

## **THE NORTH LONDON WASTE AUTHORITY**

At an extraordinary meeting of the **NORTH LONDON WASTE AUTHORITY** held on **WEDNESDAY 29 OCTOBER 2008** at 2.00pm in the Council Chamber, Camden Town Hall, Judd Street, London, WC1H 9JE

### **MEMBERS PRESENT**

Councillor Jamie Carswell – London Borough of Hackney  
Councillor Andrew Cornwell – London Borough of Islington  
Councillor Mike Freer – London Borough of Barnet  
Councillor Greg Foxsmith – London Borough of Islington  
Councillor Brian Haley – London Borough of Haringey  
Councillor Andrew Harper – London Borough of Barnet  
Councillor Ertan Hurer – London Borough of Enfield  
Councillor Chris Knight – London Borough of Camden  
Councillor Michael Lavender – London Borough of Enfield (Vice-Chair)  
Councillor Clyde Loakes – London Borough of Waltham Forest (Chair)  
Councillor George Meehan – London Borough of Haringey  
Councillor Keith Moffitt – London Borough of Camden (Vice-Chair)

**The minutes should be read in conjunction with the agenda for the meeting.**

#### **1. APOLOGIES**

Apologies were reported from Councillor Robert Belam and Councillor Alan Laing.

#### **2. DEPUTATIONS**

There were no deputations.

#### **3. ANNOUNCEMENTS**

There were no announcements.

#### **4. DECLARATIONS BY MEMBERS OF PERSONAL OR PREJUDICIAL INTERESTS IN RESPECT OF ITEMS ON THIS AGENDA**

There were no declarations of interest.

## **5. 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 29 October 2008 during consideration of the following items on part 2 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:

Publicity in respect of these Items would be likely to lead to disclosure of information relating to 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 disclosure of the information was likely to prejudice the commercial interests of the Authority and organisations engaged in commercial activities as the information relates to commercial activities that are conducted in a competitive environment.

## **6. REQUEST BY LONDON WASTE LIMITED FOR APPROVAL UNDER THE ACQUISITION AND COLLABORATION AGREEMENT**

Members considered a report by the Financial Adviser.

### **RESOLVED:-**

that authority be delegated to the Clerk (or Financial Adviser in her absence), in consultation with the Financial Adviser and the Chair, to give or withhold the Authority's consent, as detailed in the report.

**The full minute of the following items is considered to contain exempt information within the meaning of Category 3 of Schedule 12A Local Government Act 1972 (as amended), '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 Council's conduct of a commercial operation OR because the disclosure of the information is likely to prejudice the commercial interests of the Council and organisations engaged in commercial activities as the information relates to commercial activities that are conducted in a competitive environment.**

**The Proper Officer has considered all the circumstances of the report and is of the view that on balance the public interest in maintaining the exemption outweighs the public interest in disclosing the information.**

## **7. WASTE SERVICES PROCUREMENT: ADVISORY AND AUDIT SERVICES**

Members considered a report by the Director of Procurement.

Further to the written report, the Authority was updated on the issues.

### **RESOLVED:-**

that the report and verbal update be noted.

## **8. SITES ISSUES**

Members considered a report by the Director of Procurement.

Further to the report, Members were updated on issues

### **RESOLVED:-**

that the progress made towards Heads of Terms in respect of sites acquisitions be noted.

## **9. WASTE SERVICES PROCUREMENT: OUTLINE BUSINESS CASE**

Members considered a report by the Director of Procurement.

The Chair thanked Members and officers for the hard work in achieving an agreement on the Outline Business Case. Prior to considering the contents of the Outline Business Case, the Authority considered the process issues that had been highlighted during its development.

It was agreed that a report should come back to the Authority on support and governance options based on lessons learned, including a Forward Plan structure. Members also wished to receive a report on procurement alternatives and also asked for an update on a communications strategy. It was noted that a report on the latter would be submitted to the next meeting of the Authority.

Members then considered the substantive report and received verbal updates on the issues.

### **RESOLVED:**

- i) that the draft Outline Business Case attached at Annex A to the report be approved and the Director of Procurement be authorised, in consultation with the Chair, to agree any minor changes to the text;
- ii) that the Outline Business Case be submitted to Government on or before 31 October 2008;

- iii) that as part of that approval, advice be noted on the following:-
  - a) borough agreement on affordability as set out in Section 2 of the report
  - b) procurement strategy as set out in Section 3 of the report
  - c) negotiations as set out in section 4 of the report
  - d) the Outline Business Case process and timetable as set out in section 5 of the report
  - e) contingency arrangements as set out in section 6 of the report
  - f) interim arrangements as provisionally addressed in section 7 of the report
  - g) communication relating to the procurement as set out in section 8 of the report;
  
- iv) that officers continue negotiations in line with the approach set out in paragraphs 4.5 and 4.6 of the report;
  
- vi) that officers continue to progress the arrangements for an interim procurement in line with the advice set out in section 7 of the report;
  
- vii) that further work be carried out by the Inter Authority agreement group to produce detailed proposals that reflect the following three principles:-
  - a) that the menu pricing mechanism be designed to be fair and equitable and to incentivise individual boroughs to reduce waste and increase recycling
  - b) agreement that the risks and costs associated with commercial waste collection are determined by the tonnages guaranteed and delivered by individual boroughs and that no cross borough subsidisation occurs
  - c) an agreement that should any site(s) be procured for waste disposal purposes and then not subsequently be required, the NLWA will provide a right of 'first refusal' to sell the site(s), at market value / best price that can reasonably be obtained (subject to further legal advice to the Authority), to the borough in which the site(s) is located".

**28. CLOSE OF MEETING**

The meeting ended at 3.04 pm

Chair

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**Officer Contact: Frances Wake, 020 7974 1915, [Frances.Wake@camden.gov.uk](mailto:Frances.Wake@camden.gov.uk)**  
**MINUTES END**

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