

NORTH LONDON WASTE AUTHORITY

At a meeting of the **NORTH LONDON WASTE AUTHORITY** held on **THURSDAY, 13TH FEBRUARY, 2014** at 10.00 am in Committee Room 1, Camden Town Hall, Judd Street, London, WC1H 9JE

MEMBERS OF THE AUTHORITY PRESENT

Councillors Loakes (Chair), Meehan (Vice-Chair), Demirci, Hull, Jones, Greening and Thomas

MEMBERS OF THE AUTHORITY ABSENT

Councillors Cohen, Bevan, Blackwell, Bond, Lloyd, Rusling and Stafford

The minutes should be read in conjunction with the agenda for the meeting. They are subject to approval and signature at the next meeting of the North London Waste Authority.

MINUTES

1. APOLOGIES

Apologies were received from Councillors Bevan, Blackwell, Bond, Cohen, Lloyd and Rusling.

2. DECLARATIONS BY MEMBERS OF PECUNIARY, NON-PECUNIARY AND ANY OTHER INTERESTS IN RESPECT OF ITEMS ON THIS AGENDA

Councillor George Meehan declared a non-pecuniary interest in all relevant business as a Member of the London Borough of Haringey, which is the planning authority for the Pinkham Way site.

3. DEPUTATIONS (IF ANY)

There were none.

4. MINUTES

RESOLVED –

THAT the public Minutes of the meeting held on 12 December 2013 be approved and signed by the Chair as a correct record.

5. REVENUE BUDGET AND LEVY 2014/15

Consideration was given to the report of the Financial Adviser.

The Head of Finance informed Members that the report contained a slightly higher budget requirement than had been forecast in December. This allowed for increases which had occurred in residual and recycling waste streams. The budget requirement had also been affected by an adverse change in the Retail Price Index compared to the previous month.

The proposed budget of £67.055m had been prepared based on current contract terms and prices and had been updated to take account of inflation and known changes. However, it did not allow for any additional costs that could arise as a result of the decisions on the new residual waste strategy because this was not currently quantifiable. The Authority was therefore proposing to retain £5m in balances to cover any such costs and this approach had been discussed with and endorsed by the boroughs' Directors of Finance.

The Head of Finance stated that there had been a small improvement in forecast balances, as some of the increase in tonnage had come from the non-household waste stream, which increased non-levy income. The levy was proposed to be £46.452m, which was an 11.05% increase on the previous year but slightly lower than the increase forecast in December.

Finally, the Head of Finance drew attention to the Authority's commingled income payment scheme and the potential income that the boroughs could receive to help offset the increase in levy, assuming market prices for the sale of recyclates held up.

In response to a question regarding whether the retention of £5m in balances would be sufficient to cover the cost of decisions on the waste strategy, the Head of Finance replied that this was a reasonable provision along with the other provisions made elsewhere in the budget. In response to a follow-up question regarding the Authority's ability to raise further funds should this prove to be insufficient, the Head of Finance stated that it was possible to issue a substitute levy but this was not the Authority's intention. The Managing Director also stated that the amount of income from LondonWaste Ltd which had been budgeted for was very prudent and officers felt that there was potential that this could exceed budget.

Following requests from other Members, the Chair undertook to provide further information regarding Waltham Forest's approach to reducing the tonnages of chargeable waste collected.

RESOLVED –

- (i) THAT the 2014/15 non-household residual waste charge be agreed at £115.00 per tonne, and, in the case of non-household dry recyclable and food wastes at £51.49 per tonne and £57.79 per tonne respectively, and that a green waste charge of £36.09 per tonne be agreed.
- (ii) THAT the 2014/15 chargeable household residual waste charge be agreed at £115.00 per tonne, and in the case of dry recyclable and food wastes at

£51.49 per tonne and £57.79 per tonne respectively, and that a green waste charge of £36.09 per tonne be agreed.

- (iii) THAT it be accepted that the proposed budget would be sufficient to meet the net expenditure requirements for the year ahead and that the 2014/15 budget be agreed.
- (iv) THAT the return of the earmarked reserve of £1m to revenue be agreed to help fund the 2014/15 budget.
- (v) THAT the use revenue balances of £6.907m to help fund the 2014/15 budget and thereby retain balances of £5m (the latter to be used only with the prior agreement of Members) be agreed.
- (vi) THAT the levy for 2014/15 be determined at £46.452m.
- (vii) THAT the medium term budget forecasts for 2015/16, 2016/17 and 2017/18 be noted.
- (viii) THAT the levy be apportioned in accordance with the alternative levy arrangements agreed by the constituent councils.
- (ix) THAT the Financial Adviser be authorised to make the arrangements for collection of the levy and charges for household and non-household waste.
- (x) THAT the Prudential Indicators be approved and that the basis for calculating the Minimum Revenue Provision as set out in section 10 of the report be agreed.

