

NORTH LONDON WASTE AUTHORITY

At a meeting of the **NORTH LONDON WASTE AUTHORITY** held on **THURSDAY, 17TH APRIL, 2014** at 10.00 am in the Committee Room 1, Camden Town Hall, Judd Street, London, WC1H 9JE

MEMBERS OF THE AUTHORITY PRESENT

Councillors Loakes (Chair), Meehan (Vice-Chair), Bevan, Blackwell, Bond, Hull, Jones, Greening, Lloyd and Thomas

MEMBERS OF THE AUTHORITY ABSENT

Councillors Cohen, Demirci, 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 Cohen, Demirci, Rusling and Stafford.

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

Councillors John Bevan and George Meehan declared non-pecuniary interests 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 13 February 2014 be approved and signed by the Chair as a correct record.

5. CONSULTATIONS AND POLICY UPDATE

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

The Head of Operations introduced the report. He highlighted that a supportive officer response had been submitted to a consultation on the Deephams Sewage Treatment Works site. The report also commented on increases in landfill tax. He stated that since the report's publication, a consultation had been launched by the Environment, Food and Rural Affairs Select Committee as part of an investigation into the Department of the Environment, Food and Rural Affairs' (DEFRA) decision to step back from certain areas of waste management. He recommended that authority be delegated to himself, in consultation with the Chair and Vice-Chairs, to respond to this consultation.

RESOLVED –

- (1) THAT authority be delegated to the Head of Operations in consultation with the Chair and Vice-Chairs, to provide a response to DEFRA's call for evidence on the refuse derived fuel market in England, if appropriate;
- (2) THAT the response to the Draft Further Alterations to the London Plan be approved as set out in Appendix 1 to the report;
- (3) THAT the officer response to the Deephams Sewage Treatment Works Project Overview Phase 2 be approved as set out in Appendix 2 to the report;
- (4) THAT the increase to the rate of landfill tax payable by the Authority from £72 per tonne to £80 per tonne, with effect from April 2014, be noted;
- (5) THAT authority be delegated to the Head of Operations, in consultation with the Chair and Vice-Chairs, to respond to the Environment, Food and Rural Affairs Select Committee's consultation as part of its inquiry into waste management in England.

6. REVIEW OF STANDING ORDERS

Consideration was given to the report of the Managing Director.

The Managing Director introduced the report. He reminded Members that when the proposed revisions to standing orders were first considered in February, officers had been asked to investigate whether it would be possible to allow Members to attend meetings by telephone conferencing, whether attendance at working groups could count towards the attendance requirements and whether substitute members could be allowed onto the Authority. He stated that officers had investigated these suggestions but had concluded that at present, the law did not allow the Authority to take them forward.

A Member queried whether it was possible for other Members of the Authority to act as substitutes on the Urgency Committee. In response, the Legal Adviser confirmed that this would be lawful as the substitute would be another Authority Member. He clarified that it would be unlawful for other Councillors at each Borough to act as

substitutes if Authority members could not attend Authority meetings. Members agreed to amend the proposed Standing Orders so as to allow substitutes on the Urgency Committee.

ACTION BY – Managing Director

In response to a question, the Legal Adviser confirmed that the six month period within which Members needed to attend a meeting was fixed by legislation and could not be amended. In relation to a further query, he stated that future meetings of any informal working groups could not count towards the attendance requirements as they were not formal committees and subject to all the corresponding formal rules. Members requested that there be a review of these options for consideration by Members.

ACTION BY – Managing Director

A Member expressed the view that the six month attendance requirement was not too onerous and that if necessary, Members could be reappointed to the Authority. Another Member stated that the dates of meetings should be taken into account when Borough's selected Members to serve on the Authority.

In response to a question regarding whether it was possible to hold the Annual General Meeting (AGM) in July, the Head of Legal and Governance stated that legislation required the AGM to be held between March and June.

A Member queried who had responsibility for procurement matters now that the Director of Procurement's post had been deleted. The Managing Director replied that there was no active procurement in place but that the project to develop procurement options was being managed by the Head of Legal and Governance.

Another Member asked whether it would be more efficient to hold meetings at the EcoPark, rather than Camden Town Hall. However, other Members commented that Camden Town Hall was very conveniently located for transport connections from all the other boroughs and was therefore a good place to hold meetings.

RESOLVED –

- (a) THAT the report be noted;
- (b) THAT the amendments to Standing Orders as set out in Appendix A be approved, subject to an amendment that would allow other Authority Members to serve as substitutes on the Urgency Committee.

7. FORWARD PLAN OF DECISIONS

Consideration was given to the report of the Managing Director.

RESOLVED –

THAT the report be noted.

8. 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 17th April 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 is 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.

9. PRIVATE MINUTES

It was reported that the Minutes incorrectly said 13 February 2014, rather than 12 December 2013 under the resolution for the approval of the minutes of the previous meeting. This had been corrected on the version being signed by the Chair.

RESOLVED –

THAT the private Minutes of the meeting held on 13 February 2014 be approved.

10. GOVERNANCE OF LONDONWASTE LIMITED

Consideration was given to the report of the Managing Director.

RESOLVED –

THAT recommendations set out in the report be agreed, as amended by the Authority.

11. HENDON ARRANGEMENTS

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

RESOLVED –

THAT the report be noted.

12. POST LONG TERM PROCUREMENT - UPDATE

Consideration was given to the report of the Legal Adviser.

RESOLVED –

THAT the report be noted

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

There was none.

The meeting ended at 10.56 am

CHAIR

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MINUTES END