

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

NOTE: These minutes are to be read in conjunction with the agenda papers relating to the meeting on 28th June 2017.

Minutes of the meeting of the Western Riverside Waste Authority held at the Town Hall (Room 122), Wandsworth High Street, SW18 on 28th June 2017 at 7pm.

PRESENT

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| Kensington and Chelsea Council | – Councillor P. Warrick (Chairman) |
| | – Councillor M. Palmer |
| Hammersmith & Fulham Council | – Councillor M. Cartwright |
| Lambeth Council | – Councillor M. Atkins |
| Wandsworth Council | – Councillor J. Cook (Deputy Chairman) |
| | – Councillor G. Senior |

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Brathwaite and Harcourt.

DECLARATIONS OF INTEREST

There were no declarations of interest.

ORDER OF BUSINESS

At the suggestion of the Chairman, the Authority agreed to deal with:

- Item 11 – Update on the redevelopment of the Authority’s Transfer Station at Cringle Dock (Paper No. 834)

After item 2 (Minutes of the meeting of the Authority held on 24th January 2017 (restricted and open versions) before returning to the numerical order of the agenda.

ELECTION OF CHAIRMAN AND DEPUTY CHAIRMAN

On item 1, Councillor Cook (having taken the Chair as Deputy Chairman in the absence of a Chairman) called for nominations to the post of Chairman. Councillor Senior proposed Councillor Warrick, and the nomination was seconded by Councillor Palmer.

There being no other nominations, Councillor Cook declared Councillor Warrick to have been duly elected as Chairman of the Authority.

Councillor Warrick then took the Chair and called for nominations to the post of Deputy Chairman. Councillor Palmer proposed Councillor Cook and the nomination was seconded by Councillor Senior. There being no other nominations, the Chairman declared Councillor Cook to have been duly elected as Deputy Chairman of the Authority.

The Chairman congratulated Councillor Cartwright on his appointment as the Mayor of Hammersmith & Fulham Council.

MINUTES

On item 2 it was –

RESOLVED - That version A (the closed version) of the minutes of the Authority held on 22nd November 2016 be confirmed and signed as a correct record, and that version B be confirmed as the open summary of the minutes.

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 11 (Paper No. WRWA 834) 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.

UPDATE ON THE REDEVELOPMENT OF THE AUTHORITY'S TRANSFER STATION AT CRINGLE DOCK. (PAPER NO. 834)

Tim Shaw, Head of Central London Development from the Authority's property advisers Carter Jonas attended for this item.

The Chairman thanked Mr. Shaw for his attendance. Following discussion, it was then

RESOLVED to approve the recommendations in paragraph 37 of the report.

GENERAL MANAGER'S REPORT. (PAPER NO. WRWA 827).

The Deputy General Manager advised that the MRF became fully operational again during week commencing 9th May 2017, after all the repairs were completed following the two serious fires that happened in quick succession in July 2016.

The Deputy General Manager referred to a draft legal agreement between the Authority and the boroughs, under which the Authority's duties for abandoned motor vehicles collected under the Refuse Disposal Amenity Act 1978 will pass to the Boroughs. This agreement has been created and circulated to the Boroughs for comment. The Authority is being asked to agree that, once the agreement is finalised with the constituent Councils, the Authority enter into it.

The Deputy General Manager referred to the Estates Intervention Trial and highlighted that one of the key findings was that 84% of all respondents do currently re-cycle. Feedback from the staff employed by Enventure showed that the doorstepping engagement worked better than the communal bin engagement as there were fewer residents using the bins or walking through the estate. The recycling contamination, recycling tonnage and residual tonnage was reviewed on the two estates within Lambeth and one estate in Kensington and Chelsea that were part of the Estates Intervention Trial. The results showed that the intensive engagement on the three estates was not effective at either reducing contamination or increasing recycling. Contamination increased and recycling tonnage reduced on all three estates. In responses to questions as to why the engagement was not effective and whether this was the right form of intervention, the General Manager advised that intensive intervention had been specifically requested by Lambeth and that contamination could be from persons external to the estate. The General Manager added that in terms of dry recycling the Authority was on par with everyone else. In addition, if London is compared with other major cities in the world and the same recycling material is compared, then London is performing very well.

