

THE NORTH LONDON WASTE AUTHORITY

At a meeting of the **NORTH LONDON WASTE AUTHORITY** held on **WEDNESDAY 20TH DECEMBER 2006** at 3.00 pm in the Council Chamber, Camden Town Hall, Judd Street, London WC1H 9JE

MEMBERS PRESENT

Councillor George Allan - London Borough of Islington
Councillor Robert Belam - London Borough of Waltham Forest
Councillor John Boast - London Borough of Enfield
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 Elefetherios Savva - London Borough of Enfield
Councillor Eric Sizer - London Borough of Waltham Forest

MEMBERS ABSENT

Councillor Melvin Cohen - London Borough of Barnet
Councillor Jayanti Patel - London Borough of Haringey
Councillor Alexis Rowell - London Borough of Camden
Councillor Vincent Stops - London Borough of Hackney
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 by Councillors Cohen, Rowell and Stops.

There were no other apologies.

2. DEPUTATIONS

There were no deputations.

3. ANNOUNCEMENTS

Legal Adviser

The Chairman, on behalf of the Authority, welcomed Ms Melanie Field as the new Legal Adviser.

There were no other 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 and also the following:

- Councillor Eric Sizer advised that he was an alternate A-Director on the Board of LondonWaste Limited (LWL) and this should be added to the standing declarations.

ACTION BY: Deputy Clerk

- At the request of the Chairman, the Legal Adviser informed Members that, in relation to the Agenda Item 8, Draft Procurement Strategy, it was her view that A-Directors and alternate A-Directors had both personal and prejudicial interests in the current procurement process as LWL and SITA were potential tenderers.
- Councillors Boast, Haley and Sizer therefore stated that, following this advice, as they were A-Directors and alternate A-Directors of LWL, they considered that they did have personal and prejudicial interests and would withdraw from the meeting during consideration of Agenda Item 8.
- Councillor Brian Coleman declared that, in relation to Agenda Item 12, Draft Alterations to the London Plan, and Agenda Item 18, the tabled report entitled "Greater London Authority (GLA) Bill – Further Strategic Power Proposed For The Greater London Authority", he had a personal interest as a member of the GLA. He advised that this interest was not prejudicial and therefore he would not be withdrawing.

There were no other declarations.

5. MINUTES

It was

RESOLVED -

THAT the minutes of the meeting of the Authority held on the 20th September 2006 having been confirmed as a correct record, be signed by the Chair.

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

The Chairman advised that he wished to consider the additional report entitled "Greater London Authority (GLA) Bill – Further Strategic Power Proposed for the Greater London Authority". It was agreed that this item would be considered as part of Agenda Item 18 as an urgent matter and consequently the report was circulated to

those present.

There were no other notifications of urgent business.

7. MEMBERS QUESTIONS

Members considered the report by the Deputy Clerk.

Members noted that there had been no questions. It was therefore

RESOLVED –

THAT the report be noted.

8. DRAFT PROCUREMENT STRATEGY

Members considered the report by the Head of Waste Strategy and Contracts.

Councillors Boast, Haley and Sizer withdrew during the consideration of this item.

Members received a presentation on the draft procurement strategy provided by Mr David Honey of KPMG on behalf of Eversheds and Entec, the Authority's consultants on this matter. A copy of this presentation is attached to these minutes.

Members then asked questions on the presentation and the report.

The Chairman reminded Members that the procurement of the future waste management contract(s) was the biggest project facing the Authority and strongly advised Members of the need to engage with the process and ensure that the relevant Executive/Cabinet Members of each of the seven constituent boroughs were also fully engaged in the process. He further reminded them that timescales for the project were short, given possible planning delays and site assembly, and that he supported the recommendations in the report.

Councillor Laing advised that he wished to see information on the annual financial impact on each individual borough up to 2014. He advised that, without this information, it would not be possible for the individual boroughs fully to support the project and sign inter-authority agreements required to encourage bidders and ensure competition.

