

THE NORTH LONDON WASTE AUTHORITY

At a meeting of the **NORTH LONDON WASTE AUTHORITY** held on **WEDNESDAY 19TH SEPTEMBER 2007** at 3.00 pm in the Council Chamber, Camden Town Hall, Judd Street, London WC1H 9JE.

MEMBERS PRESENT

Councillor John Boast – London Borough of Enfield
Councillor Melvin Cohen – London Borough of Barnet
Councillor Brian Coleman – London Borough of Barnet (Chairman)
Councillor Brian Haley – London Borough of Haringey
Councillor Chris Knight – London Borough of Camden
Councillor Alan Laing – London Borough of Hackney
Councillor Alexis Rowell – London Borough of Camden
Councillor Eleftherios Savva – London Borough of Enfield
Councillor Vincent Stops – London Borough of Hackney

MEMBERS ABSENT

Councillor George Allan – London Borough of Islington
Councillor Robert Belam – London Borough of Waltham Forest
Councillor Ray Dodds – London Borough of Haringey
Councillor Eric Sizer – London Borough of Waltham Forest
Councillor Lucy Watt – London Borough of Islington

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

1. APOLOGIES

Apologies for absence were received from Councillors Allan, Belam, Dodds, Sizer and Watt.

There were no other apologies.

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

Members noted the standing declarations recorded in the agenda.

Councillors Cohen, Laing and Knight declared personal interests as members of the North London Waste Plan Planning Members Group and asked for these interests to be added to the standing list of declarations included in the agenda.

ACTION BY: Deputy Clerk

Councillor Boast advised that, in accordance with the usual practice, he would withdraw from the meeting during Item 14. Melanie Field, Legal Adviser to the Authority, remarked that, as Item 14 focused on the capacity to deliver on procurement and on officer support, she did not consider that A directors of LondonWaste Ltd had a prejudicial interest in that item although it was for Members to decide whether they felt it appropriate to withdraw.

There were no other declarations.

5. MINUTES

With regard to Item 10 of the minutes, the Chairman commented that the request by Members to be sent the attendance records of the 2006/7 LWL A-Directors and the Alternate A-Director should have been recorded in the minutes.

RESOLVED –

THAT, subject to the above amendment, the minutes of the meeting of the Authority held on 27th June 2007, having been confirmed as a correct record, be signed by the Chairman.

6. NOTIFICATION OF ITEMS OF BUSINESS THAT THE CHAIRMAN DECIDES TO TAKE AS URGENT

The Chairman reported that he had agreed to accept an item entitled North London Waste Plan – Planning Members' Group as urgent business for the reason set out in the tabled report which is attached to these minutes as **APPENDIX A**.

7. MEMBERS' QUESTIONS

Members considered a report of the Deputy Clerk and a tabled response to Councillor Rowell's question which is attached to these minutes as **APPENDIX B**.

RESOLVED –

THAT the report and the tabled paper be noted.

8. 2006/07 STATEMENT OF ACCOUNTS

Consideration was given to a report of the Financial Adviser which was introduced by the Finance Officer.

Paul Schofield of Deloitte and Touche, the Authority's auditors, confirmed that the audit was complete and, subject to the satisfactory completion of two outstanding matters, he anticipated that an unqualified audit opinion would be issued.

Members congratulated the Finance Officer and his team and thanked them for their ongoing work on behalf of the Authority.

RESOLVED –

- (i) THAT the Auditor's report be noted;
- (ii) THAT the Financial Adviser be authorised to sign the letter of representation; and
- (iii) THAT the Authority's 2006/7 Statement of Accounts be approved and the Chairman be authorised to sign it accordingly, subject to any changes that may arise from the remaining audit work (as referred to in paragraph 3.5 of the report).

ACTION BY: Financial Adviser

9. 2007/08 SECOND BUDGET REVIEW

Members considered a report of the Financial Adviser which was introduced by the Finance Officer.

