

PROSIECT GWYRDD JOINT SCRUTINY PANEL – 11TH MARCH 2011

SUBJECT: GOVERNANCE ARRANGEMENTS FOR PROSIECT GWYRDD JOINT SCRUTINY PANEL

REPORT BY: PROSIECT GWYRDD SCRUTINY OFFICERS

1. PURPOSE OF REPORT

- 1.1 To make recommendations to improve the Joint Scrutiny Panel's governance arrangements.

2. SUMMARY

- 2.1 This report seeks to respond to Prosiect Gwyrdd's external expert legal advisers recommendation to establish formal terms of reference for the Panel. It also seeks Members' endorsement for improving communication with the Joint Committee and strengthening support arrangements for the Joint Scrutiny Panel.

3. LINKS TO STRATEGY

- 3.1 Prosiect Gwyrdd is a key part of the partner authorities' strategy to secure a solution for the treatment of waste after composting and recycling have been maximised and ensure compliance with landfill divergence targets.

4. THE REPORT

TERMS OF REFERENCE

- 4.1 Advice provided by Pinsent Masons, Prosiect Gwyrdd's expert external legal advisers, recommends that the Joint Scrutiny Panel establishes a clear terms of reference which will assist in defining the role and limitations of the Panel. A draft terms of reference has been developed by officers for Members consideration and this is attached at appendix 1.

Improving Dialogue and Strengthening Support Arrangements

- 4.2 It is important that Members of the Joint Scrutiny Panel are kept up to date with the Project timetable and developments. The key discussions and decisions are recorded in the minutes of the Joint Committee which are publicly available and could be included on the Joint Scrutiny Panel agenda for information.
- 4.3 Whilst the minutes of Joint Committee will be helpful in ensuring the Panel are informed of any actions taken, Members could also make a standing invitation for the Chair of the Joint Committee, or another representative, to attend meetings of the Panel to give a verbal update on the current position of the Project and a view forward to some of the issues anticipated in the coming weeks ahead.

- 4.4 Dan Perkins, Head of Legal and Governance and Monitoring Officer at Caerphilly County Borough Council, has volunteered to become the dedicated legal adviser to the Scrutiny Panel. Mr. Perkins has previously supported the Project Board and is familiar with the past events and the current position of the Project. His involvement would enable Members to have continuity of legal advice during Panel meetings and ensure that Scrutiny Officers have a single point of contact to seek legal advice when preparing reports.
- 4.5 Previously, the administrative arrangements for the Joint Scrutiny Panel have been shared between the partner authorities. It is suggested that this role is delegated to Caerphilly County Borough Council and most future meetings are held at Penallta House. This is the most central Council Office among the 5 partner authorities and would help facilitate Mr. Perkins attendance at meetings.

5. RECOMMENDATIONS

- 5.1 That Members consider and approve the draft terms of reference attached at appendix 1. Should the Panel wish to endorse the draft terms of reference, they are presented to the Joint Committee for agreement.
- 5.2 Joint Committee minutes are included on future Joint Scrutiny Panel agendas for information.
- 5.3 The Chair of the Joint Committee, or another representative, is invited to attend future meetings of the Panel to give a verbal update on the position of the Project .
- 5.4 Dan Perkins is invited to become the Scrutiny Panel's dedicated legal adviser and meeting management arrangements are delegated to Caerphilly County Borough Council.

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Consultees: Anthony O'Sullivan – Chief Executive, Caerphilly County Borough Council
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Dan Perkins – Head of Legal and Governance, Caerphilly County Borough Council
Gail Williams - Principal Solicitor (Corporate/Deputy Monitoring Officer), Caerphilly County Borough Council
Liz Lucas, Head of Procurement, Caerphilly County Borough Council
Ian Evans, Procurement Manager, Caerphilly County Borough Council
Mark S Williams – Head of Public Services, Caerphilly County Borough Council
Hrjinder Singh – Prosiect Gwyrdd Prosiect Manager
Richard Phillips, Operational Manager, City and County of Cardiff
Hazel Ilett, Scrutiny Manager, Monmouthshire County Council
Jeff Wyatt, Operational Manager, Vale of Glamorgan Council
Dave Collins, Chief Scrutiny Officer, Newport City Council

Appendices

Appendix 1 Terms of Reference