

NORTH LONDON WASTE AUTHORITY

At a meeting of the **NORTH LONDON WASTE AUTHORITY** held on **THURSDAY, 25TH JUNE, 2015** at 10.00 am in the Committee Room 1, Town Hall, Judd Street, London WC1H 9JE

MEMBERS OF THE AUTHORITY PRESENT

Councillors Demirci, Cazimoglu, Webbe, Lyons, Cohen, Demirci, Loakes, Taylor, Anderson and Zinkin

MEMBERS OF THE AUTHORITY ABSENT

Councillors Arthur, Blackwell and Apak

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.

MINUTES

1. APPOINTMENT OF THE CHAIR OF THE AUTHORITY FOR THE 2015/16 MUNICIPAL YEAR

RESOLVED

THAT Councillor Loakes be appointed Chair of the Authority for 2015/16

2. APPOINTMENT OF THE VICE-CHAIRS OF THE AUTHORITY FOR THE 2015/16 MUNICIPAL YEAR

RESOLVED

THAT Councillors Cohen and F.Demirci be elected Vice-Chairs of the Authority for 2015/16.

3. MEMBERSHIP OF THE AUTHORITY 2015/16

Consideration was given to a report of the Managing Director.

The report detailed the membership of the Authority for the remainder of the municipal year as notified by the seven constituent Boroughs who were entitled to nominate two representatives each.

RESOLVED

THAT the report be noted.

4. APPOINTMENT OF MEMBERS TO COMMITTEES AND WORKING GROUPS

Consideration was given to a report of the Managing Director.

RESOLVED

- (1) THAT the political balance requirements as they affect the Authority for the ensuring municipal year be noted.
- (2) THAT Councillors Zinkin, Blackwell, Cazimoglu, Taylor, Ali Demirci, Greening and Loakes (Chair) be appointed be appointed to serve on the Urgency Committee.
- (3) THAT Councillors Loakes, Cohen and F. Demirci be appointed to serve on the LondonWaste Ltd Shareholder Group.
- (4) THAT Councillors Loakes (Chair), Cohen (Vice Chair), Apak, Anderson, Feryal Demirci (Vice Chair), Arthur, and Greening be appointed to the Member/Officer Steering Group.
- (5) THAT Councillors Zinkin, Blackwell, Anderson, Taylor (Chair), Arthur, Greening and Loakes be appointed to serve on the Finance Working Group.
- (6) THAT Councillors Apak, Feryal Demirci, Webbe and Loakes be appointed to serve on the Planning Sounding Board.
- (7) THAT Councillors Apak, Cohen, Cazimoglu, Feryal Demirci, Ali Demirci, Webbe (Chair) and Loakes be appointed to serve on the Recycling Working Group
- (8) THAT it be confirmed that the Chair of the Authority would guide officers in connection with the Authority's communication strategy and would be consulted on individual media communications of a sensitive nature.
- (9) THAT the position regarding attendance at meetings be noted.

5. NLWA 2014/15 ANNUAL REPORT

Consideration was given to a report of the Managing Director.

The Managing Director introduced the report and noted that it provided a record of the Authority's principal activities and achievements. The Managing Director stated that an anomaly with information from the national body WasteDataFlow had been identified, and that a change to the Annual Report may be necessary; the issue was whether there had been an increase or a decrease in residual waste per household. Members were requested to delegate authority to the Managing Director to make the relevant change to the Report once all information was available.

RESOLVED

- (1) THAT authority be delegated to the Managing Director to amend the Annual Report to clarify whether an increase or a decrease in the amount of residual waste per household had been recorded in 2014/15
- (2) THAT the Authority approves the Annual Report as attached as Appendix 1, and pending the above amendment.

6. DATES OF MEETINGS FOR THE AUTHORITY IN 2015/16

Consideration was given to a report of the Managing Director.

The Managing Director introduced the report. Members commented that the September meeting date presented difficulties for some members due to its proximity to religious festivals. The Chair stated that he was aware that there may be an issue for some Members, but that the Authority was to a significant extent limited by financial reporting deadlines in late September. The Chair stated that he would work with officers to see if an alternative date could be found, but if that was not possible the 25th September would be set as the meeting date.

RESOLVED

- (1) THAT the Chair in consultation with officers investigates the possibility of rearranging the meeting scheduled for 25th September 2015 to avoid any difficulty arising from proximity to religious holidays
- (2) THAT the Authority agrees the remaining proposed dates and times for ordinary meetings during the Municipal Year and the annual general meeting in 2015/16

7. ANNUAL REPORT OF DIRECTORS OF LONDONWASTE LTD

Consideration was given to a report of the Managing Director.

