

NORTH LONDON WASTE AUTHORITY

At a meeting of the **NORTH LONDON WASTE AUTHORITY** held on **THURSDAY, 26TH SEPTEMBER, 2013** at 10.00 am in the Committee Room 1, Town Hall, Judd Street, London WC1H 9JE

MEMBERS OF THE AUTHORITY PRESENT

Councillors Loakes (Chair), Meehan (Vice-Chair), Blackwell, Bond, Demirci, Ismail, Jones, Lloyd, Stafford, Thomas and Watts

MEMBERS OF THE AUTHORITY ABSENT

Councillors Cohen (Vice-Chair), Bevan and Rusling

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, Cohen and Rusling.

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

Councillor George Meehan a non-pecuniary interest in all relevant business as a Member of the London Borough of Haringey, which was 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 27 June 2013 be approved and signed by the Chair as a correct record.

5. COUNCILLOR ATTENDANCE

Consideration was given to the report of the Managing Director.

RESOLVED –

- (1) That it be agreed that Councillors Dean Cohen and Mark Rusling should 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 and 1.4 of the report.
- (2) THAT both Councillors be granted an extension to the attendance requirements until 14th February 2014.

6. 2012/13 STATEMENT OF ACCOUNTS

Consideration was given to the report of the Financial Adviser.

Mr Johnstone, from the Authority's auditors KPMG, stated that he would be issuing an unqualified opinion on the Council's accounts and that there had been no adjustments made. However, he stated that as matters raised by local government electors were still under consideration, he would not be able to formally conclude the audit and issue an audit certificate until these matters had been resolved. He further advised that there were no matters under discussion that he considers materially affect the audit opinion and value for money conclusion.

In response to a question, Mr Johnstone stated that he hoped to issue a provisional view regarding the matters raised by the middle of October 2013.

RESOLVED –

- (i) THAT the Report to those Charged with Governance (ISA 260) be noted and that the Authority's response to the recommendation concerning the earmarked reserve and to the uncorrected audit differences in the accounts of LondonWaste Ltd be agreed.
- (ii) THAT the Head of Finance be authorised to sign the 2012/13 management representation letter.
- (iii) THAT the Authority's 2012/13 Statement of Accounts and Annual Governance Statement be approved and that the Chair be authorised to sign these documents and to agree any changes that may subsequently arise.

7. 2013/14 SECOND BUDGET REVIEW

Consideration was given to the report of the Financial Adviser.

The Head of Finance introduced the report. He advised that although there had been a reduction in the residual waste stream in the early months of the year, the resulting financial saving was likely to be largely offset in the remainder of the year by a substantial increase in the amount of recyclable wastes that the boroughs intended to deliver to the Authority for processing. As a consequence, revenue balances at the end of the year were currently forecast to remain at about £5m.

RESOLVED –

- (i) THAT the second review of the 2013/14 revenue budget be noted.
- (ii) THAT the issues that will need to be addressed in the preparations for the 2014/15 budget be noted.
- (iii) THAT a third review of the 2013/14 budget be reported to the Authority meeting in December, together with an up-to-date assessment of the budget and resource requirements for 2014/15.

8. STRATEGY UPDATE

Consideration was given to the report of the Procurement Director.

The report was introduced by the Managing Director. In particular, he highlighted the Authority's response to the Government that European Union strategic regulation of waste management matters was helpful. He also highlighted the Authority's concerns that electricity market reform proposals by the Government weakened the support available for renewable generation, especially as energy generated and used on site would be excluded from the new Contracts for Difference.

RESOLVED –

THAT the following consultation responses be noted:

- (1) The Waste Management Plan for England;
- (2) Updated National Waste Planning Policy: Planning for Sustainable Waste Management;
- (3) DEFRA and DECC's Call for Evidence: Environment and Climate Change; and
- (4) The Electricity Market Reform – Delivery Plan Consultation.

9. ADDITIONAL COMMINGLED DRY RECYCLABLES AND PROPOSED ALTERNATIVE LEVY ARRANGEMENTS

Consideration was given to the report of the Head of Waste Strategy and Contracts.

The Head of Waste Strategy and Contracts introduced the report. He stated that the London Borough of Barnet had requested that the Authority handle its commingled dry recyclables, which was an in-year request that fell outside the Authority's agreed budget. The report set out a proposed change to the levy apportionment charge, which would ensure that Barnet was in the same position as other Boroughs that already sent their co-mingled dry recyclables to the Authority.

RESOLVED –

THAT the report and the expected levy apportionment change be noted and that authority be delegated to the Head of Waste Strategy and Contracts, in consultation with the Legal Adviser, to negotiate and approve the necessary contract variations and take any other necessary steps to facilitate the receipt by the Authority of additional commingled materials from the constituent borough councils to be processed under the Authority's MRF Services contracts.

10. DEFRA CONSULTATION ON THE WASTE PREVENTION PROGRAMME FOR ENGLAND

Consideration was given to the report of the Head of Waste Strategy and Contracts.

RESOLVED –

THAT the response to the Department for the Environment, Food and Rural Affairs consultation on "The Waste Prevention Programme for England" be noted.

11. HOUSEHOLD WASTE AND RECYCLING CENTRE - WESTERN ROAD, HARINGEY

Consideration was given to the report of the Head of Waste Strategy and Contracts.

The Head of Waste Strategy and Contracts introduced the report. He stated that the Authority had previously been expecting to acquire a site from the London Borough of Haringey at Cranford Way to replace the Household Waste and Recycling Centre (HWRC) at High Street, Hornsey. However, circumstances meant that Haringey was now proposing to transfer Western Road in Wood Green to the Authority instead.

RESOLVED –

THAT it be agreed to delegate authority to:

- (1) The Head of Waste Strategy and Contracts to negotiate terms for the purchase of the Western Road HWRC from LB Haringey, such terms to be approved by the Managing Director and Legal Adviser in consultation with the Chair, and the site acquired by the Authority;
- (2) The Head of Waste Strategy and Contracts to commission LondonWaste Ltd to apply for an Environmental Permit and to operate the HWRC; and
- (3) The Director of Procurement to amend the Authority's requirements to provide for management of the site at Western Road to replace the development and management of the site at Cranford Way, such change to be incorporated at financial close of the Waste Services Contract.

12. 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 26th September 2013 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.

13. PRIVATE MINUTES

RESOLVED –

THAT the private Minutes of the meeting held on 27th June 2013 be approved and signed by the Chair as a correct record.

14. GOVERNANCE OF LONDONWASTE LIMITED

Consideration was given to the report of the Managing Director.

RESOLVED –

THAT the report be noted.

15. PART 2 APPENDIX TO PART 1 REPORT “HOUSEHOLD WASTE AND RECYCLING CENTRE – WESTERN ROAD, HARINGEY

Consideration was given to a report of the Head of Waste Strategy and Contracts.

RESOLVED –

THAT the report be noted.

16. PROCUREMENT REPORT

Consideration was given to the report of the Clerk.

RESOLVED –

THAT the recommendations be agreed.

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

There were none.

The meeting ended at 11.10 am

CHAIR

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MINUTES END