

# Agenda Item 7



LINCOLNSHIRE WASTE PARTNERSHIP

8 July 2021

**SUBJECT :** Governance - Review of LWP Terms of Reference and LWP Programme Delivery Manager Role

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## BACKGROUND INFORMATION

The Terms of Reference for the Lincolnshire Waste Partnership are to be reviewed regularly as stated within them. In order to bring this review in line with the AGM of the LWP the TOR are detailed below with discussion suggestions for review.

The LWP put into place the role of Programme Delivery Manager in 2019 and this is also an opportunity to review the requirements of this post.

## 1. TERMS OF REFERENCE

The current Terms of Reference for the LWP, last reviewed by this forum in March 2020 are detailed below:

1. The main roles of the Lincolnshire Waste Partnership shall be to:
  - a. To focus all Stakeholders on the delivery of the objectives set out in an agreed Joint Municipal Waste Strategy.
  - b. Monitor performance against the objectives set out in the agreed waste strategy
  - c. To provide a mechanism through which to assess the impacts of change on all stakeholders in the control and management of waste, be that residents, business, or other third parties, are fully considered before individual decisions are taken.

- d. To ensure close communication between partners, and consistent messages to Stakeholders.
  - e. To agree a Lincolnshire position in respect of national waste management issues, and to lobby in support of this position when required.
  - f. To provide a framework for sharing and learning
  - g. To establish a culture with values in support of the agreed waste strategy.
  - h. By way of a clear voting structure, make clear the majority view of the Partnership, so that all partners can determine their own authority's actions in that context.
2. The Lincolnshire Waste Partnership shall be comprised of one member and one officer from each Council outlined below, who should be the strategic lead for waste matters; but each Local Authority shall have only one vote.
  - a. Boston Borough Council
  - b. City of Lincoln Council
  - c. East Lindsey District Council
  - d. Lincolnshire County Council
  - e. North Kesteven District Council
  - f. South Holland District Council
  - g. South Kesteven District Council
  - h. West Lindsey District Council
3. The Council member from each authority may represent that council, regardless of its structure, but they must be authorised to represent the views of that authority as a whole, such that the group may take it that any view they express individually shall represent the position of the authority, unless caveated appropriately for the record.
4. Substitutes for councillors are permitted. Where a Councillor cannot attend, a councillor substitute must be provided in order to have voting rights. An authority may make their views known through their attending officer, but they will not be able to cast a vote on behalf of an absent councillor.
5. The Lincolnshire Waste Partnership will also include one elected member and one officer representing the Greater Lincolnshire Leaders and Chief Executives group, who will be the strategic lead for waste matters.
6. A representative from the Environment Agency shall be invited to attend the Lincolnshire Waste Partnership meeting as observer, and to provide technical guidance.
7. Members of the partnership shall be required to:
  - Attend meetings prepared and briefed

- Act in support of clause 1 of the ToR
  - Act in a supportive manner to colleagues of the partnership - Challenge constructively
  - Declare any concerns on issues, stating how they would wish to see them resolved
  - Respect confidences
8. Membership of the partnership is open to any neighbouring authority where, by majority vote, the partnership feel it would be of benefit.
  9. The quorum for the Lincolnshire Waste Partnership shall be five elected members.
  10. A Chairman and Vice Chairman shall be elected on an annual basis. Where there is no opposition, the Chairman's and Vice Chairman's terms of office may be extended for another year.
  11. The Lincolnshire Waste Partnership can set up working parties to look at and report back on particular issues. The working parties will, where appropriate, include individuals drawn from outside the Partnership.
  12. Lincolnshire County Council will provide Secretariat support for the Partnership, and minutes will be distributed not later than three weeks after each meeting.
  13. The Partnership shall meet formally three times per year, with additional meetings being held as necessary. All meetings for the year ahead shall be diarised at the start of the Municipal Year.
  14. The Annual General Meeting of the Lincolnshire Waste Partnership will be the first scheduled meeting after the AGM of Lincolnshire County Council. The Chairman and Vice Chairman for the forthcoming year will be elected at this meeting.
  15. The Partnership will be supported by the Lincolnshire Waste Partnership Officer Working Group which will meet not less frequently than four weeks before and four weeks after a meeting of the Partnership, and these meetings will be diarised for the year ahead.
  16. The Lincolnshire Waste Partnership will review its governance and the Terms of Reference every two years in the spirit of robust self-assessment and identify where/if changes are appropriate in order to permit the partnership to better meet its main roles.

17. Provisions of the Local Government Access to Information Act 1985 shall be applied to meetings of the Partnership and consequently, meetings shall be open to the public and press, except when matters relating to confidential and exempt information, as defined in the Act, are likely to be disclosed.

#### **FOR DISCUSSION**

Members to review the TOR and in particular to discuss the following amendments:

Point 10 – Whether the term of office should be extended to a period of two/four years. If amended would also need to review point 14.

Point 13 – In light of the upcoming challenges and potential changes that the Environment Bill may impose to increase the regularity to 4 formal LWP meetings per annum.

#### **2. LWP PROGRAMME DELIVERY MANAGER ROLE**

In 2018 the LWP agreed to establish a full time post, the LWP Programme Delivery Manager. This post was jointly funded by the authorities across the partnership and there have been some amendments to these contributions since its inception. The incumbent postholder has now taken a role directly employed by LCC and therefore the substantive post of the LWP Programme Delivery Manager is vacant.

#### **FOR DISCUSSION**

Members to review the requirements of the role in light of the changes that the Environment Bill will impose and consider the following options:

1. To disestablish the post
2. To recruit to the existing job role
3. To review and amend the requirements of the role in light of the changing landscape of Waste Services across the partnership

#### **RECOMMENDATIONS**

1. That the LWP reviews and makes any appropriate changes to the Terms of Reference.
2. That the LWP reviews the requirements of the LWP Programme Delivery Manager role to ensure adequate support to the partnership in delivering against the JMWMS.

#### **APPENDICES**

Appendix A – LWP Programme Manager Job Description