

**(VERSION B)**  
**WESTERN RIVERSIDE WASTE AUTHORITY**

**NOTE: These minutes are to be read in conjunction with the agenda papers relating to the meeting on 19th September 2019.**

Minutes of the meeting of the Western Riverside Waste Authority held at the Town Hall (Room 122), Wandsworth High Street, SW18 on 19th September 2019 at 7pm.

**PRESENT**

- |   |  |
|---|--|
| <b>Hammersmith &amp; Fulham Council</b> | - Councillor W. Harcourt                       |
|   | - Councillor D. Morton                         |
| <b>Kensington &amp; Chelsea Council</b> | - Councillor J. Husband (Chairman)             |
|   | - Councillor M. Palmer                         |
| <b>Lambeth Council</b>                  | - Councillor J. Meldrum                        |
| <b>Wandsworth Council</b>               | - Councillor Mrs. S. Sutters (Deputy Chairman) |
|   | - Councillor G. Senior                         |

In attendance:

- |   |   |
|---|---|
| <b>WRWA</b>                             | Mark Broxup – General Manager<br>Chris Buss – Treasurer<br>Martin Walker – Clerk  |
|   | Katherine Burston – Deputy Treasurer<br>Shirley Cruse – Principal Finance and Administration Officer<br>Sharon Ross – Deputy General Manager<br>Thayyiba Shaah – Deputy Clerk |
| <b>Hammersmith &amp; Fulham Council</b> | Sharon Lea – Strategic Director of Environment<br>Adrian Ash – Interim Head of Waste Management   |
| <b>Kensington &amp; Chelsea Council</b> | Andy Almond – Contracts and Enforcement Area Manager  |
| <b>Lambeth Council</b>                  | Doug Perry – Assistant Director Environment Public Protection & Regulatory Services   |
| <b>Wandsworth Council</b>               | Ishbel Murray – Assistant Director Contracts  |

and Leisure  
Wale Adeyoyin – Head of Waste and Street  
Cleansing

**External Advisors**

John Chandler, Shakespeare Martineau

**APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Holland.

**DECLARATIONS OF INTEREST**

No disclosable pecuniary interests were declared.

**MINUTES OF THE MEETING OF THE AUTHORITY HELD ON  
15<sup>TH</sup> JULY 2019**

On item 1 it was –

**RESOLVED** - That Version A (the closed version) of the minutes of the Authority held on 15th July 2019 be confirmed and signed as a correct record, and that version B be confirmed as the open summary of the minutes.

The Authority agreed that future meetings would include the names of technical officers and advisors in attendance.

**MINUTES OF THE MEETING OF THE AUDIT COMMITTEE HELD ON  
31<sup>ST</sup> JULY 2019**

**RESOLVED** - That the minutes of the Audit Committee held on 31<sup>st</sup> July 2019 be confirmed and signed as a correct record.

**STATUS OF THE AUTHORITY'S AUDIT OF THE ACCOUNTS FOR  
2018/19 (PAPER NO. WRWA 887)**

The Treasurer introduced the report and confirmed that to date the external auditor (Deloitte) had not been able to conclude the audit of the Authority's accounts. As advised previously the issue was on the accounting treatment of certain items under the WMSA and in particular the issue relating to the accounting treatment of the £3.5 million received from Cory in 2018/19 relating to the Authority's consent to refinancing of the EfW.

The Treasurer advised that on 20<sup>th</sup> August he had responded in full to Deloitte's further list of enquiries. A formal response is yet to be received from the Auditors.

The Deputy Chairman, Councillor Mrs. Sutters, raised concerns over the time it was taking the Auditors to respond. The Authority agreed that the Treasurer should inform the Auditors of the Authority's dissatisfaction over the length of time being taken by the Auditors to respond to matters.

The Treasurer outlined the possible options available which were in turn subject to the response received from the Auditors, namely:

1. That the Authority and the Auditor agree the accounts without any qualifications - the preferred outcome.
2. That the accounts are agreed but qualified in one instance - not an unusual outcome.
3. An adverse opinion is given - the final auditors report would need to be reported to the Authority or a committee of the Authority and agreed by them.

The Treasurer clarified that if the Auditor's response was broadly in agreement with the responses he had provided to the Auditors (as given in Appendix B) then the matter would be reported to the Audit Committee. However, if matters could not be resolved to the satisfaction of both the Treasurer and the Auditors, then the Auditor's report would be presented to an Authority meeting. It was then

#### **RESOLVED to**

- a. note the report and the current state of the Audit discussions as set out in the report and appendices;
- b. agree the establishment of an Audit Committee, if so determined by the Treasurer, on the same basis as the Committee on 31st July 2019 to agree the Accounts once a report has been received from the Auditors; and
- c. otherwise receive this report for information

#### **GENERAL MANAGER'S REPORT (PAPER NO. WRWA 888 - ATTACHED).**

The Deputy General Manager introduced the report. It was agreed that the date in October of the Annual Members' Strategy Forum and visit to the Materials Recycling Facility would be finalised and confirmed to all Authority Members.

