

# Agenda Item

<b>NORTH LONDON WASTE AUTHORITY</b>	
<b>REPORT TITLE:</b> ADMINISTRATIVE ARRANGEMENTS FOR AGENDA DESPATCH	
<b>REPORT OF:</b> CLERK	
<b>FOR SUBMISSION TO</b> THE NORTH LONDON WASTE AUTHORITY	<b>DATE:</b> 26 September 2008
<b>SUMMARY OF REPORT</b>  This report sets out options/issues in relation to agenda distribution particularly in relation to electronic circulation.  Local Government Act 1972 – Access to Information : No documents required to be listed.  Contact Officer: Frances Wake, Deputy Clerk, NLWA Camden Town Hall Judd Street, London WC1H 9JE (020 7974 5726) Email: frances.wake@camden.gov.uk	
<b>RECOMMENDATION:</b>  The Authority is recommended to:-  i) note the statutory despatch requirements for agendas;  ii) note the issues surrounding emailing of papers, in particular in relation to the size of reports and the security of sensitive information;  iii) approve the purchase of an 'extranet' for the publication of meeting agendas and reports, as detailed in paragraph 2; and  iv) indicate whether they wish to move to the couriering of agendas	

**Signed by:** .....

**Date:** .....

## **ADMINISTRATIVE ARRANGEMENTS FOR AGENDA PAPERS FOR AUTHORITY MEETINGS**

### **1. Introduction**

- 1.1 At the annual meeting of the Authority on 25 June 2008, Members requested that officers circulate agenda papers electronically as well as in hard copy both to speed up the receipt of papers and to facilitate their distribution within constituent boroughs; that papers if possible be despatched 10 days in advance of the meeting; and that each report have a summary of up to two pages. Members raised the issue also at the extraordinary meeting on 5 August, in particular in relation to the length and complexity of some reports and the need for time to digest them. Officers confirmed that a short report would be presented to the Authority on the issue.

### **2. Electronic circulation of papers**

- 2.1 The public agenda papers for this meeting have been compiled electronically and distributed by email (as far as possible) in addition to the hard copy distribution. There are however some potentially practical issues in terms of the size of some reports and the capacity for email systems to cope with transmission. In addition, officers remain concerned regarding security issues of electronic distribution of confidential agenda items via email systems, particularly given the extent of the commercial sensitivity associated with many of the procurement reports.
- 2.2 Some research has been undertaken on possible solutions to these issues and it is proposed that a software package be purchased which allows a secure site (extranet) to which authorised individuals have access via a password. Papers are published to the site and Members and officers with agreed access and a password would be able to download the entire agenda including private reports. This would allow earlier sight of the agendas as well as avoiding the problem of size of reports.
- 2.3 Officers have already started investigating such intranet sites in use by other joint waste authorities and have opened discussions with the IT departments of the two lead boroughs. A specification will be prepared and suitable companies invited to tender. The most economically advantageous tender will be identified and the work commissioned. It is expected that the whole process may take until March 2009 but there is an element of uncertainty in this whilst the full scope of the work has not been finalised. The importance of this project to Members' preferred way of working is however recognised.

### **3. Early despatch of papers**

- 3.1 The statutory requirements for the despatch of the meeting papers for the Authority are that they are made available 5 clear days before the

meeting. This does not include the day of despatch, the meeting date, Saturdays, Sundays or Bank Holidays. Effectively, therefore, papers for a meeting for example on a Wednesday must be despatched the previous Tuesday which is 8 calendar days before a meeting.

- 3.2 There are also statutory provisions for business to be taken that does not meet this deadline. It is the Chair's prerogative whether to accept any such business onto the agenda and there must be valid reasons why the report could not be included with the main papers and why it cannot wait until the next meeting.
- 3.3 The nature of the business of the Authority, in particular the procurement process, means that bringing forward the deadlines will not in many cases be achievable due to the other meetings and project timetables involved.
- 3.4 It is acknowledged that many of the reports are long and complicated and that the earlier they are available the better. However, electronic availability of papers will give earlier access. The estimated cost of the software is in the region of £20-£30,000 with a £6,000 per year maintenance charge. In addition, there will be costs associated with the addition of the facility onto the NLWA website which could add a further £5-10,000.
- 3.5 In addition, it is possible if Members wish it, to courier papers to Members in future rather than only post hard copies which is the current practice. This would reduce the time it takes for papers to reach Members and would cost in the region of £115 extra for each despatch. Members are asked to give their view on this option.

#### **4. Financial Adviser Comments**

- 4.1 There is no specific budget provision for the costs of setting up the proposed intranet connection; however the cost can be contained within the 2008/09 budget. This also applies to the cost of the courier service to Members. Future years' budgets would be adjusted to ensure that there is sufficient provision to fund the ongoing maintenance costs and/or courier service.

#### **5. Legal Comments**

- 5.1 The Authority is subject to Schedule 12 of the Local Government Act 1972 concerning the despatch of the agenda and papers by post. Therefore any additional arrangements must be in addition to the papers despatch and the publication of the papers.
- 5.2 However those rules do not restrict or limit any additional distribution method that the Authority may choose.
- 5.3 Whist papers are often classed as confidential or otherwise not fit for publication it is clear that some papers have because of extraneous reasons a greater level of commercial sensitivity than others. The

procurement related papers currently going before the Authority are particularly sensitive and potentially damaging should they be made public. This stems primarily from the scale of the procurement, the award of which will be price sensitive information and from the level of investment that will be required of potential bidders. Recently bidders have become far more willing to challenge procurement exercises. Such challenges stem from both allegations of unfairness in selection and suggestions of unfair advantage having been given to a particular bidder. Should reports have information that would give an advantage to a bidder were they to see them then it is incumbent upon the Authority (and indeed the relevant individuals) to be able to demonstrate that it took all reasonable efforts to prevent such a leaking and hence advantage being gained. As the despatch of the reports by paper form is an obligation it is actually anything beyond that obligatory step which would be subject to the most severe examination. It is important therefore that any additional system used is seen as secure.

**REPORT ENDS**