



**At the Meeting of the Authority  
held on Friday 1<sup>st</sup> February 2008**

Present :      Councillor Cluskey  
                  Councillor Salter  
                  Councillor Crowther  
                  Councillor Dean  
                  Councillor Bridson  
                  Councillor Lonergan  
                  Councillor Quinn  
                  Councillor Harris (Halton BC / Observer Status)

51.      **Apologies for Absence**

Apologies for absence were received from Councillors Tattersall and Moffatt.

52.      **Minutes of the Meeting held on 7<sup>th</sup> December 2007**

An amended version of the minutes was tabled at the meeting which included minor amendments to Resolution 38, where 'Councillor Quinn' was amended to 'Councillor Dean' and to Resolution 39 to include the line, 'The motion was not seconded and it fell.'

**Resolved** that the amended minutes of the meeting held on 7<sup>th</sup> December 2007 be approved and signed as a correct record.

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

Terry Bradley, Procurement Director declared a personal and prejudicial interest in item 14, recorded herewith as minute 64 in so far as it relates to his appointment to the Authority.

Councillor Quinn declared a personal and prejudicial interest in item 15, recorded herewith as Minute 65 in so far as it relates to his employment with Knowsley MBC.

Councillor Cluskey declared a non-prejudicial interest in item 16, recorded herewith as minute 66 in so far as it relates to his capacity as a director of Mersey Waste Holdings Limited.

Councillor Salter declared a non-prejudicial interest in item 16, recorded herewith as minute 66 in so far as it relates to his capacity as a director of Mersey Waste Holdings Limited.

54. **Motion proposed by Councillor Quinn under Procedural Rule 15**

The Authority considered the following Motion, proposed by Councillor Quinn, notice of which had been given in accordance with Procedural Rule 15:-

“That this Authority agrees to suspend procedural rule 2(2) (a) to enable the following motion to be considered.

Motion:

Given the Authority is currently undertaking a procurement process via a 4 contract structure to deliver a £3bn waste management strategy over the next 25 years, the Authority agrees to undertake the following.

1. Publishes the list of sites that are currently being considered for procurement to deliver both landfill and other methods of waste management in accordance with the strategy.
2. That a public consultation process be undertaken with those communities who would be affected by the strategy.
3. That the outcomes of such consultation be placed before Authority Members and taken into consideration when the contracts currently under consideration are decided.
4. That the Authority not proceed with the proposed CPO strategy which has been included in the forward plan for February 08.”

The motion was seconded by Councillor Lonergan.

On a division, the motion fell.

**Resolved** that the motion not be carried.

55. **Annual Meeting and Timetable of Meetings 2008/09**  
**WDA/01/08**

Members were asked to consider the date for its Annual Meeting and schedule of ordinary meetings for the 2008/09 Municipal Year.

**Resolved** that:

1. the Annual Meeting be held at 2.00 p.m. on 27<sup>th</sup> June 2008;
2. further meetings take place at 2.00 p.m. on 15<sup>th</sup> August 2008; 26<sup>th</sup> September 2008; 28<sup>th</sup> November 2008; 6<sup>th</sup> February 2009; and 17<sup>th</sup> April 2009;
3. delegated powers be granted to the Clerk to the Authority to make any future alterations to the timetable of meetings as deemed appropriate, in consultation with the Chairman and Deputy Chairman of the Authority; and
4. Members note that the delivery of the Procurement Project continues to be a challenging timetable which is likely to lead to additional meetings being called at relatively short notice.

56. **Authority Representations**  
**WDA/10/08**

A report was submitted which sought nominations for representations on various bodies for the remainder of the 2007/08 Municipal Year following the resignation of a Member of the Authority.

**Resolved** that:

1. further information on the role of a North West Local Authorities' Employers' Organisation representative be provided and a determination be made at the next Authority meeting; and
2. Councillor Bridson be appointment as an additional representative on the Board of Bidston Methane.

57. **Revenue Budget 2008/09 and Prudential Indicators 2008/09 to 2010/11**  
**WDA/06/08**

A report was submitted seeking Members' approval to a revised Revenue Budget 2007/08 and to set the Revenue Budget 2008/09. Members were informed of the progress made in the delivery of the Authority's

Procurement Project and the affordability envelope of costs which were agreed by District Leaders and Treasurers. It was reported that the proposed budget was within the parameters set during this process and included a sinking fund to enable a smoothing effect on future budgets.

Councillor Quinn noted his objection in relation to the budget provision for the Holt Lane HWRC development.

