

TERMS OF REFERENCE

Joint Mobilisation Project Board

1 PURPOSE AND FUNCTION

- 1.1 The Joint Mobilisation Project Board will oversee the mobilisation of the Waste, Recycling and Street Cleansing Contract due to commence in May 2025. The Joint Mobilisation Project Board shall provide senior level guidance for the programme of works required for mobilisation.
- 1.2 The Joint Mobilisation Project Board is advised by the Mobilisation Project Team on any issues arising and shall confirm decisions for implementation to the Mobilisation Project Team or Shared Service Manager who shall implement any decisions of the Joint Mobilisation Project Board. The Joint Mobilisation Project Board reports to the Councils.
- 1.3 The Joint Mobilisation Project Board shall meet alternate monthly unless a key decision or update is required sooner under the project plan.
- 1.4 The functions of the Joint Mobilisation Project Board are:
 - 1.4.1 to provide senior level guidance, leadership and strategy advice and steer in relation to the mobilisation of the Services and to approve recommendations from the Mobilisation Project Team and make recommendations to the respective Councils in respect thereto;
 - 1.4.2 to ensure the recommendations of the Executive and the Cabinet meetings on 25th October 2022, and 9th July 2024 and the Cabinet meeting of 12th December 2023 and the Executive meeting of 21st December 2023 in relation to the contract and service provision are implemented;
 - 1.4.3 make recommendations, having due regard to the services Aims and Principles agreed by Cabinet and Executive;
 - 1.4.4 to consider and make recommendations to each Council's Executive /Cabinet/Portfolio holder in relation to the reserved matters.
- 1.5 The Joint Mobilisation Project Board shall operate as a steering body and does not constitute a joint committee. It shall work within the existing decision-making frameworks of the Councils and in accordance with the levels of delegated authority assigned to the officers from time to time. The authority of executive members and officers who are members of the Joint Mobilisation Project Board shall not exceed the schemes of delegation as set out in each Council's respective constitutions. The Joint Mobilisation Project Board shall not have the authority to make binding decision on the parties collectively, any decisions shall be those of the individual Councils. Members and Officers shall act reasonably and in good faith in the interests of good contract management and partnership working.
- 1.6 No discussion, review or recommendation by the Joint Mobilisation Project Board shall relieve either Council of any liability or vary any such liability or any right or benefit.

2 POWERS

- 2.1 The Shared Service Manager on behalf of the Mobilisation Project Team shall present regular updates on the mobilisation to the Joint Mobilisation Project Board. The Joint Mobilisation Project Board shall oversee the mobilisation and provide guidance to the Mobilisation Project Team as required. The Heads of Service/Director have delegated authority within their respective constitutional delegations to make decisions in relation to the following matters (Ordinary Matters) in consultation with the Joint Mobilisation Project Board:

- 2.1.1 Approval of the mobilisation programme of works
 - 2.1.2 Oversight for related procurements
 - 2.1.3 Approval of communications plans and key messages;
 - 2.1.4 Approval of the contract Service Delivery Plan
 - 2.1.5 Approval of decisions on re-allocation of risk sharing.
 - 2.1.6 Approval of service change dates
- 2.2 The following matters (“Reserved Matters”), together with such other matters as the Heads of Service may determine, will be reported on by the Mobilisation Project Team for the Joint Mobilisation Project Board to discuss and make recommendations to the respective Councils who shall implement the recommendations as applicable. It is acknowledged that Representatives will not be empowered to make decisions in relation to Reserved Matters without referral to their own internal approval process. The following are Reserved Matters:
- 2.2.1 Financial pressures which become evident through the mobilisation including any increases to the budgetary envelope as agreed by the respective Councils;
 - 2.2.2 Financial spend associated with this project, e.g. Capital purchase of bins, EV charging infrastructure
 - 2.2.3 Any minor amendments to policies necessary to support service delivery

3 MEMBERSHIP

- 3.1 The Joint Mobilisation Project Board shall consist of the following (“Representatives”):
- 3.1.1 The portfolio holders from each Council responsible for Waste* and Communications. Either Council may nominate substitutes for a relevant executive member.
 - 3.1.2 Heads of Paid Service from each Council
 - 3.1.3 Director of Place from North Herts Council
 - 3.1.4 Head of Operations from East Herts Council
 - 3.1.5 Shared Service Manager from the Shared Waste Service (non-decision making)
 - 3.1.6 Head of Service/Director responsible for Digital Transformation/Customer Service from each Council
 - 3.1.7 Legal Representatives from each Council, (to provide advice as required)
 - 3.1.8 s151 Officers or a nominated representative

*Shadow members/Deputies from time to time may observe meetings but consensus is not required from them to ensure balance of views from both Councils.

- 3.2 The Parties may appoint their Representatives onto the Joint Mobilisation Project Board and remove those Representatives and appoint replacements and or deputies, by written notice delivered by email or by hand to the Chair of the Joint Mobilisation Project Board at any time provided that any notice is received by the Chair prior to any meeting at which the replacement is intended to attend.
- 3.3 Any attendee at any meeting will be expected to declare any interest which may affect his or her judgement and/or impartiality in respect of any items to be discussed.
- 3.4 Other services and external consultants and advisers may be invited to attend meetings to present information to the Joint Mobilisation Project Board, respond to questions and queries and to assist the Joint Mobilisation Project Board reach decisions.

4 CHAIR

- 4.1 The Chair rotates between the Executive Member for North Herts and Executive Member for East Herts for each Meeting.

- 4.2 The Chair in conjunction with the meeting secretary or Shared Service Manager (as applicable) shall be responsible for
- 4.2.1 scheduling and hosting Board meetings;
 - 4.2.2 chairing the Board meetings;
 - 4.2.3 monitoring the progress of any follow up tasks and activities agreed to be carried out following Board meetings;
 - 4.2.4 ensuring that minutes for Board meetings are recorded and disseminated electronically to the appropriate persons and to all Board meeting participants within fourteen (14) Working Days after the Board meeting; and
 - 4.2.5 facilitating the process or procedure by which any decision agreed at any Board meeting is given effect in the appropriate manner.
- 4.3 If a dispute arises at Joint Mobilisation Project Board the Chair of the meeting of the Joint Mobilisation Project Board shall use reasonable endeavours to facilitate the resolution of the Dispute in good faith and ensuring the relevant Members of the Joint Mobilisation Project Board cooperate with each other so as to advance the resolution of any Dispute. The Chair shall refer any Disputes which are not resolved at the Joint Mobilisation Project Board to the process set out in Clause 9.2.

5 QUORUM

- 5.1 The following, or their suitable deputy, must be present to be quorate:
- 5.1.1.1 One elected Member from each Council,
 - 5.1.1.2 Director of Place from North Herts Council
 - 5.1.1.3 Head of Operations from East Herts Council
 - 5.1.1.4 Head of Service/Director for Digital Transformation/Customer Service from each Council
 - 5.1.1.5 Shared Service Manager.

6 DECISIONS

6.1 Decisions on Ordinary Matters

- 6.1.1 In line with the respective delegated authority of the Heads of Service/Director, all decisions on Ordinary Matters shall be made by the Heads of Service/Director from each Council in consultation with the Joint Mobilisation Project Board.

6.2 Reserved Matter Decisions of the Board.

- 6.2.1 Any decision on Reserved Matters of the Board will be presented as a recommendation to the individual Councils.

7 MEETINGS

- 7.1 Minutes of each meeting shall be recorded
- 7.2 Agendas for meeting shall be prepared by the Shared Service Manager and circulated at least 1 week before the date of any meeting.