
STATUTORY INSTRUMENTS

2008 No. 2038

The London Waste and Recycling Board Order 2008

PART 2

Membership of the Board

Members of the Board

- 3.**—(1) The Board shall comprise the following members—
- (a) the Mayor who shall be the chair of the Board;
 - (b) four elected members of any London borough council or the Common Council appointed by the London councils (“council members”);
 - (c) two persons appointed by the London councils and one person appointed by the Mayor (“independent members”).

This is subject to paragraphs (2) and (3) and article 4.

(2) The London councils must ensure that, at any given time, no two or more council members are from the same London borough council or the Common Council.

(3) The London councils or the Mayor may not appoint any person as an independent member if that person is an elected member of any London borough council or the Common Council.

Mayor’s representative

4.—(1) The Mayor may appoint a person (“Mayor’s representative”) to be the chair of the Board on the Mayor’s behalf.

(2) But the Mayor may not appoint any person as the Mayor’s representative who is—

- (a) an existing member of the Board; or
- (b) an elected member of any London borough council or the Common Council.

(3) Where the Mayor appoints a representative under paragraph (1) that person shall replace the Mayor as a member of the Board.

(4) The Mayor’s representative shall hold and vacate office in accordance with such terms and conditions as are determined by the Mayor.

This is subject to paragraphs (5), (6) and (7).

(5) Where the Mayor’s representative becomes an elected member of a London borough council or the Common Council, that person ceases to be the Mayor’s representative.

(6) Where a person ceases to hold office as Mayor any person appointed as the Mayor’s representative ceases to hold that position unless their appointment is confirmed by the subsequent Mayor.

(7) The Mayor may remove any person appointed under paragraph (1) where that person—

- (a) has been absent from the meetings of the Board for more than 6 months without the permission of the Mayor;
 - (b) becomes bankrupt or makes an arrangement with creditors or (in Scotland) that person's estate has been sequestrated; or
 - (c) in the opinion of the Mayor, has become unable, unfit or unsuitable to carry out that person's duties.
- (8) Article 6 does not apply in relation to the Mayor's representative.

Relevant experience and knowledge

5. The Mayor and the London councils must, in appointing members of the Board (including the Mayor's representative), have regard to the desirability of securing that they have, between them, experience in or knowledge of—

- (a) the prevention, minimization, recycling, treatment, disposal and transportation of waste;
- (b) the provision of waste collection and disposal services;
- (c) the town and country planning system;
- (d) quality assurance;
- (e) the requirements of different waste producers in respect of the treatment, collection and disposal of waste;
- (f) service and capital project procurement and delivery in the public and the private sector;
- (g) environmental protection.

Terms of appointment and tenure

6.—(1) The Board members shall hold and vacate office in accordance with such terms and conditions as are determined by the Mayor with the consent of the London councils (subject to this Order).

(2) The term of office of any Board member, other than the chair, must not exceed 4 years.

(3) A person who has held office as a council member or independent member may be re-appointed once only for a further period (whether consecutive or not) not exceeding 4 years.

(4) The London councils may remove any council member or independent member appointed by them from the Board if that member—

- (a) has been absent from the meetings of the Board for more than 6 months without the permission of the Board;
- (b) becomes bankrupt or makes an arrangement with creditors or (in Scotland) that member's estate has been sequestrated; or
- (c) in their opinion, has become unable, unfit or unsuitable to carry out that member's duties.

(5) The Mayor may remove any independent member appointed by the Mayor from the Board if that member—

- (a) has been absent from the meetings of the Board for more than 6 months without the permission of the Board;
- (b) becomes bankrupt or makes an arrangement with creditors or (in Scotland) that member's estate has been sequestrated; or
- (c) in the opinion of the Mayor, has become unable, unfit or unsuitable to carry out that member's duties.

(6) Where a council member ceases to be an elected member of a London borough council or the Common Council, that person ceases to be a member of the Board.

(7) Where an independent member becomes an elected member of a London borough council or the Common Council, that person ceases to be a member of the Board.

(8) Where a person ceases to hold office as Mayor—

(a) that person ceases to be a member of the Board; and

(b) any independent member appointed by that person ceases to be a member of the Board unless their appointment is confirmed by the subsequent Mayor.

Allowances and expenses

7. The Board may pay to its members and committee members—

(a) such allowances as are determined by the Mayor with the consent of the London councils; and

(b) any expenses properly incurred by them in carrying out the Board's business.