The Managing Director introduced the report and invited Members to comment. The Chair noted that this was the final annual report from London Waste Limited's Managing Director, Mr David Sargent. The Chair wished his thanks to Mr Sargent to be placed on record, and stated that Mr Sargent had done much excellent work for the Company for more than 20 years. Members added their thanks to Mr Sargent for his leadership of LondonWaste Ltd, for consistently exceeding targets and for his public service.

RESOLVED

THAT the report be noted.

8. APOLOGIES

Apologies for absence were submitted by Councillor Arthur.

The Chair stated that George Meehan, a former Vice-Chair of the Authority was ill and would not be returning to the Authority. Members wished to express their best wishes to Mr Meehan and thanked him for his work with the NLWA.

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

Councillors Cohen and Zinkin declared non-pecuniary interests in all relevant business regarding Pinkham Way, Summers Lane and the Hendon rail transfer station as Members of the London Borough of Barnet.

Councillors Anderson and Ali Demirci declared non-pecuniary interests in all relevant business regarding the Pinkham Way site as members of the London Boroughs of Enfield and Haringey respectively.

Councillor Zinkin declared in the interests of transparency that the Chairman of Biffa was known to him as they had worked together in the past at Balfour Beatty.

Councillor Greening declared for transparency that he was Mayor of Islington and that he had a non-pecuniary interest in any business involving the Mayor's Charity, Music First.

Councillor Loakes declared a non-pecuniary interest in any relevant business as a member of the London Waste Recycling Board.

10. DEPUTATIONS (IF ANY)

There were no deputations.

11. MINUTES

RESOLVED

THAT the public minutes of the meetings held on the 12th February 2015 and 27th March 2015 be agreed and signed as a correct record.

12. 2014/15 REGULAR BUDGET REVIEW

Consideration was given to a report of the Financial Adviser.

The Head of Finance introduced the report, stating that the Authority was in good financial health. It was noted that the available revenue balance was higher than

expected due to a lower than forecast increase in the residual waste stream and operating savings. The Head of Finance reported that there was £6.9m available in reserves to support next year's levy.

In response to questions from Members regarding falls in the market price for dry recyclable material, the Head of Finance stated that there was difficulty in predicting the future value of such materials. The Managing Director added that the industry was concerned about declining value in materials, but that many companies were locked into agreements that assume high rates for materials. If lower rates were the long term trend, new contracts would likely seek to reduce some of the risk that was currently carried by the private sector. Members stated that it would be useful to have a more detailed briefing on this and the likely direction of travel. The Managing Director stated that a briefing note could be circulated to Members.

RESOLVED

THAT the Authority:

- (1) notes the 2014/15 outturn (subject to audit);
- (2) notes the over and under payments by boroughs in respect of non-household waste in 2014/15 and the arrangements for repayment to and collection from the boroughs;
- (3) notes that the 2014/15 draft Statement of Accounts will be reviewed by the Members' Finance Working Group before consideration by the Authority at its September meeting;
- (4) notes the first review of the 2015/16 budget and that a second review will be submitted to the Authority in September; and
- (5) notes that an update on the budget and resource requirements for 2016/17 and future years will be reported to the Authority in future budget reviews

13. EXTERNAL AUDIT PLAN FOR THE 2014/15 ACCOUNTS

Consideration was given to a report of the Financial Advisor

RESOLVED

THAT the report be noted

14. OPERATIONS UPDATE

Consideration was given to a report of the Head of Operations.

RESOLVED

- (1) THAT authority be delegated to the Managing Director, in consultation with the Legal Adviser, to enter into a lease with LB Barnet for the Summers Lane re-use and recycling centre and an underlease or licence with LondonWaste Ltd, which will operate it, and to note the associated contractual work; and
- (2) THAT the information concerning bulky waste recycling, the Kings Road reuse centre, work with the London Waste and Recycling Board and other general operational matters be noted.

15. DCO APPLICATION PHASE TWO CONSULTATION UPDATE

Consideration was given to a report of the Managing Director.

The Head of Legal and Governance introduced the report. It was stated that as of 19th June, 35 responses to the consultation had been received. It was reported that while the Environment Agency had now responded to the consultation, the majority of statutory consultees had yet to respond. The Head of Legal and Governance added that the responses would be analysed in July, and broken down into themes, similar to phase one. Of the responses received so far, respondents were broadly in favour of the scheme, and there had been no concerted objections. It was reported that 58 people had attended consultation exhibitions, and around 200 people had been engaged with through community group consultation.

The Chair stated that while the subject matter was difficult for some local residents to engage with, the number of responses received seemed low, and Members added that for future consultations, it would possibly be of benefit for borough councillors to be more involved to assist with targeting more difficult to reach people. In response, the Head of Legal and Governance stated that when the mobile roadshows and information stores, around 675 people had been spoken to for the consultation. Members stated that it was hoped that informal responses to the engagements would also be considered, such as through discussions or twitter comments. The response was given that officers had used social media to respond to queries on the proposals when raised in this way, and to provide information on exhibitions and roadshows. There had been engagement with local groups in consultation where such groups were identified. The Managing Director added that the Development Consent Order process was quite legalistic, and advice had been followed in designing and carrying out the consultation. It was important to note that a facility already existed on the site, and as such this may play a role in public perception and the likelihood that local residents would submit a response to the consultation. The Legal Adviser also added that while consultations were often understandably judged on numbers of responses received, listening to what was said and considering the issues was crucial from a legal point of view.

