

COUNCIL MEETING 30TH JULY 2007POLICY RECOMMENDATIONS IN PUBLIC SESSION**A CABINET – 16TH JULY 2007**

Minute 34 – Essex Waste Management Partnership – Memorandum of Understanding

A copy of the Cabinet report is attached as Appendix A to this report for consideration alongside the Cabinet recommendation.

34 ESSEX WASTE MANAGEMENT PARTNERSHIP – MEMORANDUM OF UNDERSTANDING

Councillor Walters, Cabinet Member for Environment and Sustainability presented a report outlining details of the proposed Private Finance Initiative (PFI) bid by the Essex Waste Management Partnership which was being made to provide future waste processing infrastructure for Essex. Cabinet noted that the Partnership was seeking each partner to demonstrate its commitment to the project by signing a Memorandum of Understanding (MoU), and for the Area Waste Management Joint Committees to agree a letter of support. The revised MoU and a summary of the new Outline Business Case (OBC) referred to in the MoU were also considered by Cabinet, these documents being attached to the Cabinet report. Councillor Walters explained that the MoU was not legally binding

During consideration of the report Councillor Foster expressed his concerns about the financial implications for Council taxpayers and the potential loss of control in signing up to a long contract. Councillor Foster also expressed concern at the planning process for dealing with the application at Rivenhall Airfield.

Councillor Abbott acknowledged that infrastructure was needed to progress recycling and composting in Essex but expressed a number of concerns about the proposed PFI bid. These concerns were that the bid did not set tough targets for the minimisation of waste, re-use and recycling. He also expressed concern at the anticipated growth rates put forward in the model, the potential loss of control of the collection system, the support that the MoU gives to incineration (waste burning). Councillor Abbott stated that discussions had been taking place on the issues by the County Council's officers since March 2006 and this was only now coming out in the public domain. Councillor Abbott questioned some of the technical information provided in the briefing note on the Essex Waste Strategy and expressed concern at the environmental damage from carbon dioxide emissions, the additional traffic that any plant would generate from all over Essex and the claims made about the level of electricity generated.

Councillor Lager spoke in favour of the amended MoU stating that the Council together with all other authorities in Essex need to do something. He recognised the need for the Council to continue the push for a reduction in packaging and take less to landfill.

Councillor Walters responded to the points made during the debate, explaining that the costs of the PFI bid would be less than other projects. He explained that the inclusion of Rivenhall was only as a reference case and any proposal for Rivenhall would need to go through the full planning process involving consultation with the public.

Councillor Butland, Leader of the Council presented a motion which he asked Cabinet to recommend to the Council. He recognised that the inclusion of Rivenhall was disappointing

but this was only a reference case and was not in any way “a done deal”. He reiterated that doing nothing was not an option.

DECISION: That it be recommended to Council:

That the following motion be adopted:

“This Council remains committed to working in partnership with other Councils, including Essex County Council, to achieve a realistic and sustainable solution for dealing with ever-increasing household waste.

The Council also remains committed to maintaining high levels of recycling. It will continue to maximise opportunities to recycle more and meet our aspirational targets. Reducing the total amount of waste produced is even more important and the Council will actively support waste minimisation initiatives including national campaigns to reduce packaging. It recognises however, that minimisation and recycling alone will not be able to deal with all of our waste.

The Council recognises that the traditional solution of landfill is a diminishing option. This is partly due to the filling of existing sites and difficulties in establishing new sites. More significantly, however, it is the pressure to deal with climate change and the requirement to limit landfill that poses the greatest challenge with significant penalties on the council taxpayer if European and national landfill allowance targets cannot be met.

The Council believes that it needs to be open minded to new ways of working that are of overall benefit to the community. Working with others and embracing new technologies are essential if we are to reduce the overall costs of waste collection and disposal. The Council recognises that Mechanical and Biological Treatment (MBT) and Anaerobic Digestion are appropriate technologies to replace landfill and reluctantly accept that these facilities have to be large scale for financial and environmental viability. It also recognises that even MBT technologies produce a residue – material that cannot be practically or economically recovered from the waste.

As a signatory to the Nottingham Declaration, this Council supports the use of renewable fuels and believes it is not unreasonable to support the extraction of embedded energy in the MBT residue by the combustion of SRF.

The Council notes that the inclusion of the Rivenhall Airfield site in the County's outline business case was disappointing to many, particularly as the Council had objected to its inclusion in the original waste plan and to the specific planning application earlier this year. However, planning permission was given and the Council cannot ignore that fact. The Council acknowledges that Rivenhall is used as an example of a deliverable solution but that the final decision will be subject to a procurement process to help evaluate bids from the waste industry. There has not been, and cannot be, a decision at this stage of the procurement process that commits to development of the Rivenhall option. The Council also notes that in the event of Rivenhall being chosen, another planning application will have to be submitted and determined.

In the light of the above, the Council agrees to support the Memorandum of Understanding between Essex County Council and Local District Councils.

B LOCAL GOVERNMENT REFORM CABINET SUB GROUP – 10TH JULY 2007

A copy of the relevant papers Considered by the Cabinet Sub Group are attached to this report at Appendix B for consideration alongside the following recommendations.

Minute 5 – Changes to Part 3 of the Constitution – terms of reference of Local Committees, Planning Committee and Local Development Framework Panel and Roles and Responsibilities of Members

5. CONSTITUTIONAL CHANGES.

INFORMATION:- The Sub Group considered a range of proposed changes to the terms of reference of Committees which made up part of the Constitution (Part 3 – Responsibility for Functions). These changes were as a direct result of the changes to the decision making structure already approved by Council.

Outlined below are some the comments and suggested changes made by the Group:

Local Committees: There were no changes proposed to the terms of reference presented. In response to questions the Head of Law and Governance confirmed that the Local Committees would be advertised in the local paper and posters /flyers would also be distributed within the area. It was also confirmed that the Council's partners would be invited to attend meetings. A Member suggested that Contact magazine could also be used to promote the committees. It was noted that these issues would fit under a Communication Strategy that would be prepared for the local committees. Members agreed that there was a role for the local Member to get involved in promoting the role of the local committees. Members agreed that, so far as possible, the local committees should be consulted before a Cabinet Member responds to a consultation document in accordance with his or her delegated authority. Having suggested the above Members accepted that the way in which each local committee worked should be a matter for themselves and should not be dictated by Cabinet.

Planning Committee: Under paragraph 1 the two bullet points referring to the Community Strategy and the District Local Plan were deleted, as these are part of the Policy Framework determined by the Council. The bullet point referring to Planning Issues with District Wide implications was deleted as this was felt to be unnecessary.

When considering the role of the Planning Committee in consideration of Public Rights of Way Orders it was agreed that officers should include the relevant local committee in the consultations on all applications that are the responsibility of the District Council.

Local Development Framework Panel: It was agreed that the intention was that this Panel would be a Committee of the Council and it would meet in public session. It would have delegated powers and would recommend any changes to the Policy Framework to the Council having consulted Cabinet and the Local Committees. The above would require some amendments to the wording of paragraph 2.0 of the terms of reference as presented to the Group.

Roles and Responsibilities:

Leader of the Council: It was agreed that the last bullet point should be amended to reflect the fact that the Chief Executive and Chief Officer appraisals were conducted by a cross party panel of Members normally including the Leader and/or the relevant Cabinet Portfolio Holder.

Frontline Members: No changes were proposed to the report.

Member Champions: The role description of Member Champions was endorsed for the time being but it was agreed that any appointment to such a role should await the publication of Government Guidance around the new legislation introduced last year.

DECISION:-

- (1) That the proposed changes to Part 3 of the Council's Constitution be endorsed subject to those changes identified above.
- (2) That it be recommended to Council that the delegation to Cabinet Members set out in paragraph 4 of the Scheme of Delegation (Decision Making by Cabinet Members) be amended by adding the following:-
"provided that before responding to any consultation documents, the Cabinet Member, so far as practicable, shall consult with the Local Committees"
- (3) That it be recommended to Council that the new and amended roles and responsibilities of key Members, as set out in Section 7 of Part 3 of the Constitution, be approved

APPENDIX A – Report to Cabinet – 16th July 2007

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Background Papers:-	Included as Appendices
Financial Implications:-	See Report
Equalities Implications:-	None
Legal Implications:-	See Report
Options:	To be determined by Members
Risks:	See Report

EXECUTIVE SUMMARY

The Essex Waste Management Partnership is pursuing a Private Finance Initiative (PFI) bid to provide a future waste processing infrastructure for Essex. The partnership has reached a stage in the procurement process that requires all partners to demonstrate commitment to the project by signing a Memorandum of Understanding (MoU), and for the Area Waste Management Joint Committees to agree a letter of support. This report presents details of the revised MoU. It also provides a summary of the new Outline Business Case (OBC) referred to in the MoU which includes a reference case modelled on the Rivenhall Airfield site and proposals for a renewable energy plant using Solid Recovered Fuel (SRF).

DECISION

To determine the Council's response to the requirement to sign the Essex Waste Management Partnership Memorandum of Understanding
To determine the Council's response to the requirement for a Joint Committee letter of support.

ESSEX WASTE MANAGEMENT PARTNERSHIP MEMORANDUM OF UNDERSTANDING

1. Background

The Essex Waste Management Partnership comprises of Essex County Council (the waste disposal authority) and the twelve District and Borough Councils in Essex (the waste collection authorities), and also the unitary authority of Southend-on-Sea Borough Council.

The objective of the partnership is to deliver the policies and targets contained in the Joint Municipal Waste Management Strategy for Essex, which has been developed by member authorities over the past five years. Decision making in the partnership is streamlined through three Area Waste Management Joint Committees, each with delegated powers to act on behalf of the constituent authorities. A Memorandum of Understanding summarises individual partner commitment to the process.

Key to the delivery of a future waste solution for Essex is a Private Finance Initiative (PFI) project to provide a new waste processing infrastructure based on Mechanical Biological Treatment (MBT) with Anaerobic Digestion (AD). To date the Government has provisionally allocated Essex and Southend £90 million in PFI credits subject to the submission of an acceptable application and business case.

The PFI bid requires that Waste Collection Authorities declare their commitment to a partnership approach for the delivery and operation of the new waste facilities. The mechanism for this is a requirement for all partners to sign a Memorandum of Understanding (MoU) and for a letter of support to be signed by each of the Joint Committees.