ACTION BY: Financial Adviser and the Head of Waste Strategy and Contracts

The Chairman advised that, in relation to the selection of the final methods of waste disposal, the Authority had so far made no assumptions as it would be premature to do so. Officers had been instructed to look at options on procurement, and then at a later date political decisions on the favoured methods of disposal would be taken by the Authority. The Head of Waste Strategy and Contracts then confirmed that, in relation to procurement modelling, some assumptions had been made based on the

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cost of tenders currently in the market place and based on information relating to MBT (mechanical and biological treatment) and incineration facilities as the Authority's consultants had reliable figures on these forms of waste disposal. However, he advised that officers would be looking at alternative technologies and providing comparative research for Members to make final decisions.

Members then discussed the issue of site acquisition and the implications for performance if the current contractor did not win the contract in the period whilst they were working their notice.

It was then

RESOLVED -

- (i) THAT the procurement approach set out in Sections 6, 7, and 8 of the report be approved;
- (ii) THAT the budget provision of £500 000 in the 2007/8 financial year for the engagement of procurement consultants to assist the Authority through its procurement process be agreed;
- (iii) THAT land agents be engaged through the Authority's Valuation Adviser to undertake a site survey of potential additional sites that the Authority might secure to support the large number of new facilities required in the area;
- (iv) THAT inter-authority agreements with constituent boroughs as set out in Section 10 of the report be developed and drawn up;
- (v) THAT it be noted that a review of the Authority's governance structure and internal team was being undertaken in the light of the anticipated demands of the procurement process; and
- (vi) THAT a further budget provision of £200 000 for staffing in the 2007/8 financial year for the additional resources required to manage the procurement of the new contract(s) be approved.

ACTION BY: Head of Waste Strategy and Contracts, Financial Adviser and Valuation Adviser

9. RECYCLING CREDIT CLAIMS 2005/6

Members considered the report by the Head of Waste Strategy and Contracts

It was noted that there would be a further report to the Authority in February 2007 on the approach by a national supermarket chain seeking recycling credits for waste collected at supermarket recycling areas.

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

It was then

RESOLVED -

- (i) THAT the payment of recycling credit payments to constituent boroughs for

2005/6 as set out in the report be approved;

- (ii) THAT the payments "on account" to constituent boroughs for 2006/7 as set out in the report be approved; and
- (iii) THAT the payment of third party recycling credits as set out in the report be approved.

ACTION BY: Financial Adviser

10. WASTE PREVENTION IMPLEMENTATION PLAN

Members considered the report by the Head of Waste Strategy and Contracts

The Chairman advised that the report contained many matters which were innovative and exciting, and it was agreed that officers should be instructed to ensure increased public awareness of the plan and other good work done by the Authority.

ACTION BY: Head of Waste Strategy and Contracts

Members agreed that waste prevention should be a significant priority not only for the Authority but for constituent boroughs and for residents, as less waste would mean fewer facilities may need to be procured and costs to council taxpayers therefore saved.

ACTION BY: Head of Waste Strategy and Contracts

It was then

RESOLVED -

- (i) THAT the waste prevention implementation plan attached to the report be approved;
- (ii) THAT the waste prevention implementation plan be commended to the constituent borough councils for approval under the North London Joint Waste Strategy;
- (iii) THAT it be noted that progress in preventing waste would be monitored through the regular Joint Waste Strategy reports to the Authority.

ACTION BY: Head of Waste Strategy and Contracts

11. NON-HOUSEHOLD WASTE CHARGING REVIEW

Members considered the report by the Head of Waste Strategy and Contracts.

The Chairman proposed an additional recommendation as follows: "Agree that a report seeking a decision on changing the method of assessing the amount of non household waste for 2008/9 be presented to the Authority at its September 2007 meeting at the latest".