The Authority was advised that in relation to the Education Programme, 37% of the schools involved this year were new to the programme. A query was raised as to why Wandsworth Schools still had the highest number of schools involved and Councillor Atkins requested that a more proactive approach be taken to encourage Lambeth schools to engage with the programme. The Deputy General Manager agreed to review how Lambeth schools are contacted. It was noted that the education team also run tours for residents and community groups based in the Western Riverside area. The General Manager added that Recycling Officers were approaching recycling from a different angle with children, i.e. by asking children to consider the environmental impact of producing a product, for example bread – the farmer plants the seed, it is harvested, transported to the baker, made into bread, transported to the supermarket, bought by their parents. Rather than focussing on how uneaten bread is recycled or disposed of.

The Deputy General Manager referred to para 52 of the Paper and stated that Cory has stated that it will ensure that sufficient funds are available so that the Western Riverside Environmental Fund (WREF) can fulfil its current funding commitments and properly manage those projects to completion. The Authority's Chairman has written to Cory's Chairman, Jonson Cox, suggesting that he consider an opportunity for Cory to support new environmental projects. The Chairman advised that a response had recently been received that he would ask officers to investigate the proposals within it.

The General Manager suggested that the in-depth report on recycling (Paper No. WRWA 832 considered elsewhere on the agenda) could form the basis for a Members' Forum at Smugglers Way in autumn 2017.

The General Manager advised that the Authority currently has two firms providing it with legal advice:

- Trowers and Hamblins LLP who advise on other matters of Public and General Law; and
- SGH Martineau LLP who advise on matters associated with the Waste Management Services Agreement with Cory Environmental Limited.

At its July 2012 meeting, Paper No. WRWA 710, the Authority agreed, following a tendering exercise to appoint Trowers and Hamblins LLP for a period of five years with an option to extend for a further two years, if required, to enable any outstanding areas of advice to be concluded. At its February 2013 meeting, Paper No. WRWA 728, the Authority agreed to appoint SGH Martineau LLP until either a refinancing of the WMSA had occurred, or the Clerk considered that some other change in circumstances might warrant an earlier review. The appointment of both sets of legal advisers is therefore due for review but, in the circumstances the Authority finds itself in relation to the potential redevelopment of Cringle Dock, the Clerk, Treasurer and General Manager would not recommend changing legal advisers at this time. The Authority is therefore recommended to agree that both sets of advisers be retained, on their existing rates (or with an indexation link), for a further period of two years, or until the Clerk considers that some change in circumstances might warrant an earlier review.

On questions relating to post Brexit, the General Manager advised that the Joint Waste Disposal Authority had requested a new English Waste Strategy. Relevant material has been sent to DEFRA with this suggestion.

RESOLVED to:

- a) agree, as outlined in paragraph 11, once an agreement on Abandoned Cars is finalised with the constituent councils, that the Authority enter into it;

- b) approve the proposals outlined in paragraphs 46 and 47, to permanently employ the two new education officers with effect from July 2017 (when their temporary contracts expire) and permanently employ one Education Officer in the role of Team Leader;
- c) agree, as outlined in paragraphs 60 to 65, that Trowers and Hamlins LLP and Shakespeare Martineau LLP be retained as the Authority's advisers on the Public Law and WMSA matters respectively for a further period of two years or until the Clerk considers that some change in circumstances might warrant an earlier review; and
- d) otherwise receive this report as information.

ANNUAL REPORT 2016/17 (PAPER NO. WRWA 828).

The General Manager introduced the report. In response to the section on 'How can the public help' paragraph 1 – it was agreed to delete the wording to "*Please ignore the symbols on packaging.*"

RESOLVED to approve the proposed changes to the annual report for 2016/17 as highlighted in the Appendix to this report (all of which reflect simple factual updates) subject to the amendment above.