This report seeks Cabinet authorisation for the signing of a revised MoU and authority for the Cabinet member for Environment and Sustainability to support the signing of a letter of support by the Chairman of the West Area Waste Management Joint Committee.

Further background information has been provided at Member briefing sessions and a briefing note produced by Essex County Council is attached as Appendix 1.

2. The Memorandum of Understanding

The original Memorandum of Understanding was signed by the Cabinet Member for Environment under delegated powers in March 2006. Following discussions with DEFRA, changes to the MoU have been necessary to strengthen the demonstration of partner commitment. The revised MoU is required to be signed for each authority by 31st July 2007.

Key changes are mainly semantic and involve:

- Committing to take a wider view of waste management than that of an individual authority.

- Clarifying the understanding that co-ordination of action in accordance with an agreed strategy is the most effective solution.
- Reinforcing the concept of joint working through Joint Committees.
- Clarification that although the MoU is not legally binding, it does commit to working towards legally binding Inter Authority Agreements.

In addition, the revision commits to co-operating with a systems design modelling exercise, an area of work already piloted by Braintree. It also commits to reaching and maintaining a minimum recycling performance that will contribute towards meeting the Local Area Agreement target for Essex of 39.5% in 2008/09. Again, Braintree's current and predicted performance already exceeds this requirement.

The most significant feature of the MoU is that it refers to and recognises a procurement approach based on an Outline Business Case (OBC) and the Reference Case set out in the OBC. This clause is not new, however the latest version of the OBC, which was submitted to DEFRA in May 2007, differs considerably from earlier versions by recognising the benefits of energy recovery. It also contains a reference case, which uses the major waste site at Rivenhall Airfield in the Braintree District as part of an example to demonstrate the viability of the project. This reference case is discussed in more detail below.

3. The PFI Reference Case

The PFI reference case is an example to illustrate how the project might be delivered. This reference case is used to calculate costs, to demonstrate system capability and to evaluate alternative options that may be proposed by PFI bidders. Throughout the process Essex County Council has stressed that the Rivenhall Airfield site is used as an example and is not necessarily the final solution.

The reference case is based on two MBT plants co-located with Material Recovery Facilities (MRF's) and Anaerobic Digesters (AD); the northern facility is shown at Rivenhall and the southern one in Basildon. These are surrounded by a network of local transfer stations and recycling centres for household waste (civic amenity sites). Current landfill sites are also included. A new addition to the reference case is a single energy plant fuelled by Solid Recovered Fuel (SRF) which for the purpose of the model is co-located with the Rivenhall Airfield facility.

Reference case assumptions include:

- An average waste collection authority and civic amenity recycling performance of 39.5% by 2008/09, rising to 45% by 2012/13 and in excess of 50% at the end of the contract in 2037.
- Waste composition as per 2004 survey, waste growth 3% to 2010, 2% to 2015 and 1% thereafter.
- MBT / AD plant operational in south of county by 2011/12 and in north by 2012/13 adding 5% to the recycling rate.

- Anaerobic digestion reserved for source separated food and garden waste to produce marketable PAS 100 standard compost.
- SRF from both sites processed in one energy plant at Rivenhall from 2013/14 with capacity to generate 29MW of renewable energy by 2037.

The reference case delivers the aims of the Joint Municipal Waste Management Strategy and in particular:

- A high level of recycling by the collection authorities.
- Waste minimisation measures.
- The extraction of additional recycling from residual waste using MBT.
- The treatment of biodegradable waste using Anaerobic Digestion.
- Compliance with Landfill Allowance targets.

4. SRF and Renewable Energy

As well as meeting waste strategy objectives, the reference case also addresses the renewable energy agenda. The proposals will provide biogas from the AD plant, which can be used in a gas engine to generate electricity. In addition the SRF plant will produce sufficient renewable energy to supply the equivalent of 55,000 homes. This fits in well with Government policy outlined in the Energy White Paper and the new Waste Strategy for England 2007.

Braintree District Council has previously objected to the use of incineration as a waste disposal technology. There were two main objections to this technology; the potential health impact of emissions and the adverse impact of mass burn incineration on recycling and resource efficiency. The SRF energy plant differs from traditional mass burn incineration and even refuse derived fuel (RDF) in that SRF is a manufactured fuel obtained from the residual waste at the end of the MBT process. This waste represents about 20% of the total household waste stream. It has no other economic value and would otherwise need to be landfilled. Combustion is much cleaner than mass burn incineration and emission standards are tightly controlled by the Waste Incineration Directive (WID). The process does not divert waste which might otherwise be recycled. In the event that insufficient SRF is produced to fuel the energy plant the fuel can be supplemented with locally produced biomass.

5. Financial Implications

At this stage the only direct financial implications impacting on Braintree District Council are a commitment to continue supporting the partnership and to maintain a waste collection system that delivers the current level of recycling performance. The process will eventually lead to new inter-authority agreements and the development of a funding formula. This will require a further decision once details have been negotiated but initial indications are that there will be no significant financial implications.

There are significant financial implications to Essex County Council and the waste partnership. Total investment in the project will require around £300 million capital funding, of which £90 million could be available in PFI credits which equate to £7 million per annum revenue over the 25 year life of the project. The MoU is considered essential for the success of the PFI bid.

6. Legal Implications

The Memorandum of Understanding is not of itself a formal or legally binding contract. However, signing the MoU does commit the Council to use all reasonable endeavours to comply with the content and spirit of the MoU and to “fully explore” the creation of a formal and legally binding Inter Authority Agreement to support the delivery of an integrated waste management system.

7. Risks

A commitment to fund continued high recycling performance carries some risk as it limits future decisions if costs increase due to changes in waste composition or policy changes by supermarkets.

Failure to sign would weaken the partnership and could jeopardise the PFI application.

8. Conclusion

This report sets out a request to sign a Memorandum of Understanding to demonstrate the Council’s support for a PFI funding bid. The content of the MoU has changed slightly from the version signed in 2006 and the document makes reference to an Outline Business Case, which has also changed the description of how the project might be delivered. The MoU is considered an essential part of a PFI application being made by Essex County Council and although not legally binding in itself it does commit to working towards formal Inter Authority Agreements.

Briefing Note on the Essex Waste Strategy and the PFI Project

1. Introduction

This briefing note is intended to cover:

- Background information on the Essex Waste Management Partnership;
- The waste management challenges facing Essex;
- Key targets and objectives of the draft Joint Municipal Waste Management Strategy for Essex;
- The Private Finance Initiative (PFI) Project, with a summary of the application that Essex and Southend are intending to submit to Government, including projects costs, performance, technology options and timetable.

2. The Essex Waste Management Partnership

- 2.1 The Essex Waste Management Partnership (the Partnership) comprises of Essex County Council (as waste disposal authority) and the twelve District and Borough Councils (as waste collection authorities) of Essex and the unitary authority of Southend-on-Sea Borough Council.
- 2.2 The objective of the Partnership is to deliver the policies and targets contained in the draft Joint Municipal Waste Management Strategy (JMWMS) for Essex, its District/Borough partners and the adopted Municipal Waste Management Strategy for Southend-on-Sea Borough Council.
- 2.3 The support by the Partner authorities for the PFI Project is asked for in two ways:
- A Memorandum of Understanding (MoU) signed by each of the twelve constituent waste collection authorities (a copy of the MoU is with each authority now for consideration; deadline for signing is end of July '07);
 - A letter of support from each of the three Area Waste Management Joint Committees (East, West and Thames Gateway) signed by the Joint Committee Chairman on behalf of each of the constituent waste collection authorities demonstrating district and borough councils' support and commitment to the PFI Reference Project (this will be at the July '07 round of Joint Committee meetings);
 - Southend Borough Council's support for the project is to be demonstrated by its Cabinet's approval of the PFI application and the signing of a joint letter of application with Essex County Council.

3.0 The Challenges Facing Essex

Waste Management

- 3.1 Currently in Essex we landfill 65% of all the household waste produced, with the balance (35%) being recycled. This has to change. Essex County Council, with its

partner authorities, is in the process of confronting one of the single largest environmental and legislative challenges ever presented to local authorities.

- 3.2 Many of the key drivers for change emanate from measures introduced in response to the UK's interpretation of European Legislation and our own local drivers and community aspirations for improving the environment. These measures include the Landfill Tax, the EU Landfill Directive and the Landfill Allowance Trading Scheme (LATS). In addition, national government has set every local authority challenging recycling and composting targets in the short term.
- 3.3 The 1999 EU Landfill Directive requires EU Member countries to reduce the amount of biodegradable municipal waste that is disposed of to landfill. Biodegradable waste is the fraction of waste that will break down in the presence of air or under anaerobic conditions. The main driver behind the EU Landfill Directive is the prevention of the possible harmful effects arising from the break down of biodegradable municipal waste in landfill. When biodegradable waste rots down in landfill it does so anaerobically and produces methane gas which is difficult to capture and when released into the atmosphere is a potent greenhouse gas known to contribute towards global warming. The breakdown of biodegradable waste also produces leachate which can pollute water courses. It is estimated that on average 68% of household waste is biodegradable.
- 3.4 In order for the UK to meet these targets the Government, through the Waste and Emissions Trading (WET) Act 2003, has introduced the Landfill Allowance Trading Scheme (LATS). Under the LATS, County Councils (and unitary authorities) must divert significant amounts of biodegradable waste sent to landfill each year. From 2006 to 2020 (the current LATS period) the amount of biodegradable waste that must be diverted each year significantly increases over time. Failure to meet these landfill diversion targets will result in financial penalties of currently £150 per tonne.
- 3.5 To give this context, if Essex County Council fails to take action to comply with its LATS targets in 2009/10 the Council, and therefore Essex taxpayers, could face a penalty of up to £9m. If we carry on managing waste as we do today, this penalty would increase to £24m by 2013.

Energy and Climate Change

- 3.6 A more sustainable waste management system for Essex could positively contribute to tackling climate change through diverting waste from landfill and treating the waste to extract full value from it. Waste is a resource and the efficient management of this material to harness its full potential could bring significant climate change advantages, particularly through capturing the renewable energy it contains. In Essex this could be achieved through:
- The production of biogas from the anaerobic digestion of organic material (primarily food waste from households);
This is recognised by **Friends of the Earth** as a renewable source of power: extract from a FoE report 'Dirty Truths Incineration and Climate Change' (May 2006) "*Anaerobic digestion generates power exclusively from the biomass portion of waste, so is truly renewable*".