After discussion about the benefits of unanimity on this matter, it was then

RESOLVED -

- (i) THAT the Authority continue to use its current method of assessing the amount of the non-household waste delivered by each constituent borough council for the 2007/8 financial year;
- (ii) THAT a survey of non-household waste in its area be commissioned in order to determine a volume:weight ratio, that it can use for the setting of the non-household waste charges from 2008/9; and
- (iii) THAT it be agreed that a report seeking a decision on changing the method for assessing the amount of non-household waste 2008/9 be presented to the Authority at its September 2007 meeting at the latest.

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

12. DRAFT FURTHER ALTERATIONS TO THE LONDON PLAN

Members considered the report by the Head of Waste Strategy and Contracts.

The Chairman advised that he had asked officers to ensure that the letter of response to the Mayor was very robust as the Authority had many years of experience, had introduced innovative measures and had a history of good practice. He stated that the Mayor of London did not have the monopoly on good ideas in relation to waste. It was then

RESOLVED -

- (i) THAT the response to the draft Further Alterations to the London Plan, as attached to the report, be approved subject to it being made more robust; and
- (ii) THAT it be noted that officers expected to submit a draft response to the revised draft Minor Alteration to the London Plan on waste apportionment to the February 2007 meeting of the Authority.

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

13. 2006/7 THIRD BUDGET REVIEW AND 2007/8 FORECAST

Members considered a report by the Financial Adviser.

The Chairman advised that it was his view that some political input was needed into the preparations for the 2007/8 budget, and consequently he had arranged a meeting between himself and Councillors Belam and Haley, as representatives of the three parties on the Authority, in early January to discuss the budget setting for the next financial year. It was then

RESOLVED -

- (i) THAT the third review of the 2006/7 revenue budget be noted;
- (ii) THAT the current assessment of the budget and resource requirements for 2007/8 be noted;
- (iii) THAT the arrangements that have been made to establish the levy apportionment arrangements for 2007/8 be noted; and
- (iv) THAT the issues that would need to be addressed at the budget and levy meeting on the 7th February 2007 be noted.

ACTION BY: Financial Adviser

14. JOINT WASTE STRATEGY UPDATE

Members considered the report by the Head of Waste Strategy and Contracts.

The Chairman advised that a letter to him from Mr John Duffy, Policy Director for the Environment of the Greater London Authority, Mayor's Office, should be circulated to those present. A copy of this document, and a draft response, is attached to these minutes.

It was agreed that officers should liaise with constituent borough council colleagues to formulate a common response from all partners.

ACTION BY: Head of Waste Strategy and Contracts

Members then had a short discussion on whether it was appropriate for the Authority itself to be supporting nappy recycling schemes when the implications on the waste stream were minimal. It was agreed that the schemes were worthwhile, but that it would be more effective in the longer term to have discussions with nappy manufacturers to identify a modern convenient recyclable nappy, rather than to try to encourage a return to the reusable nappies of the past, which were not appropriate in a modern environment. The Chairman asked officers to look into the matter.

ACTION BY: Head of Waste Strategy and Contracts and Financial Adviser

There then followed a short discussion on composting. The Chairman requested that the balance of the compost fund after the composting grants on pages 13 and 14 of the report should be more equitably spread across the constituent boroughs of the Authority. However, he reminded Members that it was necessary for boroughs to submit projects to the scheme and therefore he asked Members to speak to their Executive/Cabinet Members to ensure that this occurred.

