

OPEN VERSION

WESTERN RIVERSIDE WASTE AUTHORITY

NOTE: These minutes are to be read in conjunction with the agenda papers relating to the meeting on 25th June 2009, except those exempt from being made available to press and public.

Minutes of the annual meeting of the Western Riverside Waste Authority held at the Town Hall (Room 145), Wandsworth High Street, SW18 on Thursday 25th June 2009 at 7.00 p.m.

PRESENT

Kensington and Chelsea Council - Councillor T. Ahern (elected Chairman at the meeting)

Lambeth Council - Councillor S. Prentice

Wandsworth Council - Councillor M. Grimston (Deputy Chairman)
- Councillor G. Senior

APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Feilding-Mellen, Haselden and Smith.

DECLARATIONS OF INTEREST

There were no declarations of interest in any of the matters referred to on the agenda.

ANNUAL ELECTIONS

Election of Chairman and Deputy Chairman. On item 1 the Deputy Chairman (Councillor Grimston) called for nominations to the post of Chairman. Councillor Senior nominated Councillor Ahern and the nomination was seconded by the Deputy Chairman. There being no other nominations, Councillor Ahern was declared to have been duly elected to the post of Chairman.

Councillor Ahern then took the Chair and called for nominations to the post of Deputy Chairman. Councillor Senior nominated Councillor Grimston and the Chairman seconded the nomination. There being no other nominations, Councillor Grimston was declared to have been duly elected to the post of Deputy Chairman.

INTRODUCTIONS AND WELCOME

Chairman noted that Councillor Rock Feilding-Mellen (Royal Borough of Kensington and Chelsea) and Councillor Greg Smith (London Borough of Hammersmith and Fulham) had been newly appointed to the Authority but had been unable to attend the meeting.

Katherine Burston was introduced as the new Deputy Treasurer who would be succeeding Dennis Berridge in the post from October 2009.

It was agreed that the Clerk be instructed to write to Councillor Coleridge thanking him for his service as Chairman over the last four years during what was a crucial period of complex financial negotiations in relation to the Authority's main contract. It was also agreed the Clerk would write to Councillor Ivimy thanking her for her services to the Authority as a Member over the last three years.

MINUTES

On item 2 it was

RESOLVED - That the minutes of the meeting held on 12th February 2009 be confirmed and signed as a correct record and that the open version of the minutes also be confirmed.

CONTRACT

Issues relating to the Waste Management Services contract. On item 3 (Papers Nos. WRWA 633 and 633A), it was

RESOLVED - That under Section 100A(4) of the Local Government Act 1972, members of the public and the press be excluded from the meeting while Paper No. WRWA 633A under item 3 was being considered because it was likely that exempt information as described in paragraphs 3, 5 and 7A of Part I of Schedule 12A to the Act would be disclosed to them if they were present; and it was considered that, in all the circumstances of the case, the public interest in maintaining exemption outweighs the public interest in disclosing the information given the fact that this paper deals with ongoing negotiations.

With respect to Paper No. WRWA 633 it was

RESOLVED – That (a) the Authority agrees to support Cory's efforts to secure a Combined Heat and Power capability at the Belvedere location and to instruct officers to facilitate this wherever possible; and

(b) otherwise the report be received as information.

[SUMMARY - *With respect to Paper No. WRWA 633A, the recommendations in the report were approved including the following:-*

(b) the Clerk be authorised to change legal advisors from DLA Piper LLP to K&L Gates LLP in respect of WMSA associated works via the Standing Order No. 38 procedure should officers be satisfied that K&L Gates has the supporting resources and knowledge base to undertake this work and that its rates are competitive; and

(c) otherwise receive this report as information.

Under this item (in relation to Paper No. WRWA 633A), the General Manager confirmed, in response to a question from Councillor Prentice, that if the Authority did switch from DLA Piper to K&L Gates with respect to legal services relating to the WMSA, that would not affect the position of Mrs. Janet Le Grand, a DLA Partner, on Western Riverside Environmental Fund.]

