

THE LONDON BOROUGH OF CAMDEN

At a meeting of the **NORTH LONDON WASTE AUTHORITY PROGRAMME COMMITTEE** held on **MONDAY, 22ND JULY, 2019** at 10.00 am in Committee Room 2, Crowndale Centre, 218 Eversholt Street, London, NW1 1BD

MEMBERS OF THE COMMITTEE PRESENT

Councillors Guney Dogan, Andy Hull, Clyde Loakes, Richard Olszewski, Rebecca Rennison and Peter Zinkin

MEMBERS OF THE COMMITTEE ABSENT

Councillors Charles Adje

The minutes should be read in conjunction with the agenda for the meeting. They are subject to approval and signature at the next meeting of the North London Waste Authority Programme Committee and any corrections approved at that meeting will be recorded in those minutes.

MINUTES

1. ELECTION OF CHAIR

RESOLVED –

- (i) THAT Councillor Clyde Loakes be appointed Chair of the North London Waste Authority Programme Committee for the 2019/20 municipal year; and
- (ii) THAT Councillor Rebecca Rennison be appointed Vice-Chair of the North London Waste Authority Programme Committee for the 2019/20 municipal year.

2. TERMS OF REFERENCE

RESOLVED –

THAT the terms of reference for the Committee be noted.

3. APOLOGIES

Apologies for absence were received from Councillor Charles Adje.

4. DECLARATIONS BY MEMBERS OF PECUNIARY, NON-PECUNIARY AND ANY OTHER INTERESTS IN RESPECT OF ITEMS ON THIS AGENDA

There were no declarations of interest.

5. ANNOUNCEMENTS (IF ANY)

Audit Committee

The Managing Director announced that the Audit Committee papers had been issued. If Members had any specific questions arising from the Audit Committee papers they were invited to advise officers so that responses could be provided at the Committee meeting.

6. DEPUTATIONS (IF ANY)

There were no deputations.

7. MINUTES

RESOLVED –

THAT the public minutes of the meeting held on 3rd June 2019 be approved and signed as a correct record.

8. NORTH LONDON HEAT AND POWER PROJECT UPDATE AND REPORTS

Consideration was given to the report of the Programme Director.

The Committee discussed the Dashboard report, noting that this was the first time it had been fully populated. In response to questions about the Construction Management Plan (CMP), the Programme Director explained that the Plan was complete but there were some comments from LondonEnergy Ltd (LEL) that had not yet been fully addressed. The delay in signing off the CMP was not holding up the project at present. A Member commented that it was important for there not to be delays or costs arising from negotiation within the NLWA/LEL group. The Managing Director noted that challenge helped to make sure all key issues were properly addressed, but that this should be done only to assist in delivering the project effectively.

The Programme Director summarised the issues for resolution. He assured Members that while the development and integration of the early projects in the southern construction area of the EcoPark were a concern, this would be resolved. The further development of external engagement was necessary to communicate the benefits of the North London Heat and Power Project (NLHPP) to people with concerns over the project's environmental credentials.

The Committee discussed the Transport Yard relocation project. The Programme Director confirmed that the anticipated planning requirements and timescales had been factored into the planned work for finalising the lease and beginning construction.

With regard to the enabling works for the sewer diversion, the Programme Director informed the Committee that performance had been measured against the baseline established in February 2019. The baseline had been undertaken quickly and would be kept under review to ensure it reflected current plans. A Member noted that the relocation of the Transport Yard impacted on the sewer diversion works. He suggested that officers review the implications of not carrying out the sewer diversion work.

ACTION BY: Programme Director

In response to a question, officers stated that until 2012 the Hawley Road site had been used for commercial office space. Since then it had been used as a transport yard without formal permission.

The Committee expressed concern about the unpredictability of the planning process and the risks in signing a contract under which costs would start to accrue for the sewer diversion enabling works prior to the planning permission having been granted. The Programme Director responded that there were no indications that there would be difficulty in getting the planning permission. Members requested that officers undertake a risk assessment by establishing the record of Enfield Council in processing planning applications on time; clarifying whether the planning application would be determined by officers or a Member panel; and gathering data on how often the Planning Committee in the London Borough of Enfield voted against officer advice.

ACTION BY: Programme Director

Committee Members noted that interest groups were correctly raising public awareness of the importance of addressing the Climate Emergency. However, inaccurate public perception of the NLHPP was a risk. There was a need for a more effective flow of information from the Authority, with support for individual Boroughs. In response to questions about potential disruption, the Managing Director confirmed that the LEL, as the operator of the EcoPark, was in contact with the police and other authorities to ensure that appropriate precautions were taken and they kept the Authority abreast with developments. Comments on social media concerning a proposed Council Tax boycott had been noted. The Managing Director acknowledged that communications had been reactive and more positive measures would be taken forward to draw attention to the benefits of the project. Engagement materials had to be easy to use and distributed through the most effective channels such as through social media.

