

THE NORTH LONDON WASTE AUTHORITY

At a meeting of the **NORTH LONDON WASTE AUTHORITY** held on **WEDNESDAY 19TH OCTOBER 2005** at 3.00pm in Committee Room Four at Camden Town Hall, Judd Street, London WC1H 9JE

MEMBERS PRESENT

Councillor George Allan	–	London Borough of Islington
Councillor David Blunt	–	London Borough of Waltham Forest
Councillor Melvin Cohen	–	London Borough of Barnet
Councillor Brian Coleman	–	London Borough of Barnet
Councillor Brian Haley	–	London Borough of Haringey
Councillor Bill Hodgson	–	London Borough of Hackney
Councillor Heather Johnson	–	London Borough of Camden
Councillor Bill Price	–	London Borough of Enfield
Councillor Roger Robinson	–	London Borough of Camden
Councillor Eric Sizer	–	London Borough of Waltham Forest
Councillor Vincent Stops	–	London Borough of Hackney

MEMBERS ABSENT

Councillor John Boast	–	London Borough of Enfield
Councillor Ray Dodds	–	London Borough of Haringey
Councillor Bridget Fox	–	London Borough of Islington

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

COUNCILLOR ERIC SIZER IN THE CHAIR

1. APOLOGIES

Apologies for absence were received from Councillors Boast, Dodds and Fox. It was noted that in the absence of Councillor Dodds, the meeting would be chaired by Councillor Eric Sizer, the Vice-Chair.

An apology for absence was also received from Ms Moira Gibb, Clerk to the Authority.

2. DEPUTATIONS

There were no deputations.

3. ANNOUNCEMENTS

Councillor Ray Dodds: Councillor Sizer informed Members that Councillor Dodds had recently undergone surgery and was currently recuperating from it. The Authority unanimously wished him well for the future and asked that Mr Ribbits, the Deputy Clerk, write to Councillor Dodds to express this sentiment.

ACTION BY: Deputy Clerk

Councillor Bill Price: Councillor Sizer, on behalf of the Authority, welcomed Councillor Bill Price to the Authority as the newly reappointed member for the London Borough of Enfield.

Personnel Issues: The Authority welcomed Mr Mike O'Donnell, Finance Adviser to the Authority, to his first meeting. Andrew Lappage, Head of Waste Strategy and Contracts, introduced the newly appointed members of his team.

There were no other announcements.

4. DECLARATIONS BY MEMBERS OF PERSONAL OR PREJUDICIAL INTEREST IN RESPECT OF ITEMS ON THIS AGENDA

Councillors Haley, Robinson and Sizer each declared a personal interest as NLWA appointed A-Directors on the Board of LondonWaste Limited (LWL).

There were no other declarations of interest.

5. MINUTES

Item 12, Annual Report Of NLWA Directors Of LondonWaste Limited: It was noted that the arrangements to visit the new composting facility at LondonWaste Limited which Councillor Haley had undertaken to organise had not so far been arranged. Councillor Haley advised that this was because a public launch of the composting facility was scheduled to take place in the near future and he would be inviting all Members to that event.

Item 18, Future Reports: In response to a question from Members, Alison Lowton, Legal Adviser, stated that it had not been possible to produce a report detailing the property holdings of the Authority as the London Borough of Haringey, which provided this service, was in the process of appointing a new Valuer and when this officer was in place the report would be presented.

**ACTION BY: Valuation Adviser
TO NOTE: Deputy Clerk**

Item 18, Future Reports: It was noted that a letter had been sent to Members in relation to the request for information on what happened to waste materials after collection - including assurances that waste was not being exported abroad. Some Members advised that they had not received this letter and it was therefore requested that the Deputy Clerk send duplicate copies to all Members.

ACTION BY: Deputy Clerk

Councillor Stops thanked officers for the letter but advised that he had not been reassured by the information it contained and requested a meeting with officers to discuss the issue further. In response, Andrew Lappage, Head of Waste Strategy and Contracts, advised that he was happy to arrange this but stated that the information held by officers was provided by external contractors who would often not provide all the necessary information due to commercial sensitivities.

