

EAST LONDON WASTE AUTHORITY

21 JUNE 2010

MONITORING OFFICER'S REPORT

NOMINATIONS UNDER SECTION 41 OF THE LOCAL GOVERNMENT ACT 1985	FOR APPROVAL
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1. Purpose

- 1.1. To seek nominations from the Authority as to which Members shall be responsible for answering questions on behalf of the Authority at their respective constituent council proceedings.

2. Background

- 2.1. Section 41 of the Local Government Act 1985 requires that, as a statutory Waste Disposal Authority, the East London Waste Authority (ELWA) should make arrangements (whether by standing orders or otherwise) for enabling questions on the discharge of the functions of a joint authority to be put in the course of the proceedings of any constituent council by members of that council for answer by a member of it who is also a member of the authority and is nominated by the authority for that purpose. What this means is that ELWA, as a joint authority, must nominate from its membership, a Member from each of the four constituent councils as the person who will, on behalf of the Authority, answer questions put by other Members of the Constituent Councils in the course of council proceedings, pertaining to the discharge of ELWA's functions. This is a mandatory statutory requirement.
- 2.2. The Authority may wish to consider nominating Authority Members who are the respective Council's lead Member for Environment/Waste to answer questions on behalf of the Authority.

3. Legal Implications

- 3.1. This report was prepared by the Monitoring Officer and Legal Adviser to the Authority and the legal implications are set out in the body of the report.

4. Financial Implications

- 4.1. There are no financial implications associated with this report.

5. Recommendations

- 5.1. In accordance with Section 41 of the Local Government Act 1985, the Authority is recommended to nominate from its membership, one Member from each of the Constituent Councils, possibly their lead Member at ELWA, to answer questions on behalf of the Authority, put by other Members of the Constituent Councils in the course of council proceedings, pertaining to the discharge of the Authority's functions for the year 2010/11.

Eldred Taylor-Camara
MONITORING OFFICER

Appendices
None
Background papers
There are no background documents to this report subject to Section 100D of The Local Government Act 1972