TO NOTE: NLWA Members

It was then

RESOLVED –

- (i) THAT the existing delegated authority of the Head of Waste Strategy and Contracts, in consultation with the Chairman, to make minor amendments to the North London Waste Strategy in the light of comments from the London Mayor be noted;
- (ii) THAT the requirement for a retrospective strategic environmental assessment (SEA) of the draft North London Joint Waste Strategy be noted and that authority be delegated to the Head of Waste Strategy and Contracts, in consultation with the Chairman, to award a contract to carry out a retrospective strategic environmental assessment of the North London Joint Waste Strategy following a due tender process;
- (iii) THAT Real Nappies for London (RNfL) be allowed to use the Authority's web-based software for administering a nappy incentive scheme and adapt it according to their needs;
- (iv) THAT the offer to provide the central administration service for the Pan London RNfL voucher scheme be declined;
- (v) THAT RNfL be paid the same rate per child as the Authority's cash-back scheme (currently £54.15) for each of their vouchers redeemed for a child resident in the Authority's area and that £2 200 be contributed towards the RNfL central administration charge to each borough that joins the Pan London RNfL voucher scheme;
- (vi) THAT the provision of the existing cash-back real nappy incentive scheme be continued in North London for residents in those constituent borough councils that do not join the Pan London RNfL voucher scheme;
- (vii) THAT the submission of an application for funding to the fifth round of the Waste and Resources Action Programme's (WRAP) organics capital support programme be approved if a suitable project can be identified (possibly in partnership with a contractor) by the Head of Waste Strategy and Contracts, in consultation with the Chairman, provided that the rate per tonne payable by the Authority for any subsequent organic waste treatment services is not more than that currently paid by the Authority; and
- (viii) THAT the award of funding to various community composting groups from North London be noted and that proposals to re-promote the grants scheme with the aim of securing a more equitable distribution of funding across North London be agreed.

ACTION BY: Head of Waste Strategy and Contracts.

**15. EXTERNAL AUDITOR'S ANNUAL AUDIT LETTER TO MEMBERS
NOVEMBER 2006**

Members considered a report by the Financial Adviser.

The Chairman congratulated the Authority's financial officers for their work on this matter.

It was

RESOLVED –

THAT the findings and recommendations of the annual audit letter be noted.

16. FUTURE REPORTS

Members considered the report by the Deputy Clerk.

It was

RESOLVED –

THAT the report be noted.

17. DATE OF NEXT MEETING

Members noted that the date of the next meeting of the Authority would be Wednesday 7th February 2007. The meeting would commence at 3.00 pm and would be held in the Council Chamber in the Town Hall, Judd Street, London WC1H 9JE.

18. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIR DECIDES TO TAKE AS URGENT

GREATER LONDON AUTHORITIES (GLA) BILL – FURTHER STRATEGIC POWER PROPOSED FOR THE GREATER LONDON AUTHORITY

The Chairman accepted a late report from the Head of Waste Strategy and Contracts. He then proposed an additional recommendation to the report as follows:

“that the Authority ask the Chairman to write to the Members of Parliament for the seven constituent authorities explaining the NLWA’s agreed position in relation to the issue of a single waste disposal authority for all London and reminding them of the Authority’s successful track record in matters relating to waste”.

It was then

RESOLVED -

- (i) THAT the report be noted; and
- (ii) THAT the Chairman write to the Members of Parliament for the seven constituent authorities explaining the NLWA’s agreed position in relation to the issue of a single waste disposal authority for all London, reminding them of the Authority’s successful track record in matters relating to waste.

ACTION BY: Head of Waste Strategy and Contracts

There were no other urgent items of business.

19. 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 20th December 2006 during consideration of Item 20 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 12(a) to the Local Government Act 1972 as amended.

Specifically: publicity in respect of Item 20 would be likely to lead to the disclosure of information 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 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.

20. LONDONWASTE LIMITED MINUTES

Members considered the report by the Deputy Clerk.

Councillor Brian Haley advised that a representative of the Chinese Government had recently visited the facilities at LWL.

It was

RESOLVED –

THAT the report be noted.

21. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT AND IS EXEMPT WITHIN THE MEANING OF SCHEDULE 12 (A) OF THE LOCAL GOVERNMENT ACT 1972

There was no such business.

The Chairman then concluded the meeting by wishing those present a happy Christmas.

The meeting ended at 4.20pm.

CHAIR

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MINUTES END