6. THIRD PARTY RE-USE AND RECYCLING CREDIT REGISTRATIONS

Consideration was given to the report of the Head of Operations.

The Head of Operations explained that the Authority paid credits to third party organisations that diverted items from the municipal waste stream. He expected that there would be a small increase in projected activity despite the loss of one applicant for the credits. Finally, he reported that the organisation listed as "All Board" in Appendix 2 to the report was actually called "All Aboard".

In response to a question, the Head of Operations stated that Tenants and Residents Associations would not qualify for these credits under the current eligibility criteria.

RESOLVED –

THAT the applications from all the organisations listed at Appendix 2 for registration for re-use and recycling credits payments be approved.

7. NORTH LONDON WASTE PREVENTION PLAN 2014/16

Consideration was given to the report of the Head of Operations.

The Head of Operations introduced the report. He highlighted that the plan was updated on a two yearly cycle and that Members had already agreed the principles of the Waste Prevention Plan in December 2013. He stated that the plan had been developed on the basis of assessing the expected waste prevention outcomes against the costs involved.

In response to a question, the Waste Prevention Manager stated that as part of the plan, officers aimed to directly engage with 10,000 residents regarding food waste prevention. They aimed to spread this as equally as possible across all seven boroughs.

In response to a question regarding how many households were helped by furniture re-use programmes, the Waste Prevention Manager stated that the Authority worked with housing associations to promote furniture reuse schemes and that there would be pop-up shops on housing estates. She stated that these programmes were measured in terms of the tonnage diverted from the waste stream, rather than the number of households helped. The target was to divert 500 tonnes of waste through furniture recycling schemes.

It was agreed that officers would provide a presentation to a future meeting on the Authority's furniture re-use work.

RESOLVED –

- 1) THAT the programme of work as outlined in the *North London Waste Prevention Plan April 2014 - March 2016* and attached in Appendix 1 to the report be approved.
- 2) THAT it be agreed that the Head of Operations can take all steps required to implement the Strategy including entering into contracts, subject to annual budgetary provision.

8. CONSULTANCY SERVICES PROCUREMENT

Consideration was given to the report of the Managing Director.

RESOLVED –

THAT the following appointments be made:

- For Lot 1: Planning Consultancy Services – Waste Planning: Bidder 1A – Ove Arup and Partners Ltd
- For lot 2: Technical Consultancy Services – Waste Forecasting and Modelling: Bidder 2B – Eunomia Research and consulting Ltd
- For Lot 3: Technical Consultancy Services – Non-thermal Solutions: Bidder 3A – Amec Environment & Infrastructure UK Ltd
- For Lot 4: Technical Consultancy Services – Thermal Solutions: Bidder 4A – Ramboll UK Ltd

9. CONSULTATIONS AND POLICY UPDATE

Consideration was given to the report of the Head of Operations.

The Head of Operations introduced the report and highlighted that there had been a further consultation received since the report had been written regarding further alterations to the London Plan. He sought a further delegation for himself, in consultation with the Chair and Vice-Chairs, to respond to the consultation.

In response to a question, the Head of Operations confirmed that the proposals relating to single use bags were only due to apply to large organisations employing more than 250 people such as the national supermarkets. He stated that this would therefore have a limited impact within the Authority's area and there was concern that the proposals could cause confusion.

RESOLVED –

- i) THAT the officer response to the Legacy Corporation Local Plan Consultation Document - non-statutory consultation in Appendix 1 to this report be approved;
- ii) THAT authority be delegated to the Head of Operations in consultation with the Chair to provide a response to London Borough of Haringey's public consultation on its Site Allocations Development Plan Document and if appropriate, its separate public consultation on two Tottenham Area Action Plans Development Plan Document (DPD), which form part of the borough's Local Plan preparation;
- iii) THAT authority be delegated to the Head of Operations, in consultation with the Chair and Vice-Chairs, to respond to the consultation on alterations to the London Plan.

- iv) THAT the updates in relation to the Code of Recommended Practice for Local Authorities on Data Transparency and other developments as outlined in Section 6 of the report be noted.

10. STANDING ORDERS REVIEW

Consideration was given to the report of the Managing Director.