OPERATIONS AND POLICY

General Manager's report. On item 4 (Paper No. WRWA 634) it was

RESOLVED – That (a) officers be instructed to continue to explore the potential for the Authority to benefit from any proposals that Treasury Holdings might make in relation to the Cringle Dock Transfer Station (as reported in paragraphs 9 to 13 of the report);

(b) the Authority's response to BERR's consultation on the European Commission proposals to recast the EC Directives on Waste Electrical and Electronic Equipment (WEEE) and on the Restriction of the use of certain Hazardous Substances in electrical and electronic equipment (RoHS) (attached as Appendix C to the report) be confirmed;

(c) officers be instructed to defer a review of the Authority's own Joint Municipal Waste Management Strategy until publication of the final Mayor's Municipal Waste Management Strategy which is expected by summer 2010 (if still appropriate following the proposed Defra consultation described in paragraphs 25 to 33 of the report);

(d) officers be instructed to respond to the Government consultation entitled "Modernising Landfill Tax Legislation" by proposing that a more realistic timeframe for reclassification of specified inert wastes from the lower tax band to the standard rate would be between 5 and 10 years, so as to allow time to develop alternative waste management options, rather than the one year deferral proposed by the Government (as reported in paragraphs 36 to 44 of the report), subject to the addition of a comment pointing out that incinerator bottom ash is classified as a mirror entry in the European Waste Catalogue, i.e. it can be hazardous or non-hazardous, and the Landfill Tax regime needs to properly reflect this distinction;

(e) officers be instructed to negotiate a Variation with Cory in respect of detritus waste and that it be agreed such a Variation should be authorised under the Standing

Order No. 38 procedure (as reported in paragraphs 53 to 55 of the report);

(f) approval be given to the submission of an Expression of Interest funding application to the London Waste and Recycling Board with respect to a furniture and appliance reuse scheme (as reported in paragraphs 61 to 64 of the report); and

(g) otherwise the report be received as information.

Under this item:-

(i) The General Manager indicated that officers were to ask DEFRA whether they could explain how the WRATE analysis resulted in a more negative result for home composting compared with other treatment options, as that appeared difficult to explain in terms of what was known about environmental impact.

(ii) The Deputy General Manager reported that the recycling figure for Lambeth National Indicator 192 had been revised upwards to 25.7% following more detailed analysis of third party recycling tonnage.

(iii) Councillor Prentice requested that any reuse scheme developed by social enterprise partners on behalf of the Authority (see (f) above) should provide for collection and removal of reusable items from premises above ground floor. The General Manager undertook to communicate this request to the Authority's partners.

FINANCE AND ANNUAL REPORT

Risk Management Strategy Statement. On item 5 (Paper No. WRWA 635) it was

RESOLVED - That the Risk Management Strategy Statement attached as an Appendix to Paper No. WRWA 635 be noted.

Annual Governance Statement. On item 6 (Paper No. WRWA 636) it was

RESOLVED – That the proposed Annual Governance Statement for 2008/09 attached as an Appendix to the report be approved for signature and publication with the Authority's accounts.

Accounts for 2008/09 and financial outlook. On item 7 (Paper No. WRWA 637) it was

RESOLVED – That (a) the summary of revenue outturn as shown in Appendix B of the report be noted; and

(b) subject to any minor drafting changes, the Statement of the Accounts for the financial year ended 31st March 2009, as shown in Appendix D of the report, be approved.

Under this item the Chairman noted that, whilst it was not possible to offer accurate predictions on the Authority's likely demand for legal services, it was hoped that expenditure on legal services would be substantially reduced in 2009/10 compared with the previous financial year.

Annual Report. On item 8 (Paper No. WRWA 638), it was

RESOLVED – That the Annual Report as set out in the report be approved.

DATES OF MEETING AND VISIT

Next meeting and Belvedere visit. On item 9, the date of the next Authority meeting, previously agreed as Wednesday 16th September 2009, was confirmed. It was also agreed that the Deputy Clerk would consult with Members on three possible dates for the visit to the Belvedere Energy from Waste construction site (24th August 2009, 25th August 2009 and 15th September 2009).

The meeting ended at 7.53 pm