

**OPEN MINUTES (VERSION B) OF THE MEETING OF THE WESTERN  
RIVERSIDE WASTE AUTHORITY  
HELD VIRTUALLY ON  
TUESDAY, 30TH JUNE, 2020 AT 4.30 P.M.**

**NOTE:** These minutes are to be read in conjunction with the agenda papers relating to the meeting on 30<sup>th</sup> June 2020.

**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 C. Holland            |
|   | - Councillor J. Meldrum            |
| <b>Wandsworth Council</b>               | - Councillor G. Senior             |
|   | - Councillor Mrs. S. Sutters       |

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<br>Administration Officer<br>Sharon Ross – Deputy General Manager<br>Thayyiba Shaah – Deputy Clerk<br>Frances Devane – Executive Officer |
| <b>Hammersmith &amp; Fulham Council</b> | Bram Kainth – Chief Officer for Public Realm<br>Annie Baker – Assistant Director – Street<br>Environmental Services<br>David Goodship – Waste and Recycling<br>Manager, Street Environmental Services                  |
| <b>Kensington &amp; Chelsea Council</b> | Matthew Lawrence – Head of Waste and<br>Street Enforcement   |

**Lambeth Council**

Doug Perry – Assistant Director Environment  
Public Protection & Regulatory Services

**Wandsworth Council**

Paul Chadwick – Director of Environment and  
Community Services

**ELECTION OF CHAIRMAN AND DEPUTY CHAIRMAN**

In accordance with Standing Order 1(c) of the Authority's Constitution, Councillor Husband opened the meeting. After welcoming Members to the meeting, Councillor Husband then handed over the chair to Councillor Mrs Sutters.

On item 1, Councillor Mrs Sutters (having taken the Chair as Deputy Chairman in the absence of a Chairman) called for nominations to the post of Chairman. Two nominations were received.

Councillor Senior proposed Councillor Husband, and the nomination was seconded by Councillor Palmer.

Councillor Meldrum proposed Councillor Holland, and the nomination was seconded by Councillor Harcourt. By 5 votes to 4 (with the Deputy Chairman using her casting vote), the nomination was not supported.

The nomination of Councillor Husband as Chairman was then put to the vote. By 5 votes to 4 (with the Deputy Chairman using her casting vote), the nomination was supported.

Councillor Mrs Sutters declared Councillor Husband to have been duly elected as Chairman of the Authority.

Councillor Husband then took the Chair and called for nominations to the post of Deputy Chairman. Two nominations were received.

Councillor Palmer proposed Councillor Mrs Sutters and the nomination was seconded by Councillor Senior.

Councillor Holland then proposed Councillor Meldrum, and the nomination was seconded by Councillor Harcourt. By 5 votes to 4 (with the Chairman using his casting vote), the nomination was not supported.

The nomination of Councillor Mrs. Sutters as Deputy Chairman was then put to the vote. By 5 votes to 4 (with the Chairman using his casting vote), the nomination was supported.

The Chairman declared Councillor Mrs Sutters to have been duly elected as Deputy Chairman of the Authority.

**APOLOGIES FOR ABSENCE**

None received.

## **DECLARATIONS OF INTEREST**

Councillor Husband declared a personal interest in relation item 6 of the agenda in so far as he has worked with London Communications Agency in the past.

## **MINUTES OF THE MEETING OF THE AUTHORITY HELD ON 23<sup>RD</sup> JANUARY 2020**

On item 1 it was –

**RESOLVED** - That Version A (the closed version) of the minutes of the Authority held on 23<sup>rd</sup> January 2020 be confirmed and signed as a correct record, and that version B be confirmed as the open summary of the minutes.

## **OUTTURN POSITION FOR 2019/20 (PAPER NO. WRWA 20-08)**

On item 3, (Paper No. WRWA 20-08) the Treasurer introduced the report and advised the Authority that the largest underspend related to the TRIAD payment which the Authority does not budget for. Other areas of underspend were given in paragraph 4 of the report. The Treasurer confirmed that there was just over £2 million underspend and that he was proposing that the money be transferred into reserves and used to help keep the cost of recycling down in future years.

Councillor Meldrum asked the following questions:

1. What did the £5.5 million repayment relate to?
2. Why do we invest money with Wandsworth?
3. Why do we pay £154 for our black bin waste and how does this compare with our London Waste Authorities?

In response to the first and second question, the Treasurer confirmed that in relation to the £5.5 million, the Authority had originally borrowed that sum to pay for the MRF facility. A number of loans were borrowed for a shorter period than the life of the facility. The Treasurer added that although the Authority had 2 loans outstanding, it was almost debt free.