- The recovery of solid recovered fuel (SRF) from household residual waste; the SRF can be manufactured from part of the waste after as much material as possible has been pulled out for reuse, recycling and composting.
- The beneficial use of SRF in an energy plant can generate electricity and utilise the waste heat in the form of heating for domestic properties or heat input to industrial processes. This highly efficient configuration is called 'combined heat and power' (CHP) and any facility in Essex will strive to achieve this. Under the criteria applied by the **Department of Trade and Industry (DTI)** CHP from waste can qualify for **Renewable Obligation Certificates (ROCs)** which recognise the benefits of producing energy in this way and enhance the value of the energy produced.

3.7 The issue of security of energy supply is gaining importance in the UK. It is recognised that there is no one type of energy technology that can solve this challenge alone, but the recovery of energy and heat from household waste can make a valuable contribution to helping the UK generate its own power supply. This contribution can be further amplified by incorporating CHP design into the energy recovery system. This is commented in the Government's Strategy for Combined Heat and Power to 2010 (DEFRA, 2004): "*We must address the growing threat of climate change, maintain the reliability of energy supplies, promote competitive energy markets and work towards eradicating fuel poverty.*"

Overview of the need for a Waste Strategy

- 3.8 Therefore, there are strong environmental and financial incentives to divert waste away from landfill by recycling, composting, treating and recovering value from this resource. Doing nothing is not an option for Essex.
- 3.9 In response to these challenges, Essex County Council, together with its twelve District and Borough partners, has prepared a draft Joint Municipal Waste Management Strategy (JMWMS) setting out the shared approach for the development and delivery of local authority waste management services within Essex.

4.0 The Essex Waste Strategy

- 4.1 The key objectives of the draft Joint Municipal Waste Management Strategy for Essex are:
- To meet landfill allowance and bio-diversion targets as set out in the Landfill Allowance Trading Scheme (LATS) and the requirements of the EU Landfill Directive;
 - Meet and exceed the countywide Best Value and National Waste Strategy 2000 recycling, composting and recovery targets (45% recycling by 2010/11), with an aspiration to attaining 60% recycling;
 - Reverse the trend in municipal waste growth from 3% to 2% by 2010 and to 1% by 2015 and beyond; and

- Explore innovative disposal solutions, based on the Mechanical Biological Treatment (MBT) and Anaerobic Digestion (AD) family of technologies, to assist in diverting biodegradable waste from landfill and to recycle and recover more value from residual waste.

4.2 Supporting the objectives of the strategy, Essex County Council has published a policy on recycling and waste:

“That the County Council invites solutions for the long-term management of its residual waste requiring:-

- *The development of front end sorting to further recover dry recyclable material;*
- *The development of either anaerobic digestion or mechanical biological treatment coupled, as appropriate, with the recovery of biogas;*
- *That contractors identify and propose options for the management of the residual waste after treatment including the possible development of compost, soil conditioner, landfill or the use of a refuse derived fuel.”*

4.3 The draft Essex Waste Strategy has been supported by Essex authorities and has been the subject of a comprehensive public consultation programme over the last two years.

4.4 The County Council is also required to carry out a Strategic Environmental Assessment (SEA) on the Strategy by European legislation. The SEA process has already commenced with a Scoping Report drafted.

4.5 The current timetable is to complete the SEA process by the autumn of 2007 and for the final JMWMS for Essex to be adopted by each Essex authority by spring 2008.

5.0 The PFI Project

5.1 The aims of the PFI project have been agreed by all authorities and are summarised below:

- *To procure facilities for the medium & long term management of Essex & Southend’s waste.*
- *To work in Partnership with Southend & the twelve Districts and Boroughs to implement an integrated collection, treatment & disposal system which will deliver the aspirations of the Waste Strategies of Essex & Southend.*

5.2 In order to bid to Government (in this case Defra) for PFI credits an **Outline Business Case (OBC)** has been developed which includes within it a **Reference Project**. This is a joint application between Essex County Council and Southend on Sea Borough Council.

5.3 In December 2005, Essex and Southend submitted to Government an OBC for £90m of PFI credits. However, in May 2006 the PFI eligibility criteria were changed by Defra. During 2006/07, Essex and Southend, with the support of the Partnership, have been negotiating with Defra to produce a new OBC. This has now been drafted and needs to be submitted to Defra by the end of July 2007.

5.4 The new OBC has been constructed to meet the current PFI eligibility criteria and to address other key issues that were outstanding in order for the Essex project to be deliverable:

- **Environmental benefits** –
 - a) Maximises recycling;
 - b) Problems with markets for compost-like-outputs from the MBT process have now been addressed in the new OBC through switching to the source segregated collection/processing of clean food and garden waste. This allows for the production of high quality composts with significant environmental benefit to soils;
 - c) The new OBC now takes advantage of the energy locked up in the residual waste (previously sent to landfill) through the introduction of an energy facility. This also allows the future dependence on landfill to be substantially reduced;
- **Affordability** – the new reference project is more cost-effective for Essex taxpayers, notably due to the avoidance of a growing landfill tax burden (refer to section 6.0);
- **New PFI Criteria** – the new OBC has been constructed to meet the new PFI eligibility criteria set by Defra in May 2006;
- **Markets for materials** – the new reference project maximises the use of all materials finding useful and valuable markets for the outputs, e.g. high quality compost, renewable biogas etc

5.5 Due to delays in the PFI process, Essex and Southend are currently out to tender for Interim LATS contracts, which should provide interim facilities to treat some of the residual waste and divert it from landfill, thereby helping the Councils meet their LATS targets. These are short-term contracts for a maximum of 7 years, with contracts ending around 2015.

5.6 Essex County Council and Southend Borough Council, with the support of partner authorities, are in the process of submitting an application to Government for Private Finance Initiative (PFI) credits to contribute to the cost of provision of additional recycling and disposal infrastructure.

5.7 The Reference Project has been designed to meet the objectives of the Councils' Strategies, which will, when combined with the Partnership's interim Landfill Allowance Trading Scheme (LATS) management strategy, meet or exceed Essex and Southend's LATS targets from 2010 onwards. The Reference Project is designed for modelling purposes only in order to construct a robust and sound PFI bid.

5.8 A key aspect of the Reference Project is to demonstrate how all household waste in the system will be sustainably managed, either through recycling, composting, treatment, recovery or disposal. The list below outlines the overall system which was used for the modelling of the Reference Project:

- **Kerbside dry recycling**, e.g. paper, cans, plastics – these materials will go to material recovery facilities (MRF) for sorting (this could be via a local transfer station), then onto recycling markets;
- **Kerbside collection of food waste and green garden waste** (either mixed or separate depending on the local collection arrangements) – these materials will go to anaerobic digestion plants (could be via a local transfer station). This will produce a high quality compost which can be put to land and biogas, which can be used to generate renewable energy.
- **Kerbside collected residual waste** (e.g. waste in the black sacks or grey wheeled bins) – this material will go to the mechanical biological treatment (MBT) facilities (via a local transfer station) where the waste will be mechanically sorted to recover as many recyclables as possible that have been left in the residual waste. These materials will go to markets. The remaining waste is then shredded and dried (through aerobic composting – this is the biological part of MBT) to produce a solid recovered fuel (SRF). This fuel will then be used in a specialised energy plant to produce renewable electricity. A small amount of material that cannot be recycled or recovered will go to landfill.

SRF is a higher quality product than refuse derived fuel with tighter quality specifications recognised by Industry.

It is envisaged that two MBT facilities will be required for Essex, one for the north area and one for the south area. For the purposes of the reference project model, there is only one energy plant and that is assumed to be located at the Rivenhall site in the Braintree District. In reality, the actual site that may be used will be subject to the response of the private sector when contracts are procured and will be dependent on the outcome of the planning application process.

- **Recycling Centres for Household Waste (or Civic Amenity sites)** – the dry recyclables from these centres are already sorted and will go straight to market; the green garden waste collected will go straight to windrow composting facilities to produce a high quality compost and the residual waste will go direct to landfill. In reality, some or all of the residual waste may go to the MBT facilities for further recycling and treatment if contractors can accommodate this.

5.9 The overall performance of the system through the combination of the activities above will bring the recycling rate for Essex (with Southend) to over 50%. The aim of the Partnership is to achieve 60% and this will be progressed through comprehensive promotion campaigns and education programmes to further increase participation in kerbside recycling collection schemes.

5.10 In summary, the key environmental and financial benefits to the Reference Project system are shown below.

Benefits of Anaerobic Digestion

- a) The anaerobic digestion (AD) of source segregated food and garden waste will produce high quality compost that meets the nationally recognised quality standard of PAS 100.

PAS 100 is a publicly available specification for compost materials has been prepared and published by the British Standards Institution). PAS 100 composts have a good long term, sustainable market and can be applied to agricultural land. There is a vast amount of land nationally which would benefit from the application of this quality of compost to improve nutrient retention, fertility, soil structure and water retention properties.