ACTION BY: Head of Waste Strategy and Contracts

Item 22, LondonWaste Limited Minutes: Councillor Haley advised that in relation to the suggestion that LondonWaste Limited should use products which came from the recycling process wherever possible, the company was intending to use recycled ash in the building of a future Materials Reclamation Facility (MRF).

It was then

RESOLVED –

THAT the minutes of the meeting of the North London Waste Authority held on 6th July 2005, 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

There were no such items.

7. PRESENTATION BY MS MELISSA PAINTER OF THE WASTE EDUCATION CENTRE IN THE LONDON BOROUGH OF ISLINGTON

Ms Melissa Painter gave a presentation to all Members on the work of the Waste Education Centre based in the London Borough of Islington. A copy of this presentation is attached to these minutes.

Members then asked questions of Ms Painter, who undertook to write to Councillor Stops with details of the schedule for Islington school children's visits over the next few years and to try to identify the percentage of Islington school children that the Centre expected to receive each year and the date by which every Islington school child would have been to the premises.

ACTION BY: Melissa Painter

It was agreed that the Deputy Clerk would make arrangements with Ms Painter to invite members of the Authority to the premises.

ACTION BY: Deputy Clerk

At the conclusion of the presentation, the Vice-Chair, on behalf of all Members, thanked Ms Painter for her presentation and congratulated her on the work of the Centre.

8. 2004/05 STATEMENT OF ACCOUNTS

Members considered a report by the Financial Adviser.

Mr Bob Bench, Finance Officer, introduced Mr Greg Comminos of Deloitte and Touche, the Council's external auditors. Mr Comminos briefly introduced the report by Deloitte and Touche before answering question from Members.

It was then

RESOLVED –

- (i) THAT the auditor's report be noted;
- (ii) THAT the Financial Adviser's assessment that the unadjusted mis-statements in Appendix II of the auditor's report were not material be confirmed;
- (ii) THAT the Financial Adviser be authorised to sign the letter of representation;
and
- (iv) THAT the Authority's 2004/2005 Statement of Accounts be approved and the Chair be authorised to sign it accordingly

ACTION: Financial Adviser

9. DEFRA CONSULTATION ON LEVY APPORTIONMENT

Members considered a joint report by the Head of Waste Strategy and Contracts and the Financial Adviser, which was introduced by the former.

Members discussed the implications of the consultation and whether it was appropriate or not to make transitional arrangement from the current levy apportionment arrangements to the new one.

Councillors Coleman and Allan expressed their satisfaction with the response to the DEFRA consultation as written. However, Councillor Blunt proposed, and Councillor Stops seconded, that in relation to the answer to question six on page 9/11 of the

report, the following statement should be added to the proposed response: "...or make provision for default transitional arrangements over three years".

At the conclusion of the debate, the proposal was put to the vote and it was then

RESOLVED –

THAT the proposal to insert in the response to question six, the following statement be agreed: "...or make provision for default transitional arrangements over three years."

ACTION BY: Head of Waste Strategy and Contracts

Councillors Coleman, Cohen, Price and Allan requested that their names be recorded as dissenting against this decision.

It was then proposed by Councillor Hodgson, and seconded by Councillor Blunt, that the draft response's suggestion that the Council Tax base for the levy be calculated using the gross rates of expected collection rather than net rates of actual collection be removed.

There was then some discussion on this proposal. At the conclusion of the debate, the proposal was put to the vote and it was then

RESOLVED –

THAT the NLWA response to DEFRA on the levy consultation not include the suggestion that the use of the Council Tax base for levy apportionment should relate to the gross Council Tax base rather than the net Council Tax base.

ACTION BY: Head of Waste Strategy and Contracts

Councillors Cohen, Coleman, Price and Allan requested that their name be recorded as dissenting against this decision.

It was then

RESOLVED –

THAT the draft response to the DEFRA Consultation detailed at Appendix I, as amended above, be confirmed.

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

Councillors Cohen, Coleman, Price and Allan requested that their name be recorded as dissenting against this decision.

10. LONDON MAYOR'S WASTE CONSULTATIONS

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

Members then had an extensive debate on the consultation document.

