**

It is recommended that the Constitution Committee approve the Terms of Reference of the Gloucestershire Joint Waste Committee for inclusion in the Council's Constitution as set out in Appendix A of this report and recommend the same to Cabinet.

Jane Burns

Monitoring Officer

September 2013