- b) In addition, the AD of source segregated food and garden waste may produce a useful liquid fertiliser.
- c) AD of source segregated food and garden waste yields biogas (methane) which is efficiently captured and used to produce renewable energy, which is eligible for renewable obligation certificates (this means the energy produced yields twice the value of electricity generated from non-renewable resources [fossil fuels]). Conventional aerobic composting fails to capture this valuable biogas resource.
- d) The AD of source segregated food waste (and green garden waste) is widely supported by key organisations such as:

- **Friends of the Earth** – extract from a FoE report ‘Dirty Truths Incineration and Climate Change’ (May 2006): *“The most interesting technology is anaerobic digestion of separately collected organic waste (e.g. kitchen waste). This technology is very resource efficient, generating both methane (biogas) that can be used to generate power, and a soil improver which can be used to fertilise land (which also brings climate change benefits through storing up some carbon in the soil).*
- **Waste Resources Action Programme (WRAP)** - extract from recent report ‘Dealing with Food Waste in the UK’ (March 2007): *If the system chosen for biowaste collection and treatment is separate collection of food waste coupled to anaerobic digestion, the environmental performance of the system is likely to be the best compared to all the other systems examined in this report..... Anaerobic digestion is more favourable from an environmental perspective, primarily because the process produces methane which can be used to generate energy.*

Benefits of the MBT and Energy Plant

- e) Solid Recovered Fuel (SRF) is manufactured from only part of the waste and is one of many outputs from the process;
- f) SRF is a higher quality product and has much tighter quality specifications (2005 ‘MBT: A Guide for Decision Makers – Processes, Policies & Markets’). This means that many objectionable materials such as batteries and glass are recovered from the waste prior to the energy generation process.
- g) The use of SRF to generate energy is not mass burn incineration; only part of the waste is used to manufacture SRF after as much material as possible has been pulled out for reuse and recycling first;

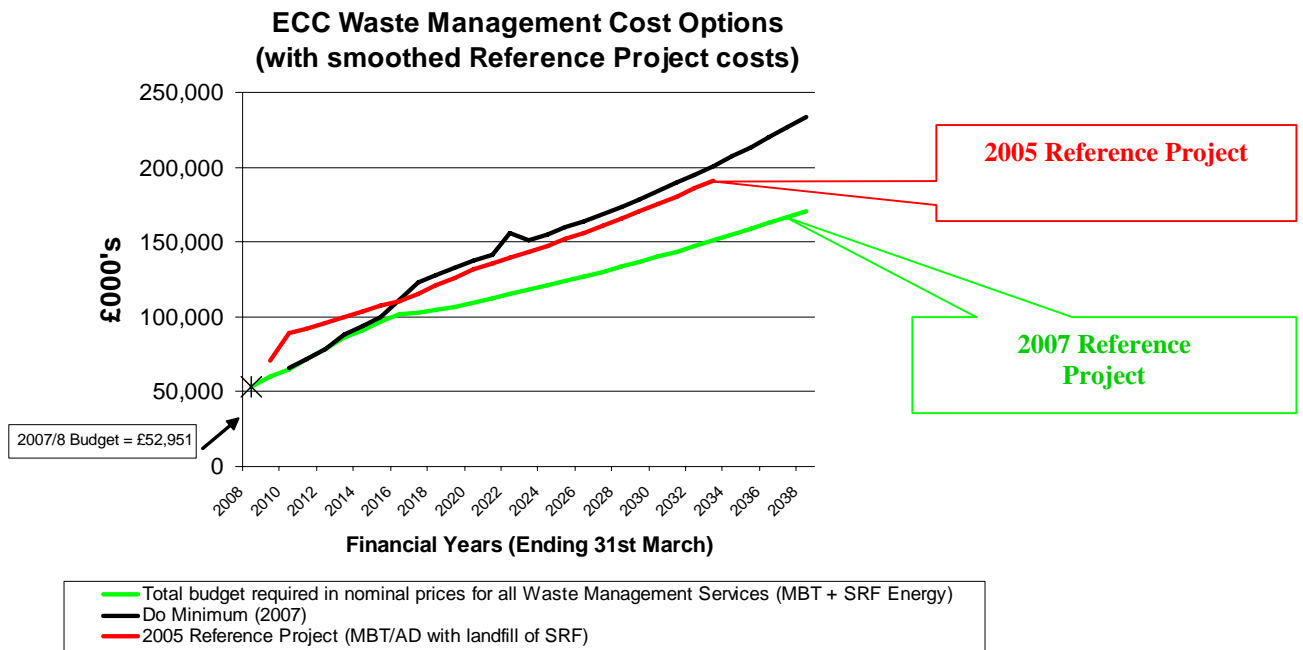
- h) Renewable heat and energy can be recovered from SRF, therefore to landfill this renewable energy source would be an 'environmental crime' at a time when security of national energy supply is of great concern;
- i) The energy produced could provide electricity for 55,000 homes in Essex.
- j) If both heat and energy are captured, then the power generated will be eligible for renewable obligation certificates (providing additional financial value);
- k) The combined use of MBT to extract dry recyclables, treat residual waste and recover energy from the SRF is more beneficial in terms of climate change impacts than continuing to send waste directly to landfill.
- l) Any energy plant built will meet the highest standards of emission control set for industrial processes.
- m) Using SRF in an energy plant is also a more cost effective solution than landfilling SRF due to:
 - Avoided landfill costs;
 - Avoided Landfill Tax – in 2007/08 the County Council will pay an estimated £11m of landfill tax, this is estimated to double to £22m in 2010/11 ;
 - Avoided risk of failure to comply with LATS targets and associated financial penalties;
 - Opportunity to generate income from sales of surplus LATS allowances and higher value energy.

6.0 Future Costs

- 6.1 In order to deliver the objectives of the JMWMS and to meet environmental and legislative targets, it is estimated that an investment of £300m of capital funding is needed in Essex and Southend over the next five years or so to provide all the new facilities required.
- 6.2 Government has provisionally allocated Essex and Southend £90m of PFI credits which will equate to approximately £7m revenue funding per year from the start of the PFI contract and over that period (likely to be 25 years). The likely award date of the PFI contract (if approved) is autumn 2009, with the first MBT and AD facilities in operation by 2011.
- 6.3 A critical analysis carried out as part of the OBC is the Value for Money (VfM) analysis and this has been performed in accordance with the "HM Treasury Value for Money Assessment Guidance" as issued in November 2006 and the "Supplementary VfM Guidance for Waste PFI" prepared by Partnerships UK ("PUK") for Defra in November 2006. The analysis confirms PFI as offering the potential to deliver value for money for

the project when compared to Essex and Southend paying for this project without private sector or PFI investment.

- 6.4 The graph below illustrates the future costs of the current Reference Project (green line) versus the 'Do minimum' (black line) and the previous Reference Project in 2005 (red line).



- 6.5 The 'Do minimum' option assumes that the interim LATS contracts will be delivered; two transfer stations provided; Essex and Southend will have to purchase LATS allowances at £150 per tonne or pay penalties at the same cost, the countywide recycling rate is a do minimum of meeting BVPI targets.
- 6.6 The 2007 Reference Project provides the system described in 5.8 and an assumed level of recycling of over 50%.

7.0 Conclusion

In conclusion the strategic and financial evaluation of options for waste disposal shows that the Reference Project will provide the greatest deliverable environmental benefit for the Partnership and is the most cost-effective solution for dealing with waste in Essex.

Memorandum of Understanding – West

1. Purpose of this Memorandum of Understanding

- 1.1 The Essex Waste Partnership is made up of Essex County Council as a Waste Disposal Authority (WDA) together with the twelve Essex Waste Collection Authorities (WCAs) and Southend-on-Sea Borough Council as a Unitary Authority (both WDA and WCA function).
- 1.2 The purpose of this Memorandum of Understanding is to:-
- a. Demonstrate the Councils recognise the need to take a wider view on waste management than that of an individual WCA or of the WDA on its own;
 - b. Show the Councils understand that the co-ordination of action in accordance with an agreed strategy will be more effective than individual action by a single authority;
 - c. Re-iterate and reinforce the principles of joint working contained in the Area Joint Committee Constitutions and Business Plans;
 - d. Evidence the support given by the five WCAs within the West Essex Waste Management Joint Committee¹ to the submission of an Outline Business Case to Defra by the Partnership to secure PFI credits to assist the procurement of advanced waste disposal technology and the provision of a supporting infrastructure of Transfer Stations. The procurement of these facilities is an essential component to the delivery by the Partnership of the Joint Municipal Waste Management Strategy for Essex and the Municipal Waste Management Strategy for the Borough of Southend on Sea.

2. Status of the Memorandum of Understanding

- 2.1. This Memorandum of Understanding is intended to be an operational document that will evolve as the procurement of treatment technology progresses. Unlike the formally approved Joint Committee Constitutions and Annual Business Plans it is not, of itself, a formal or legally binding contract. It is however recognised that by signing this Memorandum of Understanding each Partner demonstrates its intention to fully explore the creation of formal legally binding Inter Authority Agreements to support the delivery of an integrated waste management system.

¹ Braintree District Council, Brentwood Borough Council, Epping Forrest District Council, Harlow District Council, and Uttlesford District Council

- 2.2. Through a resolution of the Joint Committee, each partner authority has agreed to use all reasonable endeavours to comply with the **content and spirit** of this Memorandum of Understanding.

3. Principles of Partnership Working

- 3.1. The Partnership through resolutions of the Joint Committees has adopted the procurement approach and Reference Case as set out in the Outline Business Case.

- 3.2. In order to support the delivery of an integrated waste management system (of which the PFI disposal procurement is an essential component), each partner authority hereby agrees to:-

- a. Work with the Partnership on the detailed design and delivery of an integrated waste management solution **initially by engaging in, and supporting, a systems design modelling exercise;**
- b. To deliver all agreed residual waste and agreed recyclables to transfer / processing facilities;
- c. As a minimum to **make a contribution to** reach and maintain the levels of **county-wide** recycling and composting performance committed to in the Local Area Agreements **(39.5% household waste recycling in 2008/09)** and to ensure that budgets are made available to maintain this level of performance;
- d. Prior to implementing any significant changes to their collection methodology or systems to discuss the potential impact on the development and implementation of the Joint Municipal Waste Management Strategy for Essex and the Municipal Waste Management Strategy for the Borough of Southend on Sea;
- e. To work with the Partnership to develop waste acceptance criteria (such as the type, quantity, quality and composition of waste delivered) that will form part of the PFI contract.

- 3.3 The Partnership accepts that the “do nothing” option is not a viable solution and in designing and delivering the optimal long term integrated waste management collection and disposal systems, financial benefits will accrue to the Partnership.

- 3.4 The Partnership is committed to ensuring these financial benefits are allocated equitably amongst the partners. In order to do this, the Partnership will develop and agree an inter-authority allocation formula that seeks to address additional costs and benefits of recycling beyond individual authorities’ statutory recycling targets

(including targets financed through the Local Area Agreements) and shares efficiencies and savings amongst the partner authorities, e.g. the market value of recyclable materials.