In relation to the second question, the Treasurer advised that under the Treasury Management Policy, which the Authority agrees annually, overnight money is invested through Wandsworth.

In relation to question 3, the General Manager advised that there were major differences between WRWA and other London waste Authorities. The major difference was that WRWA does not deliver its waste directly to the final disposal point. Instead the Authority uses transfer stations and then transports the waste by river to the energy from waste plant in Belvedere. In comparison to boroughs in the south and north which transfer their waste directly from their dust carts to the final

disposal point. Clearly, therefore, the Authority incurs an additional cost in running the transfer stations and maintaining the infrastructure around the river transport, which other boroughs do not have.

The Treasurer confirmed that the use of reserves would be, as it always has been, a matter for Members of the Authority to determine; and that officers were there to advise.

It was then

**RESOLVED** to:

- a) note the outturn position for 2019/20 (Table 1);
- b) approve the carry over of budget for Recycle Western Riverside of £6,000 into 2020/21;
- c) approve the transfer of the in-year surplus of £2,036,000 to the Stabilisation Reserve; and
- d) note the continued principle of the redemption of debt from reserves as far as practicable

**REVIEW OF THE AUTHORITY'S RISK MANAGEMENT STRATEGY  
(PAPER NO. WRWA 20-09)**

On item 4, (Paper No. WRWA 20-09) the Treasurer introduced the report and advised the Authority that the Risk Register had been updated to include pandemic planning and the risk of impact from Brexit.

In noting that many of the staff employed at the MRF were from Eastern Europe, concern was raised as to what the contractor had in place to support these staff and whether there could be more recycling plants in the UK. In response the Treasurer advised that there was a risk to commodity prices and from transport delays to European markets. As a consequence, it was highly likely that the Authority's contractor may not be able to sell recyclables to places it currently does post 31<sup>st</sup> December 2020. In relation to having more recycling plants in the UK, the Treasurer advised that it would be for the market to decide whether it would be viable to construct and operate recycling facilities in the UK, unless Government subsidies were made available.

With respect to staffing, the Treasurer advised that it was the contractor's responsibility to operate the MRF on the Authority's behalf and therefore, the contractor was contractually obliged to ensure it had enough staff employed to carry out the work.

In response to a query regarding what the Authority was doing to ensure an appropriate level of support was being provided in relation to BREXIT by the contractor to its employees, the General Manager advised that he would find out the details. However, he reassured Members that both Cory and its sub-contractor (the

latter employing a number of MRF employees) were good employers, and he was confident that they would be supporting their employees, especially as they had invested time and money in training their staff and would not wish to lose them.

The Deputy Chairman asked for clarification on what protection would be afforded to Cory under the Environment Bill 2019-2021. The General Manager responded by stating that under the terms of the contract the Authority has with Cory if there are changes in law as proposed under the Bill, for example requiring food waste to be moved out of the residual stream, Cory would receive protection through the contract. The General Manager added that such clauses are quite common in PFI and PPPE style contracts. He added that Local Authorities had lobbied Government against this. The General Manager added that if the Government changes the law then it should compensate the Authority for the cost of introducing the changes so that no new burden falls on the Authority as a consequence. The General Manager confirmed that in responding to the three consultations, namely the extended producer responsibility, consistency of collections and the deposit scheme, he had made the Government aware of the Authority's concerns.

It was then

**RESOLVED** to note the Risk Register set out in the Appendix to this report.

## **ANNUAL REPORT (PAPER NO. WRWA 20-10)**

The General Manager introduced the report. In response to questions, the General Manager advised that it was rare to print off copies of the Annual Report as it could be downloaded, although copies were available if the Authority was holding a planning event or presentation. The General Manager agreed to provide the number of times the Annual Plan had been downloaded if such information was available.

In response to a question on whether any analysis had been undertaken to demonstrate that transporting waste via diesel barges to the transfer station was 'greener'/less polluting than using lorries, the General Manager advised that a number of analyses had been done over the years, including life-cycle analysis studies. The General Manager added that consultants had been appointed to undertake a carbon impact analysis which would include a life-cycle analysis. In addition, the life-cycle model would also allow the Authority to gauge other impacts of the process.

It was suggested that in view of the 'Black Lives Matter' movement, and given that WRWA was subject to equalities legislation, the Annual Report should include equalities data/text. The Clerk confirmed that WRWA, as a public authority, was indeed subject to the public sector equality duty under the Equality Act 2010. Therefore, in exercising its functions, it must have regard to the need to promote equality of opportunity, eliminate unlawful discrimination and foster good relations. The Chairman agreed to data/text being included. The Authority agreed that the General Manager would action this and the Chairman would agree and 'sign off' the information to be included.