RESOLVED –

THAT the Programme Committee noted the report.

9. WORKFORCE STANDARDS (EMPLOYMENT RELATIONS) CODE OF PRACTICE AND POLICY

Consideration was given to the report of the Programme Director.

With regard to monitoring and control of the Employment Relations Code of Practice, discussions were taking place with the legal advisers on the inclusion of a requirement to comply with the Code within works contracts. An audit regime of employers' pay-rolls would verify that the London Living Wage was being paid. Contractors were expected to develop their own employment relations plans and performance against the plans would be monitored. The Managing Director suggested that the outcomes from monitoring could be reported to Committee.

ACTION BY: Managing Director

The Programme Director informed the Committee that discussions would take place with LEL on developing consistent workforce standards across the EcoPark site.

ACTION BY: Programme Director

Members requested that the language in paragraph 1.6 of Appendix B: Employment Relations Code of Practice be clarified to ensure that the requirement was robust and clear.

The Islington Member commented that their Council policy on blacklisting required contractors to evidence they had self-cleansed of any blacklisting practices. The Chair suggested that Members forward on any information on how Councils had addressed the issue of blacklisting by contractors and their supply chain.

ACTION BY: Programme Committee Members

In response to a suggestion, the Programme Director agreed to investigate the possibility of the Authority gaining accreditation as a London Living Wage employer from the London Living Wage Foundation.

RESOLVED –

THAT the Committee provisionally approved the Code of Practice and Policy for use in future works contracts, pending a further report back with amendments to paragraph 1.6 of Appendix B: Employment Relations Code of Practice to provide greater certainty that the requirements to pay London Living Wage and to adhere to an appropriate National Working Rule Agreement were met.

ACTION BY: Programme Director

10. TRANSPORT YARD CONSTRUCTION CONTRACT

Consideration was given to the report of the Programme Director.

The Committee discussed their concerns about the potential for slippage of the anticipated planning determination date and the timing of issuing the contract award letter. The Programme Director commented that the construction work was not scheduled to begin until March 2020. There had been pre-application discussions with the London Borough of Enfield which had touched on timescales. The Managing Director noted two key concerns from the Committee, namely that the project should not incur unnecessary expenditure too early and that officers should not assume that the timetable would be immune from slippage.

Members requested that the Committee be provided an update in September 2019 on the planning process and an assessment of the risk as outlined previously.

ACTION BY: Programme Director

A Member commented that the Committee was concerned given the number of uncertainties. However, the parallel procurement process should not be delayed. The Programme Director suggested that the procurement process would begin contingent on bringing information on the parallel processes back to Committee.

RESOLVED –

- (i) THAT the Committee delegated authority to the Programme Director to procure, award and manage a contract to carry out works to a site on Hawley Road, London N18 3QU on the basis set out in section 5 of the report and in the Part II appendix to the report;
- (ii) THAT the Committee noted the update on the Hawley Road lease negotiations and progress with the planning application; and
- (iii) THAT the Committee noted the recommended procurement process and associated costs related to the construction contract for the construction works to the Hawley Road site as detailed in the Part II appendix to the report.

11. FORWARD PROGRAMME

Consideration was given to the report of the Programme Director.

RESOLVED –

THAT the Committee noted the report.

12. LOCAL GOVERNMENT ACT 1972 - ACCESS TO INFORMATION

RESOLVED –

THAT the press and public be excluded from the proceedings of the North London Waste Authority Programme Committee on 22nd July 2019 during consideration of the following items 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 as amended.

Specifically:

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.

13. MINUTES

RESOLVED –

THAT the private minutes of the meeting held on 22nd July 2019 be approved and signed as a correct record.

14. NORTH LONDON HEAT AND POWER PROJECT PROGRAMME UPDATE

Consideration was given to the report of the Programme Director.

RESOLVED –

THAT the Committee noted the contents of the report.

15. BASELINE COST UPDATE

Consideration was given to the report of the Programme Director.

RESOLVED –

THAT the recommendations set out in the report be approved.

16. FINANCING STRATEGY

Consideration was given to the report of the Financial Adviser

RESOLVED –

THAT the Committee noted the report.

**17. NORTH LONDON HEAT AND POWER PROJECT - ECOPARK SOUTH
CONSTRUCTION PROCUREMENT UPDATE**

Consideration was given to the report of the Programme Director.

RESOLVED –

THAT the recommendations set out in the report be approved.

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

There were no urgent items of business.

The meeting ended at 12.00 pm.

CHAIR

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MINUTES END