Signed

_____	for Braintree District Council	/ / 2007	Date
_____	for Brentwood Borough Council	/ / 2007	Date
_____	for Epping Forest District Council	/ / 2007	Date
_____	for Essex County Council	/ / 2007	Date
_____	for Harlow Council	/ / 2007	Date
_____	for Uttlesford District Council	/ / 2007	Date

Dear Sir/Madam

**THE ESSEX WASTE MANAGEMENT PARTNERSHIP WASTE PFI
PROCUREMENT**

In order to develop a more sustainable approach to municipal waste management in Essex and Southend-on-Sea, the Essex Waste Management Partnership (“the Partnership”) was established. The Partnership is made up of Essex County Council, Southend-On-Sea Borough Council as Waste Disposal Authorities (“WDAs”) and the District and Borough Councils of Basildon, Braintree, Brentwood, Castle Point, Chelmsford, Colchester, Epping Forest, Harlow, Maldon, Rochford, Tendring and Uttlesford as the Waste Collection Authorities (“WCAs”). A Memorandum of Understanding underpinning the objectives and principles of the Partnership is signed by representatives of all Councils in the West, East, and Thames Gateway Area groups.

Essex County Council (ECC), together with its twelve constituent District and Borough partners, has prepared a draft Joint Municipal Waste Management Strategy (JMWMS) setting out the shared approach for the development and delivery of local authority waste management services within Essex. The unitary authority of Southend-on-Sea Borough Council (SBC) has developed its own Municipal Waste Management Strategy (MWMS) and the simultaneous delivery of these Waste Management Strategies (referred to hereafter as the Strategies) will ensure that the Partnership is able to attain legislative compliance and deliver Best Value services.

Sustainable waste management

In order to attain more sustainable waste management, including meeting the demanding landfill diversion targets dictated by the Landfill Allowance Trading Scheme (“LATS”), a whole new infrastructure of waste facilities is required. The upfront funding requirement associated with developing this new infrastructure is beyond the resources of ECC, its twelve constituent District and Borough partners and SBC alone; and therefore securing private sector finance under long term contractual arrangements is critical in ensuring the success of this project.

The Partnership has agreed a Reference Project that has been design to meet the objectives of the Councils’ Strategies, which will, when combined with the Partnership’s interim LATS management strategy will meet or exceed ECC and SBC LATS targets from 2011 onwards. [The Reference Project has been selected after an extensive technical, financial and deliverability evaluation as one that:](#)

- [Meets the waste management performance objectives of the Councils’ Strategies;](#)
- [Provides security over markets for MBT process outputs, whilst allowing further innovation as to securing end markets during procurement;](#)
- [Is based on sites which can be made available to bidders on a transparent and open basis, maximising chances for a competitive procurement, and which are in the Essex Waste Local Plan, mitigating planning risk;](#)
- [Has been tested with the market, and confirmed as one that is attractive to potential bidders; and](#)
- [Has the potential to deliver Value for Money delivered when procured under PFI and meets in full the Defra PFI Credit approval criteria of May 2006.](#)

Support and Commitment

The Partnership has a history of working together on waste management service delivery. Significant progress has been made and is continuing, with the assistance of Government funding in improving kerbside recycling performance. This joint working will continue as Essex faces the waste management challenges of the coming years.

This letter acts to demonstrate the support and commitment of the member Councils of the Essex Waste Management Partnership to:

- The objective of meeting all statutory targets thus creating sustainable waste management across Essex and Southend-on-Sea;
- Confirm that Essex County Council, Southend-on-Sea and the Districts and Boroughs of Essex support the Reference Project.

With this commitment to joint working and the support of Government through the PFI, we believe sustainable waste management, achieving both the objectives of the Strategies and the statutory targets, can be delivered.

Yours faithfully

Chairman
West Essex Waste Management Joint Committee

Dear Sir/Madam

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Extract of Part 3 - Responsibility for Functions

LOCAL COMMITTEES: BRAINTREE, HALSTEAD AND WITHAM

1.0 Introduction

Each of the Local Committees will be responsible for all functions set out in paragraph 3.0 arising solely within their areas and are granted full delegated powers and responsibilities to deal with these functions within the Council's policies and guidance of the Cabinet.

2.0 Strategic Responsibilities - Local Committees

Each Committee will consider aspects of the Corporate Strategy relevant solely to its area. The Committees will contribute to the Council's Direction and Ambition and ensure that it is implemented effectively by:

- . feedback from the community
- . regular monitoring and review of service quality and performance
- . the annual review of overall achievements
- . contributing to the annual budget setting process
- . providing leadership for its communities
- . giving focus to local issues
- . liaising and working with partner organisations on local issues

Each Committee will take steps to ensure that its decisions are guided by up-to-date information through consultation and dialogue with communities and disseminate information about its activities.

3.0 Areas of Responsibility

Each Committee will research, monitor and consider reports on the needs, quality of life and other relevant matters solely in its area including:-

Local Committees (8 weekly)

- . Within its area, each Local Committee shall take decisions in respect of non-executive functions as listed in Section 3 of this Part 3 of the Constitution and take executive decisions as set out in Section 4 of this Part 3 of this Constitution. It may also take all other non-executive (regulatory) decisions required to be made by the Council and affecting its area only, which are not reserved to be taken by any other committee or the Council itself.
- . Appointments to outside bodies
- . Highway improvements including street naming and numbering.
- . Environmental maintenance and management of the area

- . Housing needs and housing land issues
- . Housing public health issues
- . Community and leisure issues of an area nature
- . Quality of life and social economic and environmental wellbeing of the area
- . Consultation and dialogue with all community interests
- . Allocation of Area budget
- . Approve sales of land up to the value of £10,000

4.0 Relationships with the Council and Other Committees

The work of the Local Committees will be reported to the Council or to the Cabinet (as appropriate).

The Committees will refer to any relevant decision making body any matters which:-

- . seek to introduce new Council policy or replace/amend existing Council policy or
- . have corporate implications
- . affect relationships with partner organisations

The Committees will refer to the Cabinet any appropriate matters outside their areas of responsibility, together with regular reports in order to monitor progress on any matters required by the Cabinet. The Committees will receive reports from other Groups as necessary.

The Committees may give guidance, advice or assistance to the Cabinet on appropriate functions or activities being carried out on the Cabinet's behalf. Any reference to the Overview and Scrutiny Committee will be through the Cabinet. The Committees will receive recommendations and reports from relevant Groups, where necessary.

5.0 Responsibilities which require referral to the Cabinet

1. Any recommendations in respect of the Council's overall strategy and policies.
2. Any matter with corporate implications, operational matters with corporate implications and any issue that impacts upon the Council's resources.
3. The establishment of any Groups and Sub-Committees to undertake specific tasks within an agreed timescale and terms of reference, which have an impact upon the Council's resources.
4. Requests to the Overview and Scrutiny Committee.
5. Expenditure not covered by an approved budget or within the approved capital programme.
6. Sales of land over £10,000

PLANNING COMMITTEE

1.0 Functional Responsibilities

Authority to act on behalf of the Council on:

- the Council's town and country planning and development control functions as detailed in Part A of Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended)
- determination of all applications for planning permission, listed building consent and associated matters
- authorisation of all enforcement actions under town and country planning and allied legislation
- the making of orders for the creation, diversion and extinguishment of public rights of way, authority to confirm unopposed orders for the same and authority to decide not to confirm an order, authorisation of enforcement and other actions in relation to the protection of public rights, prevention of obstructions or damage to the highway and any other matters as may from time to time require determination by the Committee
- the Community Strategy
- the District Local Plan
- Planning issues with District- wide implications
- Overall planning policy guidance

2.0 Relationships with the Council and Other Committees

Any policy decisions or changes to policy which affect the Policy framework will be recommended to the Council for a decision. The Cabinet will be consulted on any proposed changes prior to presentation to Council for decision.

Decisions taken by the Committee will be reported to the Council Meeting.

The Committee may give guidance, advice or assistance to the Council or the Cabinet on appropriate functions or activities being carried out on the Council's behalf.

The Committee will receive recommendations and reports from relevant Groups and Panels, where necessary.

3.0 Responsibilities which require referral to the Cabinet

1. Any recommendations in respect of the Council's overall strategy and policies.
2. Any matter with corporate implications, operational matters with corporate implications and any issue that impacts upon the Council's resources.
3. The establishment of any Groups or Sub-Committees to undertake specific tasks within an agreed timescale and terms of reference, which have an impact upon the Council's resources.

LOCAL DEVELOPMENT FRAMEWORK PANEL

1.0 Functional Responsibilities

Responsible for detailed matters relating to the preparation of the local development framework ("LDF") to include

- Consideration of consultants studies and reports
- Consideration of representations made to consultation documents and agreeing response
- Consideration of draft LDF documents.

2.0 Relationships with the Council and Other Committees

Any policy decisions or changes to policy which affect the Policy framework will be recommended to the Planning Committee and/or Council for a decision. The Cabinet will be consulted on any proposed changes prior to presentation to Council for decision.

Decisions taken by the Panel will be reported to the Planning Committee.

The Panel may give guidance, advice or assistance to the Council or the Cabinet on appropriate functions or activities being carried out on the Council's behalf.

3.0 Responsibilities which require referral to the Cabinet

1. Any recommendations in respect of the Council's overall strategy and policies.
2. Any matter with corporate implications, operational matters with corporate implications and any issue that impacts upon the Council's resources.
3. The establishment of any Groups or Sub-Committees to undertake specific tasks within an agreed timescale and terms of reference, which have an impact upon the Council's resources.

Section 7

Roles and Responsibilities of Key Members

- Leader of the Council
- Cabinet Members
- Cabinet Deputies
- Chairman of Overview and Scrutiny Committee
- Chairman of the Planning and Licensing Committees
- Chairman of Local Committees
- Vice-Chairmen of Committees
- Frontline Members
- Chairman of the Audit Committee
- Independent Member of Standards Committee
- Member Champions

LEADER OF THE COUNCIL

In accordance with the Constitutional arrangements of Braintree District Council, the Local Government Act 2000 and all other relevant legislation, the Leader of the Council shall:-

1.0 External Leadership:

- provide visible political leadership to the Council, including the development of new policies for approval by the Cabinet/Council, as necessary;
- consult and keep informed, as necessary, the citizens of the District on all matters covered by the Portfolio functions/responsibilities;
- lead on the development of local, regional, national and European policy and strategic initiatives (including district-wide strategic partnerships) covered by the Portfolio functions/responsibilities with a view to promoting the Council's interests and the interests of the citizens of the District;
- be an ambassador for and represent the Council and the citizens of the District on relevant external bodies (including, in particular, local strategic partnerships and national bodies) that enhance the reputation and standing of the District;
- be the spokesperson for the Council on all matters covered in his/her Portfolio of functions/responsibilities, as set out in the Council's Constitution; and
- work in collaboration with the relevant Members of the Council, MPs and relevant external bodies, so as to enhance the image and reputation of the District and, where appropriate, advocate for and obtain resources/inward investment for the benefit of the citizens of the District.

