NORTH LONDON WASTE AUTHORITY

REPORT TITLE: INTRODUCTION TO THE PROGRAMME COMMITTEE ROLE AND FUNCTIONS

REPORT OF: MANAGING DIRECTOR

FOR SUBMISSION TO: PROGRAMME COMMITTEE

DATE: 10TH SEPTEMBER 2026

SUMMARY OF REPORT:

This report suggests how the Committee might operate in future, and requests views from Authority members

RECOMMENDATIONS:

The Committee is recommended to:

A. Note the report;
B. Advise officers how it wishes the Committee to operate in future; and to
C. Comment on proposals included in the report for informing future programme committee meetings which will be used to prepare papers and advice.

SIGNED: .... Managing Director

DATE: 28 August 2026

1. INTRODUCTION

1.1. At the Authority's Extraordinary Meeting on 20th July 2026, Members agreed that the Programme Committee should continue and include all 14 members of the Authority, and be scheduled to meet on 10th September and 12th November 2026, and 14th January and 13th May 2027.

1.2. This report has been prepared to suggest how those meetings might be organised.

2. HISTORY OF PROGRAMME COMMITTEE

2.1. NLWA's Programme Committee was established in 2019. Terms of reference are kept under review, and an update was approved at the Annual General Meeting in 2023. This is reflected in Standing Orders.

2.2. The Programme Committee provided the opportunity for decisions to be taken and progress updates to be provided in a timely way on the North London Heat and Power Project between Authority meetings. As the project has progressed, fewer new decisions have been required of Members, particularly since the award of the engineering, procurement and construction contract for the energy recovery facility to ACCIONA SA.

2.3. As it became more common for there to be no decisions needed at meetings of the Programme Committee, the Authority regularly adopted an approach under which the meeting would be held informally on Teams. This allowed for Members to be briefed and to ask questions about progress with delivery, achievement of social value goals and policies guiding the work of the project team. Officers would still prepare the same reports and be questioned and scrutinised by Members, and the reports would be published on the NLWA website for transparency in the same way as Authority papers. The last in-person Programme Committee was held on 18 January 2024.

Powers of Committee

2.4. The Authority's Standing Orders provide that the powers of the Committee are to:

2.4.1. Receive regular reports on the progress of the North London Heat and Power Project ("the Project")

2.4.2. Consider and agree policies and strategies relating to the implementation of the Project and to receive updates relating to such policies and strategies in accordance with a programme to be agreed (indicative programme in Schedule)

2.4.3. Take any decisions relating to the implementation of the Project (save for matters that may not be delegated to a Committee), including delegation of the implementation of such decisions to the Managing Director, Director of Corporate Services or Programme Director.

2.4.4. Consider and agree policies and strategies related to long term capital investment in Authority assets, notable carbon capture plans.

2.4.5. Oversee asset management arrangements and lifecycle investment plans for major Authority assets.

2.4.6. Consider and advise if decisions relating to the Project should be taken at full Authority meetings and advise the Programme Director accordingly, taking account of the required timing of decisions.

3. PUBLIC ACCESS AND COMMERCIAL CONFIDENTIALITY

3.1. The Authority is required to publish information about the project and to enable as much Member and public scrutiny during formal meetings as is possible.

3.2. This is facilitated by the production and publication of officer reports; Member debate and decision-making in meetings open to and live streamed to the public; and providing for public deputations on issues covered by the agenda of any meeting.

3.3. As a public body NLWA is also subject to the Freedom of Information Act 2000, which updated the provisions of the Local Government Act 1972 as regards disclosure of information by inserting a new schedule, 12A. This allows those interested in the project to request information held by the Authority beyond that provided in officer reports.

3.4. Notwithstanding the above commitment, in some circumstances the Authority's interests are not best served by making public and/or debating in public certain information. Schedule 12A of the Local Government Act 1972 recognises that this could be the case where it concerns information relating to the financial or business affairs of any particular person or organisation.

