



At the Annual Meeting of the Authority
held on Friday 28th June 2013

Present : Councillor G Morgan
Councillor T Concepcion
Councillor R Oglethorpe
Councillor L Robertson-Collins
Councillor A Cunliffe
Councillor K Cluskey
Councillor P Hardy
Councillor I Williams
Councillor S Williams

1. **Appointment of Chairperson**

It was moved and seconded that Councillor Morgan be appointed Chairperson.

Resolved that Councillor Morgan be appointed Chairperson for the 2013/14 Municipal Year.

Councillor Morgan took the chair and took the opportunity to thank the previous Chairperson, Councillor De Asha for his contribution to the Authority in recent years.

2. **Appointment of Deputy Chairperson**

It was moved and seconded that Councillor Concepcion be appointed Deputy Chairperson.

Resolved that Councillor Concepcion be appointed Deputy Chairperson for the 2013/14 Municipal Year.

3. **Apologies for Absence**

An apology for absence was received from Councillor S Nelson.

4. **Minutes of the Authority Meeting held on 19th April 2013**

Resolved that the minutes of the meeting held on 19th April 2013 be approved and signed as a correct record.

5. **Declarations of Interests by Members and Officers**

There were no declarations of interest.

6. **Questions from Members under Procedural Rule 9**

There were no questions submitted by Members under Procedural Rule 9.

7. **Motions proposed by Members under Procedural Rule 15**

There were no motions proposed by Members under Procedural Rule 15.

8. **Scheme of Delegation**
WDA/17/13

The Authority considered a report which sought Members' approval to adopt the existing Scheme of Delegation for the 2013/14 Municipal Year in compliance with the Authority's Procedural Rules.

Resolved that the Scheme of Delegation be adopted for the 2013/14 Municipal Year.

9. **Waste Management and Recycling Contract**
Extension to Operating Period – Rainford HWRC
WDA/30/13

The Authority considered a report which sought Members' approval to extend the operation of Rainford Household Waste Recycling Centre beyond 30th September 2013 and to close Burtonhead Road HWRC for redevelopment during the same period.

Resolved that:

1. the opening period at Rainford HWRC in St Helens be extended until the redevelopment of Burtonhead Road (Ravenhead) HWRC in St Helens is complete;
2. Burtonhead Road HWRC be closed during redevelopment works; and

3. delegated authority be granted to the Chief Executive, in consultation with the Monitoring Officer and the Chairperson, to sign an additional six month lease with St Helens Council for the Rainford site.

10. **Internal Audit Plan 2013/14**
WDA/27/13

A report was submitted which advised Members of the proposed internal audit plan for 2013/14 as provided by St Helens Council's Internal Audit service.

Resolved that the Internal Audit plan for 2013/14 be approved.

11. **Internal Audit Reports**
WDA/28/13

Members were provided with reports prepared by the Authority's Internal Auditor in relation to completed reviews of the Authority's arrangements and specifically in relation to the Waste Prevention Programme and a review of the evaluation of final bids for the Resource Recovery Contract.

Resolved that the contents of the reports from the Internal Auditor be noted.

12. **External Audit – Annual Audit Plan 2012/13**
WDA/29/13

A report was submitted which advised Members of the proposed audit work identified by the Authority's external auditor, Grant Thornton in relation to the 2012/13 financial year.

Resolved that the planned audit work and fees proposed by Grant Thornton for 2012/13 be noted.

13. **External Audit – Fee Letter 2013/14**
WDA/26/13

A report was submitted which advised Members of the charges proposed by the external auditor for 2013/14.

Resolved that the external audit fee for 2013/14 be noted.

14. **Questions on the Discharge of Functions**
WDA/18/13

The Authority considered a report seeking nominations as to which Members should be responsible for answering questions on behalf of the Authority at their respective constituent Council proceedings.

Resolved that:

1. the under mentioned Councillors be nominated to answer questions at their Council proceedings on the discharge of functions of this Authority, in accordance with Section 41 of the Local Government Act 1985.

Knowsley MBC
Liverpool CC
St Helens MBC
Sefton MBC
Wirral MBC

Councillor G Morgan
Councillor T Concepcion
Councillor A Cunliffe
Councillor P Hardy
Councillor I Williams

15. **Appointments and Committees**
WDA/19/13

A report was submitted seeking Members' approval to the terms of reference and powers of the Authority to be delegated to its committees and seeking nominations for membership of these Committees and various other appointments for the 2013/14 Municipal Year.