Councillor Meldrum raised concerns over the effectiveness of social media in relation to the 'End of the Line for Waste Campaign'. The Deputy General Manager stated that the level of followers on social media maybe low but paid for advertising was being used to get the messages out to the target group and it was essential that the boroughs helped actively promote these campaigns.

Councillor Meldrum provided examples of the reusable free promotional coffee cups and leaflets that are given out at the waste reduction engagement events highlighting the small branding and the lack of any visual association with the constituent

councils, e.g. logo/branding. The Deputy General Manager advised that these coffee cups had been manufactured without officer approval and that they were being replaced with better branded cups.

Councillor Meldrum added that the Authority should consider having an additional member of staff dedicated to social media promotion. Councillor Meldrum clarified that although it would involve an initial cost, if it served to increase recycling rates then it might be cost effective in the long run. Councillor Palmer commented that the Authority is using paid for advertising to increase public awareness and to get the messages out to residents.

The Deputy General Manager confirmed that the Annual Members' Strategy Forum would include a presentation that covered how coordination of the 'End of the Line for Waste' waste minimisation campaign and the "Recycle Western Riverside" recycling campaign with Constituent Councils' could be improved, and it would detail how effective the use of social media for the 'End of the Line for Waste' campaign has been. The Chairman agreed that co-ordination of these campaigns with Constituent Councils' campaigns was important and necessary. The Authority agreed this would be considered further at the Authority's November meeting.

At the request of the Chairman, Councillor Husband, it was agreed that the map showing 'where does my recycling go' would re-position West Yorkshire correctly on the map of Great Britain. The Chairman added that we have good procedures in place for recycling and that all our recycling is processed within the UK or Europe.

Councillor Senior questioned how some local authorities had managed to reduce their household residual waste. The General Manager advised that this was generally thought to be due to 'light weighting' (where packaging has become lighter for the same volume) and a reduction in the abundance of certain materials such as newspapers. In response to further questions, the General Manager agreed to present a graphical representation of recycling and residual waste streams in terms of different metrics and the interaction between them at the November meeting. It was then

**RESOLVED** to receive this report as information.

## **GOVERNANCE OF THE AUTHORITY (PAPER NO. WRWA 889)**

The Clerk introduced the report and welcomed Councillor Meldrum to the meeting.

During discussion the following views were raised by Members:

- Councillor Mrs. Sutters felt that a clause stating that 'no Member shall be re-appointed to the position of Chairman and Deputy Chairman as the case may be, for any period exceeding two consecutive years' was not appropriate given the huge responsibility of WRWA and the level of knowledge and expertise that needs to be built up.
- The Chairman was willing to liaise with his political counterparts to ascertain the views of the other four SJWDAs in relation to:

- a change to the one-month period between the termination and appointment of members; and
- for the ability to appoint deputy or substitute members
- SJWDAs being included under section 1 of the Localism Act 2011
- In relation to the requirement that for each constituent council one of the two members appointed should be the Cabinet Member for Finance - The Chairman and Councillor Senior were of the view that it was for the Constituent Council to decide whom they wished to nominate; and that a balance had to be struck between the level of experience and the Cabinet Member's constituency responsibilities/workload.
- The Chairman was in favour of having a forward plan of work and for the forward plan to be updated at each ordinary meeting. However, the Chairman added that it was important to remember that items would also arise as and when and therefore may not appear on the forward plan in advance.
- Councillor Meldrum wished it to be noted that she had not received a copy of Exempt Paper WRWA No. 890 prior to the meeting.
- The Clerk confirmed that there is no mechanism under the 1985 Act or the 1985 Order that permits constituent councils to appoint deputy or substitute members. Councillor Meldrum requested that an explanation be given in the Constitution as to why certain procedures were in place and what needed to be done to change them.
- Councillor Meldrum requested that the date of meetings should be agreed well in advance, including a date of the Audit Committee, at the AGM; and email meeting invitations should be sent via outlook.
- In response to further questions, Members were reminded that as a Member of the WRWA they should put the interest of the Authority above that of their constituent council. The Clerk referred the Authority to Standing Order 37 which states that ' In all matters Members shall follow the "Nolan Principles" as prescribed by the Committee on Standards in Public Life; and that Members are under a duty to exercise independent judgement with an open mind in the interests of the Authority whilst at all times acting in accordance with the law and having regard to relevant professional advice'.
- Councillor Morton was of the view that the tenure of Chair and Vice-Chair should be increased to three years and that there should be a rotation of the chairs amongst the four boroughs.
- Councillor Harcourt, whilst accepting the position as is in relation to substitutes and alternates, was in favour of chairs rotating. Councillor Harcourt in noting the comments made about experience being needed, stated that it has been and remains the case that those without previous WRWA experience had been appointed as chairman.
- In relation to succession planning, the Chairman was of the view that the WRWA should agree the first steps following which a sub-committee comprising of one member from each constituent council would be set up to take the process forward.
- The Clerk clarified that in accordance with Section 41 of the Local Government 1985 Act it was for the Authority, and not the constituent council as has been the case to date, to nominate the members (one representing each constituent council) it wishes to answer questions, on behalf of the Authority, put by other councillors from that constituent council in relation to the affairs of WRWA. It was agreed that each constituent council would