3.5. Like all major construction contracts of its type, the Authority's contract with Acciona to build the Energy Recovery Facility (ERF) requires it to keep confidential 'any information which ought to be considered confidential, and any information which might prejudice the commercial interests of any person.' If the Authority was found to be in breach of this provision, it would be liable to penalties under the contract.

3.6. If information which falls within the above is to be considered by Members at a meeting, they would be advised to go into private session, where the press and public are excluded, and the live stream stopped. That private session is referred to as a 'Part 2 Meeting'.

3.7. Members are then free to debate, ask question of officers and make decisions, but the information and decisions are not made public.

4. FUTURE PLAN FOR REPORTING

4.1. Members are invited to give guidance on the presentation of information at future programme committee meetings. It is proposed that future reports should include updates on:

4.1.1. Construction progress and expenditure which has occurred since the previous programme committee meeting.

4.1.2. Any key delivery milestones or challenges which have occurred and actions taken by officers in response.

4.1.3. Updates on Health, Safety and Environment management, Communications and Social Value.

4.1.4. Preparations involving LondonEnergy Ltd for the transition of the new facility into operation and the ending of operations of the existing facility.

4.1.5. Preparations for activities subsequent to the completion of the ERF including decommissioning and demolition of the existing energy from waste facility.

4.2. There would be regular updates on these items. Where specific additional reports or decisions are needed, officers will also prepare reports accordingly.

4.3. Requirements for all meetings of the Authority and Committees are that Authority Members attend in person, members of the public should be able to attend them and that they are in a location where it is possible to webcast the meeting. It is also important that business can be conducted effectively. Meetings have always taken place in council buildings to comply with these requirements. However, there is also the potential for EcoPark House to be used while meeting these requirements. It is proposed that officers explore the possibility of holding the programme committee meeting on 14 January at the EcoPark, including a visit to the construction site immediately prior to the meeting for those Members able to participate in the that visit. If Members agree, officers will provide an update on this issue at the November programme committee meeting.

4.4. Members are invited to advise if there are further issues on which they would like to have reports or submissions. Policy reports to Authority meetings will update on waste management strategic and delivery developments. These will provide advice and information to assure that plans for the use of assets and delivery of services with them aligns positively with circular economy developments and progress on the Joint Waste Strategy agreed by the Authority and constituent boroughs.

4.5. As set out above, certain information for meetings is likely to be of a commercial nature concerning management of the contract between ACCIONA and NLWA. This is likely to be information which is private either under the terms of the contract or consistent with the terms of Schedule 12A of the Local Government Act 1972. Members have made clear their view that information should be made public as far as possible and officers will be guided by this in applying confidentiality considerations to papers and information. In future, it is suggested that officers consult the Chair when it becomes clear what matters require the Committee's consideration;

4.5.1. If a formal decision is required, the advice will be that the Committee meets in person in Camden Town Hall, with the usual provisions for web-casting, public attendance and deputations.

4.5.2. If a formal decision is required which necessitates consideration of confidential information (see above), the agenda will specify that those agenda items will be considered without the press and public present.

4.5.3. If no decision is required, an informal meeting may be convened, without the need for presence in person, as a Teams meeting with non-Members invited with consent of the Chair. If Members and officers wish to be present in person, the meeting could be arranged e.g at EcoPark House.

5. RECOMMENDATION

5.1. The Committee is recommended to note the report.

5.2. Advise officers how it wishes the Committee to operate in future.

5.3. To Comment on proposals included in the report for informing future programme committee meetings which will be used to prepare papers and advice.

6. EQUALITIES IMPLICATIONS

6.1. There are no equalities implications.

7. COMMENTS OF THE LEGAL ADVISER

7.1. The Legal Adviser has been consulted in the preparation of this report and comments have been incorporated.

8. COMMENTS OF THE FINANCIAL ADVISER

8.1. The Financial Adviser has been consulted in the preparation of this report and has no comments to add.

List of documents used:

None

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