RESOLVED –

- (i) THAT the second review of the 2007/08 revenue budget be noted;
- (ii) THAT the potential budget pressures that could further impact on the Authority's 2008/09 budget and resource requirements be noted; and
- (iii) THAT it be noted that a third review of the 2007/08 budget will be reported to the Authority's meeting in December together with an up-to-date assessment of the budget and resource requirements for 2008/09.

ACTION BY: Financial Adviser

10. NON-HOUSEHOLD WASTE ASSESSMENT SYSTEM

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

During discussion, concern was expressed that there may be some residual inaccuracies in the methodology used to calculate charges and that the system would have a detrimental effect on some boroughs' Best Value Performance Indicators. It was also felt by some Members that the model was solely driven by financial concerns. Some Members still believed that a phased introduction of the system was necessary.

The Head of Waste Strategy and Contracts remarked that, as the new system was based on the amount of non-household waste each borough collected under contract, there may be a worsening of a borough's BVPI to the extent that any non-household waste was collected but was not under contract. He added that it was difficult to envisage a system that could take account of any variations between boroughs in enforcement arrangements. In relation to the methodology used, there had been several rounds of meetings with the constituent borough councils' technical officers and each borough would be required to have its declaration signed at Director level which would be followed by an Authority validation process. Thus the data would be as robust as possible.

Councillor Haley proposed an amendment to the recommendation stating that the Assessment System should be phased in over the next two years.

On being put to the vote, with 2 in favour and 7 against, the amendment was rejected.

It was then

RESOLVED –

THAT the method for assessing and charging the constituent borough councils for non-household waste disposal, as set out in paragraphs 2.2, 2.5 and 2.6 of the report, be approved.

ACTION BY: Head of Waste Strategy and Contracts

11. LANDFILL ALLOWANCE TRADING SCHEME – TRADING STRATEGY

Consideration was given to a report of the Financial Adviser which was introduced by the Finance Officer.

RESOLVED –

- (i) THAT the medium term LATS trading strategy, as set out in Section 5 of the report, be agreed; and
- (ii) THAT authority be delegated to the Authority's Trading Officer (NLWA Finance Officer), in consultation with the Financial Adviser and Head of Waste Strategy and Contracts, to implement the medium-term LATS trading strategy as described in Section 5 of the report.

ACTION BY: Finance Officer/Financial Adviser/Head of Waste Strategy and Contracts

12. JOINT WASTE STRATEGY UPDATE

Members considered a report of the Head of Waste Strategy and Contracts who introduced the item.

Councillor Stops requested that he be consulted on the response to the House of Lords Science and Technology Select Committee Sub-Committee inquiry into waste reduction.

ACTION BY: Head of Waste Strategy and Contracts

RESOLVED –

- (i) THAT it be noted that a Scoping Report for a Retrospective Strategic Environmental Assessment of the North London Joint Waste Strategy has been finalised and issued under delegated authority as outlined in paragraphs 1.5 and 1.6 of the report;
- (ii) THAT the award of contracts under the procurement framework agreement to ENTEC to conduct the next stages of the Retrospective Strategic Environmental Assessment of the North London Joint Waste Strategy and to AEA Technology to carry out environmental scenario modelling for the same be noted;
- (iii) THAT authority be delegated to the Head of Waste Strategy and Contracts and the Legal Adviser, in consultation with the Chairman, to submit a response to the Department for the Environment, Food and Rural Affairs (DEFRA) on the definition of municipal waste;
- (iv) THAT the London-wide re-use mapping project funded by DEFRA and London Councils and delivered by the Greater London Authority be supported and a £500 contribution be made;

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- (v) THAT authority be delegated to the Head of Waste Strategy and Contracts, in consultation with the Chairman, to submit a response to the House of Lords Science and Technology Select Committee Sub-Committee inquiry into waste reduction; and
- (vi) THAT the money remaining in the North London Small Grants Fund be distributed to the boroughs to the levels outlined in paragraph 3.19 of the report, for the boroughs to distribute to groups in accordance with the guidelines outlined in paragraph 3.21 of the report.