Resolved that the following determinations be made for the 2013/14 Municipal Year:

1. the Chairperson and Deputy Chairperson be appointed as the relevant Portfolio Holders for the purposes of the Scheme of Delegation;
2. the terms of reference and the delegation of powers of the Authority to the Appeals Committee, Audit and Governance Committee and the Investigating and Disciplinary Committee be approved;
3. Membership of the Authority's Committees be proposed as follows:

a. Appeals Committee

Councillors G Morgan, T Concepcion, K Cluskey and I Williams.

b. Audit and Governance Committee

Councillors G Morgan, P Hardy, K Cluskey and A Cunliffe

c. Investigating and Disciplinary Committee

Councillors L Robertson-Collins, K Cluskey and S Williams

4. The following Members be appointed to the Chief Executive's Appraisal Panel:

Councillors P Hardy, G Morgan, T Concepcion and A Cunliffe

5. The Contract Procurement Scrutiny Panel not be appointed for the forward year;

6. representations on other bodies for the 2013/14 Municipal Year be as follows:-

d. The Board of Mersey Waste Holdings Limited

Councillors Robertson-Collins and Cluskey in addition to Councillor Concepcion's current appointment.

e. The Board of Bidston Methane

Councillors I Williams and S Williams

f. North Western Local Authorities' Employers' Organisation

Councillor Cluskey

7. delegated powers of the Authority be granted to the Clerk to consult with all Members and finalise any outstanding appointments in relation to the above.

16. **Code of Corporate Governance and Annual Governance Statement WDA/20/13**

The Authority considered a report informing Members of the findings of the annual assessment of the Authority's corporate governance arrangements and seeking approval to the draft Annual Governance Statement for inclusion in the Statement of Accounts 2012/13.

Resolved that:

1. the findings of the Annual Corporate Governance Assessment be noted;
2. the revised Code of Corporate Governance be approved;
3. the Annual Governance Statement be approved and signed by the Authority's representatives; and
4. the inclusion of the Annual Governance Statement in the Statement of Accounts 2012/13 be approved.

17. **Code of Conduct for Members**
WDA/22/13

A report was submitted which advised Members of the changes brought about by the Localism Act 2011 and specifically its impact on the Authority. The report proposed a number of actions to strengthen governance arrangements.

Resolved that:

1. a Code of Conduct for Members be adopted;
2. delegated powers of the Authority be granted to the Monitoring Officer to consult with constituent councils and agree an appropriate mechanism for dealing with complaints at a local level; and
3. the Authority lobby the Government to have joint waste disposal authorities included as a relevant authority for the purposes of the Localism Act 2011.

18. **MRWA Outturn Report 2012/13**
WDA/25/13

Members were advised of the final outturn with regard to the Authority's Capital and Revenue expenditure in 2012/13 and approval was sought to use General Fund monies to defend the Authority in any legal action arising from the Resource Recovery Contract (RRC) procurement.

Resolved that:

1. the final outturn position with regard to the Authority's Capital and Revenue Expenditure for 2012/13 be noted;
2. the use of General Fund balances to defend a legal action against the Authority be approved subject to regular reports on the progress and cost of the action to the Authority; and
3. the final outturn with regard to the Authority's Prudential Indicators as included in Appendix 3 to the report be noted.

19. **Performance Reporting - Quarter 4 2012/13**
WDA/21/13

Members were presented with the final quarter's performance report for 2012/13 which outlined current performance as monitored against the Authority's Corporate Plan.

Resolved that the Authority's performance as monitored between January and March 2013 for the 2012/13 year be noted.

20. **Merseyside Textile Forum 2012/13**
WDA/24/13

A report was submitted which advised Members on the progress made by the Merseyside Textile Forum in 2012/13 and approval was sought for on-going support to increase diversion of textiles from landfill.

Resolved that:

1. the contents and recommendations in paragraph 6 of the Merseyside Textile Forum Outputs and Outcomes Summary Report at Appendix 1 be noted; and
2. continued support be agreed in line with the existing financial model subject to the annual budget process.

21. **Exclusion of the Public**

Resolved that the public be excluded from the meeting during consideration of the following item for the reason stated:

<u>Minute</u>	<u>Reason (under the Local Government Act 1972)</u>
22	Exempt information relating to the financial or business affairs of any particular person (Para 3 of Schedule 12A)

22. **Framework for Interim Waste Treatment Services**
WDA/23/13

The Authority considered a report which presented the results of a mini competition carried out under the Interim Waste Management Services Framework and sought approval to enter into a contract with the successful tenderer.

Resolved that:

1. the results of the procurement exercise carried out under the established Framework Agreement to secure additional treatment capacity to divert Municipal Solid Waste from landfill be noted;
2. the contract be awarded for the treatment of 30,000 tonnes of rMSW to the organisation named in paragraph 9.3;
3. the Clerk be authorised to affix the seal of the Authority to the completed contract in accordance with the Authority's Procedural Rules; and
4. the compensatory payments to be made under the FCC Landfill contract be noted.