It was then proposed by Councillor Sizer and seconded by Councillor Stops that the table in paragraph 4.2 of the report (pages 10/16-17) be amended as follows:

- In relation to Item 4 (Sign Off Sub-Regional Joint Strategies), a tick be added under the column marked "Authority"
- Under Item 8 (LATS Trading Brokerage), a tick be added under the column marked "National"
- In Item 12 (Selling Recyclable Wastes), the tick under "London" be removed
- In Item 13 (Setting Green Procurement Objectives), ticks be added under the columns marked "Borough" and "Authority"

The proposal was then put to the vote and it was

RESOLVED –

THAT the amendments to the table in paragraph 4.2 of the report be agreed

ACTION BY: Head of Waste Strategy and Contracts

The following comments were then made on the London Mayor's scoping paper:

- Councillor Stops acknowledged the possibility of economies of scale in the Mayor's proposals but suggested that London should be divided up into waste authorities of similar sizes comprising both inner and outer London Boroughs to allow for space for waste disposal facilities. He therefore concluded that the ideal size for waste authorities was that similar to joint waste disposal authorities in London rather than a London-wide authority or single borough waste authorities as was common in South London.
- Councillor Robinson advised that he believed a London-wide Waste Authority was a logical position but had strong concerns about being rushed into creating it which would result in unnecessary spending. He also expressed a belief in powers remaining with local authorities; he did not wish to see a move towards a Greater London Council-style Authority with the consequent loss of skills and accountability to local authorities and the subsequent loss to boroughs of the ability to dictate their own environment. He therefore highlighted the need for further discussion, rather than being rushed into making a decision immediately.
- Councillor Price stated that he had strong concerns over possible arguments over planning issues with the Mayor - as any expansion of waste disposal facilities was likely to be in the London Borough of Enfield. He also expressed concern about new proposals being rushed through by the Mayor without necessary consideration.
- Councillor Haley advised that it was necessary to consider the Mayor's proposals thoroughly and noted that the Association of London Government

(ALG) was of the view that there was at least some merit to the ideas being proposed. He noted that the Mayor had cited Barnet as having a problem with the Joint Waste Disposal Authority structure and said that he thought a Single Strategic Waste Authority might add delay and cost. He wished to see greater accountability for the Mayor and expressed his opinion that the Greater London Assembly was unable to do this satisfactorily.

- Councillor Coleman agreed with the case for a London-wide Authority in principle but did not yet support all the detail. He wished to see greater democratic accountability and suggested that the appropriate model that should be used was that of the London Fire and Emergency Planning Authority, rather than the Transport for London (TfL) model which he believed was not sufficiently accountable.
- Councillor Allan was of the view that it was true that waste disposal arrangements across London were varied but did not conclude that a single London Waste Authority was the solution to this problem. He also expressed the view that the issue of democratic accountability of the Mayor was a matter which needed to be addressed more fully before allowing greater powers to be given to him. He added that the proposal was premature.
- Councillor Blunt was of the view that a single London Waste Disposal Authority was not the way forward. He also noted the anticipated Government review of the Mayor's powers and the need for the NLWA to reply constructively. He expressed the view that the North London Waste Authority was a sensible size and fairly efficient as a sub-regional group for a joint Waste Disposal Authority, and that sub-regional planning on the same scale was sensible too. He noted that South London boroughs could work together if they chose to.

The Chair, noting the wide diversity of views in relation to the Mayor's scoping paper, proposed that the Authority response should state that many Members were sceptical about a London-wide Waste Disposal Authority and that most preferred sub-regional groupings of boroughs. All Members concurred that this was a fair description of the debate.

It was then

RESOLVED –

- (i) THAT the draft response to the London Mayor's Draft Alterations to the London Plan (Appendix I to the report) be approved;
- (ii) THAT the table of issues in section 4 of the report be approved as amended;
- (iii) THAT the initial views on the London Mayor's scoping paper be confirmed as detailed in the Chair's conclusion (above); and
- (iv) THAT authority be delegated to the Head of Waste Strategy and Contracts, in consultation with the Chair, to prepare a written statement of the Authority's views to the London Mayor along the lines detailed above.

ACTION BY: Head of Waste Strategy and Contracts

Councillors Coleman, Cohen and Price requested that their names be recorded as dissenting from the decision in respect of resolutions (i), (iii) and (iv) above.