2.0 Internal Leadership:

- provide visible political and strategic leadership to the Cabinet, Cabinet Members, Chief Executive and Chief Officers, including the chairing of meetings of the Cabinet and any other relevant bodies;
- refer, as necessary, to relevant Cabinet Members, Chief Executive or Chief Officers any tasks, roles or responsibilities that may be appropriate, necessary or desirable to delegate to such person(s);
- in the absence of the relevant Cabinet Member, undertake the function/responsibilities of the same;
- establish and maintain cordial, effective and efficient working relations with the Leaders of the Opposition Groups, the Chairmen of Committees and other members;
- appoint and allocate Cabinet Member portfolio responsibilities in accordance with the Constitution to relevant Councillors on an annual basis or as and when required;
- have an overview of and be responsible for effective management of any budgets allocated to the Portfolio functions/responsibilities and the Council as a whole;

- take all necessary action to ensure the collective responsibility of the Cabinet in budget proposals, key decisions and in other major cross-cutting or corporate issues;
- exercise executive decisions covered by his/her Portfolio functions/responsibilities and keep other Cabinet Members duly informed of any relevant matters that may impact, directly or indirectly, on any other Cabinet Member's Portfolio functions/responsibilities;
- ensure the effective and efficient delivery of the business and direction of the Executive arrangements;
- report to the Cabinet/Council, as necessary, on progress of issues relevant to this post;
- liaise with the Chairman of the Overview and Scrutiny Committee, as required, when items arise which are not in the Forward Plan, but which the Cabinet need to consider as matters of urgent business;
- consult and keep informed, as necessary, relevant Members with regard to any Overview and Scrutiny arrangements;
- work in partnership with Cabinet Members, the Chief Executive and other Chief Officers so as to ensure the effective and efficient delivery of the Council's Cabinet and Corporate Plan and, in particular, the continuous improvement of all services of the Council;
- assist in the proper and orderly discharge of business at Council Meetings; and
- undertake an annual appraisal of the Chief Executive and provide relevant, constructive and confidential feedback to the Chief Executive, if requested, with regard to any Chief Officer reporting to the Chief Executive.

3.0 Personal Leadership:

- lead by example, in accordance with the highest standards of probity in public life, in all matters relating to the Council's Code of Conduct for Members, related Protocols and supporting guidance;
- comply with any relevant legislative provisions, best practice and good governance arrangements with regard to local government;
- be aware of any training and development needs of him/herself and the other Cabinet Members and liaise, as necessary, with the Chief Executive or any other relevant Chief Officer or person, to address any such needs;
- undertake such other roles and responsibilities as may arise or be developed, from time to time, with a view to further enhancing the image and reputation of the District;
- promote the Council's policies on equality and diversity in the workplace and in service provision; and
- keep abreast of national best practice / new initiatives relating to local government so as to ensure the continuous improvement of Council services.

4.0 Time Commitments:

Devote appropriate time on the work of the Council and in activities that enhance the reputation and standing of the Council and the District.

5.0 Personal attributes, knowledge, experience, skills and abilities for the job:

- Prioritise, plan and prepare work within deadlines, in a manner conducive to best practice
- Effective communication skills (including public speaking and media relations)
- Build and maintain partnerships with a range of external bodies
- Analyse issues and propose clear, concise and rational ways forward
- Community engagement
- Chair meetings effectively and in an orderly manner.

THE CABINET MEMBERS

In accordance with the Constitutional arrangements of Braintree District Council, the Local Government Act 2000 and all other relevant legislation, the relevant Cabinet Member shall:-

1.0 External Leadership:

- provide visible political leadership in the area of their Portfolio functions and responsibilities to the Council, including assisting in the development of appropriate new policies for consideration by the Leader of the Council/Cabinet/Council, as necessary;
- consult and keep informed, as necessary, Members and the citizens of the District on all matters covered by the Portfolio functions/responsibilities;
- lead on the development of local, regional and national policy and strategic initiatives (including District-wide strategic partnerships) covered by the Portfolio functions/responsibilities with a view to promoting the Council's interests and the interests of the citizens of the District;
- be an ambassador for and represent the Council and the citizens of the District on relevant external bodies relevant to the Cabinet Member Portfolio (including, in particular, local strategic partnerships and national bodies) that enhance the reputation and standing of the District;
- be the spokesperson for the Council on all matters covered in his/her Portfolio of functions/responsibilities, as set out in the Council's Constitution; and
- work in collaboration with the Leader of the Council, Cabinet Members and other relevant Members of the Council, MPs and relevant external bodies, so as to enhance the image and reputation of the District;

2.0 Internal Leadership:

- provide visible political and strategic leadership in the area of their Portfolio functions and responsibilities to the Cabinet, the Chief Executive and relevant Chief Officer(s), Cabinet Committees and other relevant bodies, under the direction of the Leader;
- refer, as necessary, to the Chief Executive or to relevant Chief Officers any tasks that may be appropriate or necessary to be carried out by such person(s);
- establish and maintain professional, effective and efficient working relations with the spokespersons of the Opposition Groups, the Chairmen of Committees and other members;
- take collective and individual responsibility to work with other Cabinet Members so as to ensure the effective and efficient operation of the Council;
- exercise executive decisions covered by his/her Portfolio functions/responsibilities and keep other Cabinet Members duly informed of any relevant matters that may impact, directly or indirectly, on any other Cabinet Member's Portfolio functions/responsibilities;
- contribute in the effective and efficient strategic direction of the Council through proactive engagement in the Cabinet and other relevant fora;
- consult and keep informed, as necessary, relevant Members with regard to any Executive arrangements covered by the Cabinet Member's Portfolio of functions/responsibilities;
- have an overview of and be responsible for effective management of any budgets allocated to the Portfolio functions/responsibilities;
- report, as necessary, to the Cabinet/Council on any matters relating to his/her post;
- provide support and assistance to the Leader of the Council;
- work with the Leader, Chief Executive and relevant Chief Officers so as to ensure the effective and efficient delivery of the Council's Cabinet and Corporate Plan and, in particular, the continuous improvement of all services covered by the Cabinet Member's Portfolio of functions/responsibilities;
- liaise with the Leader of the Council / Chairman of Overview & Scrutiny Committee(s), as required, when items arise which are not in the Forward Plan, but which the Cabinet need to consider as matters of urgent business;
- assist in the proper and orderly discharge of business at Council Meetings; and
- provide relevant, constructive and confidential feedback to the Chief Executive, if requested, with regard to any annual appraisal that the Chief Executive may carry out for any Chief Officer dealing with any matters covered by the Cabinet Member's Portfolio of functions/responsibilities.

3.0 Personal Leadership:

- lead by example, in accordance with the highest standards of probity and public life, in all matters relating to the Council's Code of Conduct for Members, related Protocols and supporting guidance;
- comply with any relevant legislative provisions, best practice and good governance arrangements with regard to local government;
- be aware of any training and development needs of him/herself and the other Cabinet Members and liaise, as necessary, with the Leader of the Council, the Chief Executive and any other relevant Chief Officer or person, to address any such needs;
- undertake such other roles and responsibilities as may arise or be required by the Leader of the Council, from time to time, with a view to further enhancing the image and reputation of the District;
- promote the Council's policies on equality and diversity in the workplace and in service provision; and
- keep abreast of national best practice / new initiatives relating to his/her Cabinet Member Portfolio functions/responsibilities so as to ensure the continuous improvement of such services.

4.0 Time Commitments:

Devote such time as is sufficient to effectively and efficiently perform his/her duties and responsibilities as a Cabinet Member, recognising that this may require periods of full time work.

5.0 Personal attributes, knowledge, experience, skills and abilities for the job:

- Prioritise, plan and prepare work within deadlines, in a manner conducive to best practice
- Effective communication skills (including public speaking and media relations)
- Build and maintain partnerships with a range of external bodies
- Analyse issues and propose clear, concise and rational ways forward
- Community engagement
- Chair meetings effectively and in an orderly manner.

6.0 Additional responsibilities for the Deputy Leader of the Council

In the absence of the Leader of the Council, to deputise for the same in accordance with his / her Roles & Responsibilities and, in particular, to:-

- Chair the meetings of the Cabinet and other relevant member/officer meetings;
- deal with any Executive or other matters delegated to him/her by the Leader of the Council; including, without prejudice to the foregoing, attending meetings with relevant Government ministers / departments and other relevant organisations;
- provide appropriate leadership and direction in matters which the Leader of the Council is prevented from dealing with by virtue of any personal and prejudicial interests under the Code of Conduct for Members; and
- deal with such other additional duties and responsibilities that are specifically delegated to the post of the Deputy Leader of the Council by the Constitution and/or the Council.

CABINET DEPUTY (appointed by the Leader)

1.0 Main Role:

Assisting individual Cabinet Members with specific aspects of their portfolio by carrying out or assisting with the carrying out of policy development work.

2.0 Duties and Responsibilities:

- To contribute to the process of setting policy direction, development and review by assisting a Cabinet Member to develop specific aspects of their individual portfolio, for example, in relation to a Corporate Plan objective or a new policy area.
- To work on aspects of policy development on a time-limited, task-based approach in accordance with evolving corporate priorities. For each task, a specific brief will be drawn up by the relevant Cabinet Member in consultation with other Cabinet members as appropriate.
- To report to relevant Cabinet Member in respect of progress in carrying out Cabinet Deputy duties.

To promote the core values, corporate priorities and objectives of the Council.

3.0 Personal attributes, knowledge, experience, skills and abilities for the job:

- Prioritise, plan and prepare work within deadlines, in a manner conducive to best practice
- Effective communication skills (including public speaking and media relations)
- Build and maintain partnerships with a range of external bodies
- Analyse issues and propose clear, concise and rational ways forward
- Community engagement
- Chair meetings effectively and in an orderly manner.

CHAIRMAN OF OVERVIEW AND SCRUTINY COMMITTEE

In accordance with the Constitutional arrangements of Braintree District Council, the Local Government Act 2000 and all other relevant legislation, the Chairman of the Overview and Scrutiny Committee shall:-

1.0 External Leadership:

- be the Lead Member for the Council on all matters covered in the Terms of Reference of the Overview & Scrutiny Committee, as set out in the Council's Constitution.