It was then

**RESOLVED to:**

- a) approve the proposed new wording for the relevant sections of the Annual Report, as depicted in the Appendix to this report, and instruct officers to produce an updated version; and
- b) approve the intended approach on Freedom of Information and Politically Restricted Posts set out in this report.

**GENERAL MANAGER'S REPORT (PAPER NO. WRWA 20-11)**

The Deputy General Manager introduced the report and highlighted the following:

- The impact of Covid-19 on household tonnage was that it may have increased by around 20% and the constituent Councils had reported a significant reduction in commercial waste tonnage. The increase in household waste and the loss in income from commercial waste is likely to result in increased costs for the constituent Councils.
- The waste composition survey undertaken in January showed a high % of materials being captured as given below:
  - 83% paper
  - 80% recycled card
  - 83% glass bottles

In response to questions the Deputy General Manager confirmed that the cause of the fire was still under investigation.

The Chairman, and other Members congratulated officers and Cory for ensuring that waste operations continued as normal throughout the pandemic.

In response to a question on new types of packaging, such as vegan waste containers, and whether any discussion was being had with such producers, the General Manager advised that the Government was considering excluding cellulose based polymers from its definition of plastic. He reiterated the Authority's position, that it supported extending producer responsibility for packaging – i.e. so that brands and retailers become responsible for the costs of recycling and/or disposing of their packaging materials. However, the General Manager emphasised the potential contamination of the plastic waste stream and the 'green' waste stream if similar products were on the market. He confirmed that the Waste Resources Action Programme was the link between the Government, local Authorities and producers.

In relation to a further question on cellulose plastics, the General Manager advised that essentially Coca Cola and a number of large bottled drinks manufacturers were looking to invest in plastic bottles made from plant sugars rather than fossil fuels. The General Manager added that it is often difficult for the public to distinguish between 'traditional' plastic and cellulose plastics, hence giving rise to the potential

contamination of the plastic waste and green streams. He confirmed that in the MRF, as currently designed, cellulose plastics would end up in residual waste and that there may be insufficient space available to retrofit new technology that could separate polymer plastics from normal plastic. The General Manager questioned why Councils should have to pay to make such upgrades and deal with end user products generally.

Councillor Senior agreed to chase LWaRB for a response in respect of the matters he had raised with them in relation to mixed paper recycling markets.

It was then

**RESOLVED** to approve that:

- a) the signing of the agreement by the General Manager and the acceptance of the Terms and Conditions, as detailed in paragraph 51 above (in relation to the agreement for The City of London Corporation (CoL) to operate a London-wide Household Hazardous Waste Collection and Disposal Service (HHWCDS) for a further five years with effect from 1st October 2020;
- b) the draft responses to the three questions within the consultation, of thirty-five in total, on which the Authority has some working knowledge as described in paragraphs 73 to 77 above; and
- c) to otherwise receive this report as information.

#### **FORWARD PLAN (PAPER NO. WRWA 20-12)**

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

#### **MEMBERS' REPORT (PAPER NO. WRWA 20-13)**

As some Constituent Councils were yet to hold their Annual Council meeting, concerns were raised in relation to the possibility of any new Constituent Members being disenfranchised because of the application of the Local Government Act 1985, section 31(2)(b) – which states:

- (b) the new appointment shall take effect, and the previous appointment shall terminate, at the end of one month from the date on which the notice is given.

The Chairman reassured the Authority that he would try to ensure that any Subcommittee convened would not disenfranchise any Member. It was then

**RESOLVED** to:

- a) appoint those Members listed in paragraph 2 of this report to be Authority representatives to answer questions on behalf of the Authority put by other Members of his/her Constituent Council in the course of council proceedings;

- b) establish Audit and Appointments Sub-Committees, including alternate Members, and approve the procedural arrangements as set out in this report, and
- c) otherwise 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 item 10 (Various matters associated with operational matters and the Authority's Waste Management Services Agreement (WMSA) with Cory Environmental Limited (Paper No. WRWA 20-14)) is 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.

### **VARIOUS MATTERS ASSOCIATED WITH OPERATIONAL MATTERS AND THE AUTHORITY'S WASTE MANAGEMENT SERVICES AGREEMENT (WMSA) WITH CORY ENVIRONMENTAL LIMITED (TRADING AS CORY RIVERSIDE ENERGY) AND THE POTENTIAL REDEVELOPMENT OF THE CRINGLE DOCK TRANSFER STATION (PAPER NO. WRWA 20-14)**

Following discussion, it was then

**RESOLVED** to approve the recommendations in paragraph 72 of the report.

The meeting ended at 6.21 p.m.