AUDIT PLAN (PAPER NO. WRWA 829).

The Treasurer introduced the report and advised the Authority that KPMG's agreed cost of the Audit for 2016/17 is £15,660 and not £15,560 as quoted in the report.

RESOLVED to

- (a) accept the level of materiality and misstatement outlined on page 6 of the plan;
- (b) note the points regarding fraud on page 5 of the plan; and
- (c) otherwise receive this report as information

RISK MANAGEMENT STRATEGY (PAPER NO. WRWA 830).

The Treasurer introduced the report. The Chairman raised concerns about the degree to which terrorism would be covered by an insurance policy and whether the Authority's vehicles could be used for the purpose of terrorism. The Treasurer advised that the Authority currently does not own any vehicles. Light plant and vehicles are owned by Cory at present but would revert back to the Authority at the

end of the contract. The Treasurer added that the standard arrangement for local Authorities was for Zurich Municipal to provide insurance with a high excess.

The Treasurer agreed to write to the Chairman on how insurance against terrorism was covered under the WMSA and the Authority's own insurance policy.

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

FINANCIAL OUTTURN REPORT (PAPER NO. WRWA 831).

The Treasurer introduced the report and advised the Authority that the Paper proposes the merger of the Levy Equalisation Reserve and the Rates Stabilisation Reserve as of 1st April 2017. These Reserves were established to enable the Authority to avoid sudden increases in either the Levy or EFW general waste rates.

The Treasurer advised that one area where the Authority may be able to reduce costs within the Levy is by the redemption of £2 million debt, which is due to be either renewed or repaid in the next 12 months. The Treasurer stated that the current interest on the debt is an average 4% which would be saved in the event of repayment. The Paper recommends that the Authority authorise the Treasurer to repay some or all of this debt when it is due for redemption either from this reserve or the general reserve; subject to it not impacting on the ability to keep the 2018/19 Levy and waste rates at a level below any referendum limit the government may impose.

RESOLVED to

- a) note the outturn position for 2016/17 (Table 1)
- b) agree the recommended changes to the use of reserves set out in paragraph 8; and
- c) authorise the Treasurer to redeem up to £2 million of debt as set out in paragraph 9.

VARIOUS MATTERS ASSOCIATED WITH RECYCLING PERFORMANCE (PAPER NO. WRWA 832).

The General Manager introduced the report and referred to the Executive Summary which set out the key points for consideration as set out below:

- Whether or not weight based recycling targets are the most appropriate measure going forward.
- In noting that the Authority's current overall household recycling rate has increased to 26% and recycling of dry recyclables has increased to 21%, to

increase the Municipal recycling performance across the Authority's area to over 30% is challenging.

- The suitability of having a range of performance targets, as opposed to the current 'one size fits all' weight based recycling target, could be explored.
- A variety of 'SMART' targets may be useful when considering different components of the waste stream, collection challenges between rural and urban areas, low-rise and high-rise accommodation, and household and commercial waste.
- A new focus on waste minimisation initiatives, e.g. home composting, nappies etc. may be beneficial
- consideration be given to developing a new communication strategy to help convey messages to a transient population in the Authority's area and the diverse manner in which residents access information.

The General Manager referred the Authority to paragraphs 21-28 of the Paper and set out the current proposals for recycling (paragraphs 29-39). He highlighted that the EU is currently proposing a Municipal recycling target of 70% by 2030.

The General Manager referred to:

- Graph 2 – WRWA Municipal Waste by Type: the reduction in Municipal waste across the Authority's area over the past decade has primarily been due to a drop in residual waste of over 77,000 tonnes and co-mingled recycling by nearly 16,000 tonnes. This is however, offset by an increase of almost 4,000 tonnes of 'other recycling'.
- Graph 3 – WRWA Municipal Waste by treatment: The Authority and its Constituent Councils have done rather well as can be seen from the significant reduction in Municipal waste over the decade. However, consideration must be given to the fact that
 - Existing packaging became lighter
 - Materials, such as liquids, packaged in plastic rather than glass bottles
 - New types of packaging introduced, e.g. aluminium pouches for pet food
 - Increased use of cardboard as greater on-line purchases.