indicate the member that they would like the Authority to nominate to answer questions.

It was then

**RESOLVED** that:

- a. the Chairman to canvas the views of the other SJWDAs to determine if they wish to lobby Government:
  - i. for a change to the one-month period between the termination and appointment of members, and on what basis; and
  - ii. for the ability to appoint deputy or substitute members, and on what basis.
- b. the Chairman to canvas the views of the other SJWDAs to determine if they wish to lobby Government to include SJWDAs under section 1 of the Localism Act 2011.
- c. to nominate the members (one representing each constituent council) it wishes to answer questions, on behalf of the Authority, put by other councillors from that constituent council in the course of council proceedings pertaining to the discharge of the Authority's functions for the year 2019/20;
- d. in relation to the following proposed amendments, which do not require changes to legislation, to the Rules of the Authority put forward by Members in Appendix B;
  - i. agreed to consult constituent Councils in spring/summer 2020 on their willingness to supply the Authority with senior officers and/or to provide it with financial and administrative functions. The results of that consultation process to then inform a paper to the Authority in the autumn of 2020, to include possible terms of reference for an appointments sub-committee;
  - ii. by 4 votes to 3 agreed not to adopt procedures for the rotation of the roles of Chairman and Deputy Chairman;
  - iii. agreed that the General Manager and Treasurer continue current arrangements regarding reports on negotiations with Cory;
  - iv. by 4 votes to 3 agreed not to amend Standing Order 9, so that a minimum of three Members must be present to make Authority meetings quorate (currently a minimum of two are required which reflects the statutory minimum allowed);
  - v. agreed to continue to set Authority meeting dates and locations at its November meeting;
  - vi. agreed to instruct officers to produce a forward plan of work for each meeting;
  - vii. agreed not to change how far in advance of Authority meetings papers are to be circulated; and
  - viii. agreed that the AGM of the Authority will be in June each year (the latest month it can be under the legislation), an audit sub-committee to sit in July to approve the accounts, with further Authority meetings in September (necessary for publication of the annual audit letter), November (budget

- forecast) and January/February (budget has to be set by 14th February);
- e) agreed the amendments to the Rules of the Authority put forward by officers in paragraph 30 above;
  - f) as set out in paragraph 31 above agreed to establish in future years an Audit committee, on the same basis as this year, to deal with the approval of the Authority's accounts and to receive the report of the external auditors; and
  - g) otherwise to receive this report as information.

## **EXCLUSION OF PRESS AND PUBLIC**

### **RESOLVED -**

That, under Section 100A(4) of the Local Government Act 1972, members of the public and the press be excluded from the meeting whilst items 7 and 8 (Waste Management Services Agreement and Potential Redevelopment of the Cringle Dock Transfer Station) (Paper No. WRWA 890 and 890A)) are being considered because exempt information, as described in paragraphs 3 and 5 of Part 1 of Schedule 12A to the Local Government Act 1972, is likely to be disclosed.

## **WASTE MANAGEMENT SERVICES AGREEMENT AND POTENTIAL REDEVELOPMENT OF THE CRINGLE DOCK TRANSFER STATION (PAPER NO. WRWA 890A)**

### **RESOLVED -**

On item 8, (Paper No. WRWA-890A) the Chairman stated that as provided for under Section 100B(4)(b) of the Local Government Act 1972, he was of the opinion that this report should be considered at the meeting as a matter of urgency, by reason of the special circumstances. The circumstances are that the report needs to be presented at this meeting so the Authority can properly decide whether or not to remove its objection to the application by Cory Riverside Energy for an order granting development consent for the Riverside Energy Park.

It was then

**RESOLVED** – That the report be received.

## **WASTE MANAGEMENT SERVICES AGREEMENT AND POTENTIAL REDEVELOPMENT OF THE CRINGLE DOCK TRANSFER STATION (PAPER NO. WRWA 890 & 890A)**

Following discussion, it was then

**RESOLVED** to approve the recommendations in paragraph 18 of Paper No. WRWA 890A.

The meeting ended at 8.35 p.m.