11. JOINT WASTE STRATEGY UPDATE

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

It was

RESOLVED –

- (i) THAT the bids from the East London Community Recycling Partnership and the Freightliners City Farm be approved;
- (ii) THAT the Head of Waste Strategy and Contracts be given delegated authority in consultation with the Chair to award up to £8000 in total to subsequent bids to the North London Community Composting Fund that satisfy the criteria; and
- (iii) THAT expenditure be approved for Councillor Haley to attend the LondonWaste action study tour in Italy.

ACTION BY: Head of Waste Strategy and Contracts

12. RECYCLING CREDIT CLAIMS 2004/05

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

It was

RESOLVED –

- (i) THAT the payment of recycling credit payments to constituent boroughs for 2004/05, as set out in the report, be approved;
- (ii) THAT the payment “on account” to constituent boroughs for 2005/06, as set out in the report, be approved;
- (iii) THAT the arrangements for third party recycling credits and the encouragement of constituent boroughs to support claim where eligible be noted;
- (iv) THAT the payment of third party recycling credits, as set out in the report, be approved; and
- (v) THAT any review of third party recycling credit be held back until the government’s intentions and timetable in respect of the tonnage based levy are clear.

ACTION BY: Head of Waste Strategy and Contracts

13. HAZARDOUS WASTE REGULATIONS 2005

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

It was

RESOLVED –

- (i) THAT the new arrangements introduced to ensure compliance with the Hazardous Waste Regulations 2005 be noted; and
- (ii) THAT the recommendation that the Authority joins the National Household Hazardous Waste Forum be approved.

ACTION BY: Head of Waste Strategy and Contracts

14. FUTURE SUPPORT ARRANGEMENTS OF THE AUTHORITY

Members considered a report by the Legal Adviser who introduced the item.

Members then discussed the issue and asked questions of officers.

After discussion, it was

RESOLVED –

THAT the report be noted.

15. STRATEGY AND CONTRACTS TEAM ACTIVITY

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

It was

RESOLVED –

THAT the report be noted.

16. 2005/06 SECOND BUDGET REVIEW

Members considered a report by the Financial Adviser.

After discussion it was

RESOLVED –

- (i) THAT the second review of the 2005/06 revenue budget be noted; and
- (ii) THAT the third review of the 2005/06 budget would be received by the Authority meeting in December together with an up-to-date assessment of the budget and resource requirements for 2006/07.

ACTION BY: Financial Adviser

17. LONDONWASTE LIMITED – WASTE INCINERATION DIRECTIVE – PROGRESS

Members considered a report by the Financial Adviser who introduced the item.

Members were advised that LondonWaste Limited had revised its opinion as to when the work relating to the Waste Incineration Directive would be completed, and was now of the view that this would be done by the end of December 2005 rather than January 2006. Although the Edmonton Energy-From-Waste facility would be able to operate within the new Waste Incineration Directive emissions limits after 28th December 2005, there would still be a period of adjustments that needed to be made following the refurbishment.

It was

RESOLVED –

THAT the report be noted.

18. AWARD OF CONTRACTS BY OFFICERS UNDER DELEGATED AUTHORITY

Members considered a report by the Deputy Clerk.

It was

RESOLVED –

THAT the contracts awarded by officers under delegated authority be noted.

19. FUTURE REPORTS

Members considered a report by the Deputy Clerk.

It was

RESOLVED –

THAT the report be noted.

20. DATE OF NEXT MEETING

It was noted that the next meeting of the North London Waste Authority would take place on Wednesday, 7th December 2005 in the Council Chamber at Camden Town Hall.

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

There were no such items.

22. 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 19th October 2005 during consideration of Item 23 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.

Specifically, publicity in respect of Item 23 would be likely to lead to disclosure of information relating to the financial or business affairs of any particular person (other than the Authority).

23. LONDONWASTE LIMITED MINUTES

Members considered a report of the Deputy Clerk.

Members asked questions of Councillor Brian Haley, as Chair of the Board of LondonWaste Limited.

It was then

RESOLVED –

THAT the report be noted.

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

There was no such business.

The meeting ended at 4.50pm

CHAIR

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Minutes End