In response to a Member's concern that the consultation process should be extended in light of the responses received, the Managing Director stated that the Authority had set a timetable for a decision on submission, and further delays would mean greater risk for the project. The Authority had carried out two rounds of consultation on the proposals, and was at the tail end of the process. Information on

the final numbers of respondents to the consultation and of those engaged with would be collated once the consultation period had ended and final responses were in, and provided to Members before a decision on submission was made in September 2015.

RESOLVED

THAT the Phase Two Consultation on the Proposals for a Development Consent Order has started, and the activity during consultation to date be noted.

16. CONSULTATIONS AND POLICY UPDATE

Consideration was given to a report of the Head of Operations.

Councillor Ali Demirci stated that as the Cabinet Member for the London Borough of Haringey with responsibility for making a decision on the Pinkham Way site, he would not participate in this item and left the room so as not to prejudice any future decision making within his home borough.

The Head of Operations introduced the report. In response to a query from Members regarding preparedness for flooding at the EcoPark site, the response was given that flood design was part of the Development Consent Order for the site, and there had been no issues in this matter in recent memory. The land was high relative to neighbouring sites and considered low risk.

RESOLVED

THAT the Authority:

- (1) Delegates authority to the Managing Director in consultation with the Chair and Vice Chairs to respond to the European Commission consultations on the 'circular economy' and on waste market distortions;
- (2) Approves the draft Authority response to London Borough of Haringey commenting on the Pinkham Way Alliance's response to London Borough of Haringey's preferred Options Site Allocations Development Plan Document for the Pinkham Way site as attached as Appendix 1.
- (3) Approves the officer response attached as Appendix 2 to this report to London Borough of Enfield's Local Flood Risk Management Strategy and delegates authority to the Head of Operations in consultation with the Chair and Vice Chairs to respond to any other draft Local flood Risk Management Strategies which are issued for consultation by the other six constituent north London boroughs.
- (4) Notes the developments on LB Enfield's planning policy for decentralised energy, regional clinical waste management, regional recycling

communications and using swept-up leaves to make compost as set out in the report.

17. REVIEW OF AUTHORITY STANDING ORDERS

Consideration was given to a report of the Managing Director.

The Head of Legal and Governance introduced the report. Members were requested to indicate whether they wished to receive agendas by electronic means rather than in hard copy. Members stated that it was important that electronic papers were formatted appropriately to make navigation as easy as possible and that access to WiFi during meetings was similarly important.

Members queried what the cost saving would be if hard copies of agendas were no longer printed for Members, and the Head of Legal and Governance stated that this information could be provided.

RESOLVED

- (1) THAT the review of Standing Orders in context of changes to relevant legislation be noted
- (2) THAT the proposed amendments to the Standing Orders set out in Appendix A be agreed and that the updated Standing Orders be published on the Authority's website.
- (3) THAT Councillors Loakes, Feryal Demirci, Taylor, Lyons, Ali Demirci and Cohen receive electronic Authority agendas only.

18. FORWARD PLAN OF DECISIONS

Consideration was given to a report of the Managing Director.

RESOLVED

THAT the report be noted.

19. 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 25th June 2015 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 1 - Information which relates to an individual: the reason why the public interest favours withholding the information is that the release of such information could constitute or facilitate an unwarranted interference with the individual's privacy.

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 related to commercial activities that are conducted in a competitive environment.

Exempt Information Category 5 - Information in respect of which there is a claim to legal professional privilege: the reasons why the public interest favours withholding the information are that the release of such information could prejudice the safeguarding of openness in all communications between client and lawyer and the Authority's ability to ensure access to full and frank legal advice.

20. PRIVATE MINUTES

RESOLVED

THAT the private minutes of the meetings held on 12th February 2015 and 27 March 2015 be agreed and signed as a correct record.

21. GOVERNANCE OF LONDONWASTE LTD.

Consideration was given to a report of the Managing Director

RESOLVED

THAT the recommendations be agreed as set out in the report.

22. FUTURE RESIDUAL WASTE MANAGEMENT

Consideration was given to a report of the Managing Director.

RESOLVED

THAT the recommendations be agreed as set out in the report.

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

None

The meeting ended at 12:29

CHAIR

Contact Officer: Richard Stratford

Telephone No: 020 7974 6884

E-Mail: richard.stratford@camden.gov.uk

MINUTES END