2.0 Internal Leadership:

- chair, lead and co-ordinate, as necessary, the activities of the Overview & Scrutiny Committee;
- add value to the Council by ensuring the effective and efficient discharge of the Overview & Scrutiny functions of the Council and by assisting the Cabinet with the development of any policies and procedures or overseeing the same;
- scrutinise the Cabinet by being a critical friend over any Cabinet decisions so as to protect and to safeguard the best interests of the Council and the citizens of the District;
- establish and maintain cordial, effective and efficient working relations with the Leaders of the Political Groups, the Cabinet, the Chairmen of Committees and other members;
- consult and keep informed, as necessary, relevant members with regard to any Overview and Scrutiny arrangements;
- attend, as necessary, any meetings of the Cabinet on behalf of the Overview & Scrutiny Committee and to feedback any comments there from;

- liaise with the Leader of the Council, relevant Cabinet Member(s), the Chief Executive and Chief Officers, as required, on any requests for call-in of Cabinet decisions and relevant scrutiny review(s);
- liaise with the Leader of the Council and relevant Cabinet Member(s), as required, when items arise which are not in the Forward Plan, but which the Cabinet need to consider as matters of urgent business;
- contribute, as necessary, to the delivery of the corporate aims and strategic objectives of the Council within existing budgets;
- undertake Overview & Scrutiny functions in a positive, constructive and non-partisan manner which enhances the image and reputation of the Council;
- undertake additional requirements, as requested, from time to time, by the Council or by the Cabinet;
- monitor and report any improvements in the performance of services within the relevant Cabinet Member Portfolio(s), including participating in any relevant service reviews;
- work within approved budgets and promote the work and quasi-independence of the scrutiny processes;
- provide relevant, constructive and confidential feedback to the Chief Executive, if requested, with regard to any annual appraisal that the Chief Executive may carry out for any Chief Officer dealing with any matters covered by the Overview & Scrutiny Committee; and
- assist in the proper and orderly discharge of Overview & Scrutiny business at Council Meetings;

3.0 Personal Leadership:

- lead by example, in accordance with the highest standards of probity and public life, in all matters relating to the Council's Code of Conduct for Members, related Protocols and supporting guidance;
- comply with any relevant legislative provisions, best practice and good governance arrangements with regard to local government;
- be aware of any training and development needs of him/herself and the other Overview and Scrutiny Members and liaise, as necessary, with the Chief Executive and other relevant Chief Officer or person, to address any such needs;
- promote the Council's policies on equality and diversity in the workplace and in service provision; and
- keep abreast of national best practice / new initiatives relating to local government so as to ensure the continuous improvement of Council services;

4.0 Time Commitments:

Devote such of his/her time on the work of the Council as is necessary to effectively and efficiently discharge the business of the Overview and Scrutiny Committee.

5.0 Personal attributes, knowledge, experience, skills and abilities for the job:

- Prioritise, plan and prepare work within deadlines, in a manner conducive to best practice
- Effective communication skills (including public speaking and media relations)
- Build and maintain partnerships with a range of external bodies
- Analyse issues and propose clear, concise and rational ways forward
- Community engagement
- Chair meetings effectively and in an orderly manner.

6.0 Additional responsibilities for the Chair of the Overview & Scrutiny Committee in carrying out its co-ordinating role as set out in the Overview and Scrutiny Procedure Rules

- Ensure the proper, effective and efficient co-ordination of member / officer involvement in the Overview & Scrutiny responsibilities of the Council; including, without prejudice to the foregoing, to be responsible for agreeing an annual plan of action for the Overview & Scrutiny Committees of the Council;
- Give any consent(s) to any matters which require urgent action by the Cabinet on matter(s) not covered in any Forward Plan; and
- Deal with such other additional duties and responsibilities relating specifically to the co-ordinating role set out in the Overview and Scrutiny Procedure Rules that may be specifically delegated to the post of the Chair of the Overview & Scrutiny Committee by the Constitution and/or the Council.

THE CHAIRMEN OF THE PLANNING AND LICENSING COMMITTEES

In accordance with the Constitutional arrangements of Braintree District Council, the Local Government Act 2000 and all other relevant legislation, the Chairman of the relevant Regulatory Committee (which shall mean the Planning and Licensing Committees of the Council) shall:-

1.0 External Leadership:

- be the Lead Member for the Council on all matters covered in the Terms of Reference of the relevant Regulatory Committee, as set out in the Council's Constitution.

2.0 Internal Leadership:

- chair, lead and co-ordinate, as necessary, the activities of the relevant regulatory committee;
- create an environment where those present are clear about the purpose and function of the meeting and feel empowered to make a constructive contribution to the debate;
- ascertain the sense of the meeting by putting relevant questions to the meeting and taking votes therein (including, if so minded, giving a casting vote);
- ensure that Members are aware of wording/intention of any meeting before them and to be voted on, if necessary by summarising the discussion and reading out the wording of the motion;
- add value to the Council by ensuring the effective and efficient discharge of the regulatory functions of the Council and by assisting the Cabinet with the development of any policies and procedures or overseeing the same;
- consult and keep informed, as necessary, relevant members with regard to any regulatory arrangements;
- attend, as necessary, any meetings of the Cabinet on behalf of the regulatory Committee and to feedback any comments there from;
- establish and maintain cordial, effective and efficient working relations with the Cabinet, spokespersons of the opposition groups, the Chairmen of Committees and other members;
- liaise with the Leader of the Council, relevant Cabinet Member(s), the Overview & Scrutiny Chairman, Chief Executive and Chief Officers, as required, on any regulatory matters and contribute, as necessary, to the delivery of the corporate aims and strategic objectives of the Council within existing budgets;
- undertake regulatory functions in a positive, constructive and non-partisan manner which enhances the image and reputation of the Council;
- undertake additional requirements, as requested, from time to time, by the Council or by the Cabinet;
- work within existing budgets and promote the work and quasi-independence of the regulatory processes;
- monitor and report any improvements in the performance of services, including participating in any relevant service reviews;
- provide relevant, constructive and confidential feedback to the Chief Executive, if requested, with regard to any annual appraisal that the Chief

Executive may carry out for any Chief Officer dealing with any matters covered by the regulatory committee(s); and

- assist in the proper and orderly discharge of business at Council Meetings.

3.0 Personal Leadership:

- lead by example, in accordance with the highest standards of probity and public life, in all matters relating to the Council's Code of Conduct for Members, related Protocols and supporting guidance;
- comply with any relevant legislative provisions, best practice and good governance arrangements with regard to local government;
- be aware of any training and development needs of him/herself and the other Regulatory Members and liaise, as necessary, with the Chief Executive and other relevant Chief Officer or person, to address any such needs;
- promote the Council's policies on equality and diversity in the workplace and in service provision; and
- keep abreast of national best practice / new initiatives relating to local government so as to ensure the continuous improvement of Council services.

4.0 Time Commitments:

Devote such of his/her time on the work of the Council as is necessary to discharge the business of the relevant Regulatory Committee.

5.0 Personal attributes, knowledge, experience, skills and abilities for the job:

- Prioritise, plan and prepare work within deadlines, in a manner conducive to best practice;
- Effective communication skills;
- Chair meetings effectively and in an orderly manner.

THE CHAIRMEN OF LOCAL COMMITTEES

In accordance with the Constitutional arrangements of Braintree District Council, the Local Government Act 2000 and all other relevant legislation, the Chairman of the relevant Local Committee shall:-

1.0 External Leadership:

- provide visible leadership within the remit of the Local Committee's terms of reference, including assisting the Cabinet with the development of appropriate new policies for consideration by the Leader of the Council/Cabinet/Council, as necessary;
- consult and keep informed, as necessary, relevant Members and the citizens of the District on all matters devolved by the Cabinet to the relevant Local Committee;
- lead on the development of local strategic partnerships for the relevant Local Committee with a view to promoting the Council's interests and the interests of the citizens of the District; and
- work in collaboration with the Leader of the Council, Cabinet Members and other relevant Members of the Council, MPs and relevant external bodies, so as to enhance the image and reputation of the Council.

2.0 Internal Leadership:

- chair the meetings of the relevant Local Committee and notify the Leader of the Council, for inclusion in the Forward Plan, of any 'key decisions' to be taken by the Local Committee;
- refer, as necessary, to the Chief Executive or to relevant Chief Officers any tasks that may be appropriate or necessary to be carried out by such person(s);
- establish and maintain cordial, effective and efficient working relations with the Cabinet, spokespersons of the opposition groups, the Chairmen of Committees and other members;
- take collective and individual responsibility to work with Cabinet Members so as to ensure the effective and efficient operation of the Council;
- consult and keep informed, as necessary, Members of his/her Local Committee of relevant matters that may impact, directly or indirectly, on the work of that Local Committee;
- have an overview of and be responsible for the effective management of any budgets allocated to the relevant Local Committee;
- report, as necessary, to the Cabinet/Council on any matters relating to his/her post;
- work with the Leader, Chief Executive and relevant Chief Officers so as to ensure the effective and efficient delivery of the Council's Cabinet and Corporate Plan and, in particular, the continuous improvement of all services covered by the Local Committee's terms of reference;
- liaise with the Leader of the Council / Chairman of the Overview & Scrutiny Committee, as required, when items arise which are not in the Forward Plan, but which the Local Committee need to consider as matters of urgent business;

- assist in the proper and orderly discharge of business at Council Meetings; and
- provide relevant, constructive and confidential feedback to the Chief Executive, if requested, with regard to any annual appraisal that the Chief Executive may carry out for any Chief Officer dealing with any matters covered by the Local Committee's terms of reference.

3.0 Personal Leadership:

- lead by example, in accordance with the highest standards of probity and public life, in all matters relating to the Council's Code of Conduct for Members, related Protocols and supporting guidance;
- comply with any relevant legislative provisions, best practice and good governance arrangements with regard to local government;
- be aware of any training and development needs of him/herself and the other Members and liaise, as necessary, with the Leader of the Council, the Chief Executive and any other relevant Chief Officer or person, to address any such needs;
- promote the Council's policies on equality and diversity in the workplace and in service provision; and
- keep abreast of national best practice / new initiatives relating to the Local Committee's terms of reference, so as to ensure the continuous improvement of any services devolved to the same.