The Managing Director informed Members that the Authority's Standing Orders needed to be updated following the ending of the procurement and officers had taken the opportunity to undertake a fuller review. He informed Members that following the requirements in the Standing Orders the proposed changes were being presented to the current meeting for observation and noting and would come back again for agreement to the April meeting.

Members expressed their concern at the six month attendance requirement, as the infrequency of Authority meetings often made it difficult for Members to meet this. They asked officers to review the requirement and also to look at whether boroughs could appoint substitute Members. Members further requested that consideration be given to Members being able to attend meetings remotely via video links.

In response, the Legal Adviser stated that these were all suggestions that had been considered previously and that many of the legal provisions which governed how local authorities conducted meetings, which dated back to the Local Government Act 1972, restricted the Authority's options in some of these areas. However, he undertook to review the legal situation in light of Members comments and include in the report to the April meeting.

ACTION BY – Legal Adviser

RESOLVED –

THAT the report be noted.

11. FORWARD PLAN

Consideration was given to the report of the Managing Director.

The Managing Director informed Members that officers would need to reconsider the proposed date of 10 July 2014 as this date clashed with the Local Government Association Conference.

Members discussed the proposal to hold the Annual General Meeting (AGM) in April and expressed some reservations. The Legal Adviser stated that there was nothing in the legislation which prevented the proposed approach and it was noted that Government regulations which allowed councils to move back the dates of their Annual Council meetings did not apply to the Authority. However, Members expressed the view that the AGM should be held on the original date of 26 June

2013 and felt that it should be possible for boroughs to appoint Members to the Authority by this date.

RESOLVED –

THAT the report be noted.

12. ANY OTHER ITEMS THE CHAIR DECIDES TO TAKE AS URGENT

Councillor Absence

The Chair agreed to accept an item of urgent business as for the reason that Councillor John Bevan was unable to attend the meeting 13 February 2014 and that the next meeting was not due to be held until 17 April 2014. If an extension was not granted at this meeting then Councillor Bevan's absence would go beyond the six month period.

RESOLVED –

- (1) THAT Councillor John Bevan not be disqualified due to non-attendance at Authority meetings for a period of 6 consecutive months for the reasons outlined in paragraph 1.3 of the report.
- (2) THAT the extension of the period within which Councillor Bevan is able to attend a meeting should apply until the end of the 2013/14 Municipal Year.

13. LOCAL GOVERNMENT ACT 1972 - ACCESS TO INFORMATION

RESOLVED -

THAT the press and public be excluded from the proceedings of the North London Waste Authority on 13TH February 2014 during consideration of the following items on Part II of the agenda, on the basis that, were Members of the public to be present, there would be disclosure of exempt information as defined in Schedule 12A to the Local Government Act 1972, as amended.

Specifically:

Exempt Information Category 1 - Information which relates to an individual: the reason why the public interest favours withholding the information are that the release of such information could constitute or facilitate an unwarranted interference with the individual's privacy.

Exempt Information Category 3 – Information relating to the financial or business affairs of any particular person, including the authority holding that information, and not required to be registered under various statutes: the reasons why the public interest favours withholding the information are that the release of such information would prejudice the Authority's conduct of a commercial operation OR because the

disclosure of the information is likely to prejudice the commercial interests of the Authority and organisations engaged in commercial activities as the information related to commercial activities that are conducted in a competitive environment.

Exempt Information Category 5 - Information in respect of which there is a claim to legal professional privilege: the reasons why the public interest favours withholding the information are that the release of such information could prejudice the safeguarding of openness in all communications between client and lawyer and the Authority's ability to ensure access to full and frank legal advice.

14. PRIVATE MINUTES

RESOLVED –

THAT the private Minutes of the meeting held on 12 December 2013 be approved, subject to an amendment agreed by the Authority.

15. GOVERNANCE OF LONDONWASTE LIMITED

Consideration was given to the report of the Managing Director.

RESOLVED –

THAT the report be noted.

16. POTENTIAL GRANT TO COMMUNITY PROJECT

Consideration was given to the report of the Managing Director.

RESOLVED –

THAT the recommendations set out in the report be agreed, subject to an amendment agreed by the Authority.

17. CONSULTANCY SERVICES PROCUREMENT - PART 2

Consideration was given to the report of the Managing Director.

RESOLVED –

THAT the report be noted.

18. NLWA OFFICE PREMISES

Consideration was given to the report of the Head of Operations.

RESOLVED –

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THAT the recommendations set out in the report be agreed, subject to an amendment agreed by the Authority.

The meeting ended at 11:11am

CHAIR

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MINUTES END