ACTION BY: Head of Waste Strategy and Contracts

13. JOINT WASTE DEVELOPMENT PLAN DOCUMENT UPDATE

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

The Clerk reported that she had discussed the possibility of appointing a Planning Adviser to the Authority with the Chief Executives of the constituent boroughs who supported the idea. She would shortly be looking at a formal process to progress the issue.

ACTION BY: Clerk to the Authority

RESOLVED –

THAT the report be noted.

14. NLWA PROCUREMENT CAPACITY AND OFFICER SUPPORT – UPDATE REPORT

Members considered a report of the Clerk to the Authority which was introduced by the Financial Adviser.

The Financial Adviser reported that Mr Tim Judson had been seconded from the Department of the Environment, Food and Rural Affairs to the role of Procurement Director with effect from 1st October 2007. Mr Judson had previously carried out a similar role for the Greater Manchester Waste Disposal Authority.

Some clarification about the role and work plan of the Authority's newly appointed Media and Marketing Officer was given.

The Chairman requested a briefing note to key Members on the role of the Media and Marketing Officer and requested that the possibility of relevant press cuttings being supplied to Authority Members be looked at.

ACTION BY: Clerk to the Authority

RESOLVED –

THAT the report be noted.

15. REVIEW OF THE NORTH LONDON WASTE AUTHORITY REUSE AND RECYCLING CREDIT PAYMENT SCHEME

Consideration was given to a report of the Head of Waste Strategy and Contracts who introduced the report. He added that recommendation (i) should refer to paragraph 5.2 of the report rather than paragraph 4.2.

The Chairman reported that he wished to move an additional recommendation, as follows: 'Applications for registration for third party reuse and recycling credits from profit-making companies will be considered where the profit making company provides services previously arranged by the waste collection authorities. The applications will be assessed against the existing payment criteria.'

During debate on the additional recommendation, some Members expressed concern that the effect of the additional recommendation would be to reward some of the most profitable companies in the country with public money, that companies that would benefit from the credits were those who could easily afford to reuse and recycle without public subsidy and that large profit making companies often created the problems that organisations like the Authority were trying to deal with.

Members supportive of the amendment remarked that profit making companies who were reusing and recycling should be able to be rewarded in the same way as non-profit making ones, that a visit to a recycling site run by two major profit making companies had shown it to be well run and well used and that the effect of the additional recommendation was to promote partnership working with the commercial sector.

The Chairman then put the additional recommendation to the vote and, with 5 in favour and 4 against, it was carried.

Councillor Laing requested that the decision on the additional recommendation be brought back to the next meeting of the Authority for review. The Chairman put this proposal to vote and, with 4 in favour and 5 against, it was lost.

It was then

RESOLVED –

- (i) THAT the Authority continue to pay third party reuse and recycling credits and adopt the policy on payments set out in paragraph 5.2 of the report, subject to resolution (iii) below;

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- (ii) THAT it be noted that the Authority's policy on paying third party reuse and recycling credits will be kept under review in relation to any unforeseen issues that may arise with a further specific review in September 2008; and
- (iii) THAT applications for registration for third party reuse and recycling credits from profit making companies will be considered, where the profit making company provides services previously arranged by the waste collection authorities. The applications will be assessed against the existing payment criteria.

ACTION BY: Head of Waste Strategy and Contracts

16. NORTH LONDON RECYCLING FORUM

Members considered a report of the Head of Waste Strategy and Contracts who introduced the item.

Some Members spoke in favour of continuing to sponsor the North London Recycling Forum on the basis that it was a useful resource providing free advice and networking opportunities which had been the source of some excellent initiatives.

The Chairman then put options (a) and (b) of recommendation (ii) to the vote and there were 4 members in favour of option (a) and 5 in favour of option (b). Thus it was

RESOLVED –

- (i) THAT the post 2007 proposal from the North London Recycling Forum Steering Group, as attached to Appendices A and B of the report, be noted; and
- (ii) THAT the North London Recycling Forum Steering Group be given formal notice that the North London Waste Authority sponsorship will cease at the end of March 2008 and request that NLWA officers develop detailed alternative proposals for community engagement and outreach for consideration at the December 2007 Authority meeting.