4.0 Time Commitments:

Devote such time as is sufficient to effectively and efficiently perform his/her duties and responsibilities as a Chairman of a relevant Local Committee, recognising that this may require periods of full time work.

5.0 Personal attributes, knowledge, experience, skills and abilities for the job:

- Chair meetings effectively and in an orderly manner;
- Prioritise, plan and prepare work within deadlines, in a manner conducive to best practice;
- Effective communication skills;
- Community engagement.

VICE-CHAIRMEN OF COMMITTEES

In accordance with the Constitutional arrangements of Braintree District Council, the Local Government Act 2000 and all other relevant legislation, the Vice-Chairmen of relevant Committees shall:-

1.0 Internal Leadership:

- deputise for the Chairman of the relevant Committee in his/her absence;
- undertake such tasks and responsibilities as are allocated to him/her by the Chairman of the relevant Committee and in keeping with the Terms of Reference of the relevant Committee;
- otherwise, assist the Chairman in his/her role and attend relevant meetings with Officers, Elected Members, organisations and members of the public (as necessary) so as to further the terms of reference of the relevant Committee.

2.0 Personal Leadership:

- lead by example, in accordance with the highest standards of probity and public life, in all matters relating to the Council's Code of Conduct for Members, related protocols and supporting guidance;
- comply with any relevant legislative provisions, best practice and good governance arrangements with regard to local government;
- be aware of any training and development needs of him/herself and the other Members and liaise, as necessary, with the Chief Executive and other relevant Chief Officer or person, to address any such needs;
- promote the Council's policies on equality and diversity in the workplace and in service provision; and
- keep abreast of national best practice / new initiatives relating to local government so as to ensure the continuous improvement of Council services;

3.0 Time Commitments:

Devote such of his/her time on the work of the Council as is necessary to effectively and efficiently discharge the business of the relevant committees.

4.0 Personal attributes, knowledge, experience, skills and abilities for the job:

- (When called upon to do so) Chair meetings effectively and in an orderly manner;
- Prioritise, plan and prepare work within deadlines, in a manner conducive to best practice;
- Effective communication skills;
- Community engagement.

FRONTLINE MEMBERS

In accordance with the Constitutional arrangements of Braintree District Council, the Local Government Act 2000 and all other relevant legislation, Frontline Members shall:-

1.0 External Leadership:

- act as the democratically elected member for and represent the interests of all the citizens of Braintree District through case work, membership of relevant Cabinet, Overview & Scrutiny, Planning, Licensing or other Committees of the Council and other outside bodies to which s/he has been appointed to by the Council or the Cabinet;
- act as a local leader of the community on environmental, social and economic issues that impact upon local people;
- champion the needs and views of local citizens to improve the overall quality of their lives;
- consult and keep informed, as necessary, relevant Members and, in particular, the citizens of the Ward that s/he has been elected to;
- assist in the development of local strategic partnerships for the relevant Local Committee with a view to promoting the Council's interests and the interests of the citizens of the District; and
- work in collaboration with the Leader of the Council, Cabinet Members and other relevant Members of the Council, MPs and relevant external bodies, so as to enhance the image and reputation of the District.

2.0 Internal Leadership:

- participate, as required, in any meetings of the Council or relevant Committees/fora so as to ensure the effective and efficient operation of the Council;
- refer, as necessary, to the Chief Executive or to relevant Chief Officers any tasks that may be appropriate or necessary to be carried out by such person(s);
- work with the Leader, Chief Executive and relevant Chief Officers so as to ensure the effective and efficient delivery of the Council's Cabinet and Corporate Plan and, in particular, the continuous improvement of all Council services;
- assist in the proper and orderly discharge of business at Council Meetings; and
- maintain cordial, effective and efficient working relations with other members.

3.0 Personal Leadership:

- lead by example, in accordance with the highest standards of probity and public life, in all matters relating to the Council's Code of Conduct for Members, related protocols and supporting guidance;
- comply with any relevant legislative provisions, best practice and good governance arrangements with regard to local government;
- be aware of any training and development needs of him/herself and liaise, as necessary, with the Leader of the Council, the Chief Executive and any other relevant Chief Officer or person, to address any such needs;
- promote the Council's policies on equality and diversity in the workplace and in service provision; and
- keep abreast of national best practice / new initiatives relating to his / her areas of responsibility.

4.0 Time Commitments:

Devote such time as is sufficient to effectively and efficiently perform his/her duties and responsibilities as a backbench Member.

5.0 Personal attributes, knowledge, experience, skills and abilities for the job:

- Chair public meetings effectively;
- Prioritise, plan and prepare work within deadlines, in a manner conducive to best practice;
- Effective communication skills;
- Mediation;
- Effective champion on local issues;
- Working with others.

CHAIRMAN OF THE AUDIT COMMITTEE

In accordance with the Constitutional arrangements of Braintree District Council, the Local Government Act 2000 and all other relevant legislation, the Chairman of the Audit Committee shall:

1.0 External Leadership:

- be the Lead Member for the Council on all matters covered in the Terms of Reference of the Audit Committee, as set out in the Council's Constitution.

2.0 Internal Leadership:

- chair, lead and co-ordinate, as necessary, the activities of the Audit Committee;
- add value to the Council by ensuring the effective and efficient discharge of the Audit Committee functions of the Council and by assisting the Cabinet with the development of any policies and procedures or over viewing the same;
- consult and keep informed, as necessary, relevant members with regard to any Audit Committee requirements;
- attend, as necessary, any meetings of the Cabinet on behalf of the Audit Committee and to feedback any comments there from;
- establish and maintain cordial, effective and efficient working relations with the Cabinet, spokespersons of the Opposition Groups, the Chairmen of committees and other members;
- liaise with the Leader of the Council, relevant Cabinet Member(s), the Overview and Scrutiny Chairman, Planning and Licensing Committee Chairmen, Chief Executive and Chief Officers, as required, on any Audit Committee matters and contribute, as necessary, to the delivery of the corporate aims and strategic objectives of the Council within existing budgets;
- undertake the Audit Committee functions in a positive, constructive and non-partisan manner which enhances the image and reputation of the Council;
- work within existing budgets and promote the work and independence of the Audit Committee;
- assist in the orderly and proper discharge of Audit Committee business at Council meetings; and
- report to the Council, on an annual basis, on the progress of the Audit Committee.

3.0 Personal Leadership:

- lead by example, in accordance with the highest standards of probity in public life, in all matters relating to the Council's Code of Conduct for Members, related Protocols and supporting guidance;
- comply with any relevant legislative provisions, best practice and good governance arrangements with regard to local government;
- be aware of any training and development needs of him / herself and the other Audit Committee members and liaise, as necessary with the Chief Executive or any other relevant Chief Officer or person, to address such needs;
- promote the Council's policies on equality and diversity in the workplace and in service provision; and
- keep abreast of national best practice / new initiatives relating to local government, particularly with regard to corporate governance, so as to ensure the continuous improvement of Council services.

4.0 Time Commitments:

Devote such of his / her time on the work of the Council as is necessary to effectively and efficiently discharge the business of the Audit Committee.

5.0 Personal attributes, knowledge, experience, skills and abilities for the job:

- Prioritise, plan and prepare work within deadlines, in a manner conducive to best practice;
- Effective communication skills;
- Analyse issues and propose clear, concise and rational ways forward;
- Chair meetings effectively and in an orderly manner.

INDEPENDENT MEMBER OF STANDARDS COMMITTEE

ROLE DESCRIPTION

Responsible to: The Standards Committee and to the Council

Liaison with: Members of the Standards Committee, Officers and Members of the District Council and of Town and Parish Councils within the District, Independent Members of the other Standards Committees, key stakeholders within the community.

1. To attend regularly and participate in meetings of the Standards Committee and any sub-committees (NOTE: meetings will normally be held in the evening but may be held during the day and may occasionally be called at short notice).
2. To participate in and/or chair hearings in relation to complaints of member misconduct under the Code of Conduct.
3. To actively promote ethics and standards within the District Council and within Town and Parish Councils within the district area.
4. To develop and apply knowledge of the Code of Conduct in relation to matters brought before the Standards Committee, including the determination of allegations of member misconduct.
5. To analyse and exercise fair and impartial judgement on conduct issues and to set standards of ethical behaviour.
6. To provide a view on the governance of the Council from an external perspective which will better enable the Committee to advise the Council on conduct issues.
7. To develop a sound understanding of the ethical and wider regulatory framework within which the Council operates and to contribute to the overall effectiveness of the full scope of the work of the Committee.
8. To be aware of the views of the local community on ethical standards and to reflect these in the activities of the Committee.
9. Be prepared to undertake training and to participate in training events organised by the committee to promote awareness of the Code of Conduct.
10. To attend meetings of the District Council and civic and other functions in order to raise the profile of ethics and standards within the authority.
11. In the absence of the Chairman, to participate in any forum established for independent Members of the Standards Committee.

MEMBER CHAMPIONS

At its discretion, the Council may, from time to time, designate Champions from amongst Councillors who are not Members of the Cabinet.

Term of Office

Councillors who are designated as Member Champions shall hold office until:

- (a) they resign from office;
- (b) they are suspended from being Councillors under Part III of the Local Government Act 2000 (although they may resume office at the end of the period of suspension);
- (c) they are no longer Councillors; or
- (d) the commencement of the next Annual Meeting of the Council, except that the Council may remove from office at its discretion.

Role and Functions

To act as a positive focus for the local community at elected member level in respect of the relevant section of the community or range of activities designated by the Council so as to ensure that full consideration is given to the impact of Council activities and decisions upon the section of the community or range of activities.

Key Tasks

- (a) To make contact with local organisations concerned with the designated section of the community or range of activities and to establish effective and regular consultation arrangements with those organisations.
- (b) To represent the views of such organisations to officers, the Council, the Cabinet, Overview and Scrutiny and other Committees, on all relevant aspects of the Council's activities.
- (c) To act as an advocate on behalf of the relevant section of the community or range of activities within the Council as an organisation and to the wider community.
- (d) To become familiar with the needs and priorities of the relevant section of the community, or range of activities concerned, and to weigh up interests expressed in order to provide sound advice on the implications of alternative courses of action.
- (e) To feedback decisions of the Council and to explain the Council's position on specific issues of concern to relevant organisations and to individuals involved.
- (f) To publish an annual report on work undertaken over each year for consideration by the Council.