Therefore, wider economic and environmental factors are possibly the key drivers behind the reduction in Municipal waste and not local initiatives.

- Graph 6 – WRWA Household Dwellings: over the decade waste arisings per household across the authority have decreased by one third.
- Graph 7 – WRWA and London Non-Household Waste: the collection on such waste has followed a similar pattern to that of London as a whole.
- Graph 9 – Household Dry Recycling and Composting & Anaerobic Digestion Performance: The Authority has consistently out-performed London in terms of post consumer dry recycling material.

- Graph 10 – Non-Household Recycling Performance & Graph 11 – WRWA and London Household and Non-Household Waste Tonnages: Although recycling more commercial waste would be environmentally beneficial, it is unlikely to significantly increase recycling performance against a weight based Municipal waste recycling target in London.
- Table 1 – explains how weight based recycling targets produce distortions. Although the Authority does well in Dry Recycling, i.e. cans, bottles, paper, because of a lack of gardens in a dense urban area the Authority has relatively little garden waste to recycle. Therefore, when looking at the overall recycling figure, the lack of garden waste in urban areas makes comparisons unfair. In addition, a weight based recycling target can lead to perverse incentives – e.g. collecting garden waste that was previously composted at home. Instead waste management policies should be pursued higher up the waste hierarchy.
- Table 5 – Authority’s overall Household waste is compared.
- Table 6 – Scenario A, target plus 40% food waste, is achievable if Incinerator Bottom Ash Aggregate is included. The Household waste recycling rate then increases to 50%.

During discussion, the General Manager advised that in 2015 AEA Ricardo had previously undertaken work on the carbon impact of the overall waste management service provided by each UK local authority and officers are already in discussion with AEA Ricardo to see if this work could be updated.

The General Manager concluded by stating that this in-depth report on recycling could form the basis for a Members’ Forum in September 2017. It was agreed that:

- Councillors and senior officers from the 4 Constituent Councils should be invited to the Forum;
- Academics undertaking research into the areas highlighted in the report should be invited to the Forum;
- To gather as much information as possible from academics undertaking such research in advance of the Forum meeting in September and to obtain input on behaviour change from them;
- The General manager to send this Paper and the joint paper by the JWDA’s on the Circular Economy to the GLA to highlight the challenges we as an Authority are facing;
- The General Manager to organise the Forum meeting prior to the next Authority’s meeting on Wednesday, 20th September 2017; and to canvass Constituent Members for their availability on two dates as close to the 20th September 2017 as possible.
- That the tender brief be deferred for approval at the Authority’s meeting on Tuesday, 21st November 2017 with the aim of appointing a consultant at the Authority’s February meeting in 2018.

RESOLVED to

- a) agree that a tender brief be developed, in consultation with officers from the Constituent Councils, for approval at the November 2017 meeting of the Authority, with an aim to then appoint consultants at the February 2018 meeting of the Authority with a view to them advising on:
 - i. the accuracy of the data used to prepare this report and the reasonableness of the conclusions drawn from it;
 - ii. any differences in performance between the constituent councils on different waste types;
 - iii. the suitability of having a range of performance targets, as opposed to the current 'one size fits all' weight based recycling target;
 - iv. the enhancement of the current recycling programme with a new focus on a number of waste minimisation initiatives; and
 - v. how best the Authority might communicate agreed policies and measures to the public;
- b) organise a Members' Forum at Smugglers Way for them to discuss the matters raised in this report more fully in September; 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 (Paper No. WRWA 833) 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.

**ISSUES RELATING TO THE WASTE MANAGEMENT SERVICES CONTRACT
(PAPER NO. 833)**

Following discussion, it was

RESOLVED to receive this report as information.

DATE OF NEXT MEETING – WEDNESDAY, 20TH SEPTEMBER 2017.

The meeting ended at 8.50 p.m.