ACTION BY: Head of Waste Strategy and Contracts

17. REVIEW OF REAL NAPPY SUBSIDY

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

Members supportive of the existing real nappy subsidy remarked that they would like to see the continuation of the scheme and added that they would like to see officers engaged in promoting re-usable nappies. The use of real nappies saved the Authority money in terms of landfill costs and failure to continue subsidising the scheme would be likely to destroy public confidence in it, although the Scheme did need to be re-examined to see if it could be made more productive. The London Borough of Hackney was committed to the scheme and the participation rate there was double the North London average. The scheme also assisted some of the poorest families in the Authority's area. In Camden, the scheme was more successful than the report of the Environment Agency suggested and there was no dispute about the benefits of real nappies in terms of reducing landfill volumes.

The Chairman then called for a vote on the options set out in the recommendation. With 4 in favour of option (i), 4 in favour of option (ii) and none in favour of option (iii), the Chairman exercised his casting vote in favour of option (ii). It was thus

RESOLVED –

THAT the North London Waste Authority's support for re-usable 'real nappies' be withdrawn as of 1st April 2008.

ACTION BY: Head of Waste Strategy and Contracts

18. 'RECYCLE ON THE GO' CONSULTATION

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

RESOLVED –

THAT the draft response attached as Appendix 1 to the report be approved.

ACTION BY: Head of Waste Strategy and Contracts

19. FUTURE REPORTS

Members considered a report of the Deputy Clerk.

Councillor Laing remarked that he wished Items 15, 16 and 17 to come back to the next meeting of the Authority. Councillor Rowell concurred and also requested that the next meeting should consider a vote of no confidence in the Chairman.

The Chairman put to the vote the issue of whether these items should come back to the next meeting and, with 4 in favour and 4 against, he exercised his casting vote against the proposal. It was then

RESOLVED –

THAT the report be noted.

20 DATE OF NEXT MEETING

It was noted that this was Ms Field's last meeting as Legal Adviser to the Authority and the Chairman, on behalf of the Authority, thanked her for her work in that capacity.

Councillor Laing requested advice on how constituent boroughs could go about placing items on the agenda for meetings of the Authority. The Legal Adviser remarked that the Authority's Standing Orders were silent on this matter and so she undertook to give the matter further consideration and provide Members with a written response.

ACTION BY: Legal Adviser

It was noted that the next meeting was scheduled for Wednesday 12th December 2007 and this meeting would commence at 3.00 pm and be held in the Council Chamber, Camden Town Hall, Judd Street, London WC1H 9JE.

21. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRMAN DECIDES TO TAKE AS URGENT

North London Waste Plan – Planning Members' Group

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

RESOLVED –

- (i) THAT Councillor Eleftherios Savva be appointed as a Member observer to the North London Waste Plan Planning Members' Group from now until the Authority's Annual General Meeting in June 2008; and
- (ii) THAT Councillor Eric Sizer be appointed as a substitute Member observer to the North London Waste Plan Planning Members' Group from now until the Authority's Annual General Meeting in June 2008.

ACTION BY: Head of Waste Strategy and Contracts
TO NOTE: Deputy Clerk

22. LOCAL GOVERNMENT ACT 1972 - ACCESS TO INFORMATION

It was

RESOLVED –

THAT the press and public be excluded from the proceedings of the North London Waste Authority on 19th September 2007 during consideration of item 23 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 item 23 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 the disclosure of the information is 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.

23. LONDONWASTE LIMITED BOARD MINUTES

Members considered the report by the Deputy Clerk.

It was

RESOLVED –

THAT the report be noted.

24. ANY OTHER BUSINESS THE CHAIRMAN CONSIDERS URGENT AND IS EXEMPT WITHIN THE MEANING OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972

There was no such business.

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The meeting ended at 4.28pm

Chairman

Officer Contact:

Vicky Wemyss-Cooke

020 7974 5726

vicky.wemyss-cooke@camden.gov.uk

MINUTES END