**Resolved that:**

1. the Revised Revenue Budget for 2007/08 be approved;
2. a Revenue Budget for 2008/09 amounting to £63,278,608 be approved;
3. pursuant to Section 74 of the Local Government Act 1988 (as amended by the local Government and Housing Act 1989) and having regard to the budget, the Authority determines that a levy of £63,278,608 for 2008/09 be made, to be distributed between each District Council on the basis of the approved levy apportionment methodology, as follows:

Knowsley	£ 7,234,495
Liverpool	£21,020,990
St Helens	£ 8,484,458
Sefton	£ 12,285,393
Wirral	<u>£ 14,253,272</u>
	£ 63,278,608

4. the District Councils be required to pay the Treasurer the levy due from them respectively, in pursuance of paragraph 3 of this resolution, by ten installments on or before the 21<sup>st</sup> day of April 2008, 28<sup>th</sup> day of May 2008, 4<sup>th</sup> day of July 2008, 12<sup>th</sup> day of August 2008, 18<sup>th</sup> day of September 2008, 27<sup>th</sup> day of October 2008, 2<sup>nd</sup> day of December 2008, 6<sup>th</sup> day of January 2009, 10<sup>th</sup> day of February 2009 and 17<sup>th</sup> day of March 2009;
5. the transfer of £1M to the Earmarked Reserve to fund revised advisor costs be approved;
6. the Prudential Indicators for 2007/08 to 2010/11 be approved as set out in the report and detailed at Appendix 4;

7. delegated powers be granted to the Treasurer to the Authority, within the total limit for each year, to effect movements between the separately agreed limits in accordance with option appraisal and best value for money for the Authority; and
8. delegated powers be granted to the Treasurer to the Authority to effect movements between borrowing and other long term liabilities sums as with the above delegation.

58. **Corporate Plan 2007 to 2010 and Annual Service Plan 2008/09**  
**WDA/02/08**

A report was submitted which requested that Members reaffirm the Corporate Plan for 2007 to 2010 and consider a set of Annual Service Plans for 2008/09.

Councillor Quinn noted his objection in relation to the inclusion of the Holt Lane HWRC development contained within the Service Plans.

**Resolved that:**

1. the Authority reaffirms the Corporate Plan for 2007-2010;
2. the revised Corporate Risk Register be noted; and
3. the Authority's set of Annual Service Plans for 2008/09 be approved.

59. **Joint Municipal Waste Management Strategy Update Report**  
**WDA/04/08**

The Authority considered a report which advised Members of the changes to the Joint Municipal Waste Management Strategy for Merseyside (JMWMS) and sought approval and re-endorsement to the updated document and its key recommendations.

**Resolved that:**

1. Members note and endorse the changes to the key recommendations of the JMWMS; and
2. the updated of the JMWMS be approved.

60. **Inter Authority Agreements**  
**WDA/03/08**

A report was submitted which sought Members' agreement to approve the Inter Authority Agreement (IAA) for Merseyside and the IAA for Halton.

**Resolved** that:

1. the IAA for Merseyside and the IAA for Halton be approved and that the Solicitor to the Authority be authorised to sign/seal both IAA's on behalf of the Authority; and
2. that delegated powers of the Authority be granted to the Director to make minor amendments to the IAA that result from discussions with the parties prior to signing and sealing by the Authority's Solicitor.

61. **Support for the London Local Authorities (Shopping Bags) Bill**  
**WDA/07/08**

Members were advised of a request from the Metropolitan Borough of Wirral to write to the Secretary of State for the Environment, Food & Rural Affairs to support the forthcoming London Local Authorities Bill.

**Resolved** that, further to the request from the Metropolitan Borough of Wirral, the Chairperson write to the Secretary of State for the Environment, Food & Rural Affairs supporting any actions the Government wishes to take towards the future reduction in the use of plastic bags.

62. **Exclusion of the Public**

**Resolved** that the public be excluded from the meeting during consideration of the following items for the reasons stated.

<b><u>Minute</u></b>	<b><u>Reason (under the Local Government Act 1972)</u></b>
63, 64 65, 66	Information relating to the financial or business affairs of any particular person (including the Authority holding the information (Para 3 of Schedule 12A))

63. **Procurement Update:**  
**Interim Contract and Waste Management and Recycling Contract**  
**WDA/08/08**

A report was submitted which advised Members of the progress in seeking proposals from participants in the Interim and Waste Management and Recycling Contracts, through the Competitive Dialogue process.

**Resolved that:**

1. Members note the progress made in relation to the Interim Contract procurement and consider the matter further on 22nd February 2008 as part of a report into the medium-term strategy and Landfill Allowance Trading Scheme (LATS).; and
2. Members note the progress made in relation to the Waste Management and Recycling Contract and the actions being taken to provide revised Invitation To Submit Detailed Solutions (ISDS) submissions.

Terry Bradley, Procurement Director declared a personal and prejudicial interest in the following item and left the meeting during its consideration.

64. **Procurement Update:**  
**Competitive Dialogue Evaluation and Tendering Procedural Rules**  
**WDA/09/08**

The Authority considered a report which sought Members' approval to the procedural rules for the receipt and evaluation of proposals under the Competitive Dialogue process for the procurement project and advised Members of the role of the Procurement Director in the evaluation of the process. The Clerk to the Authority advised Members that appropriate controls and audit trails would be maintained to ensure transparency and accountability in relation to the Procurement Director's role in the evaluation process.

**Resolved that:**

1. the declaration made by the Procurement Director of a period of employment by one of the participating companies in the Interim, Waste Management and Recycling and Resource Recovery Contracts procurement be noted;
2. the role of the Procurement Director in the evaluation process for the Interim, Waste Management and Recycling and the Resource Recovery Contracts be approved; and

3. the procedural rules for the receipt and evaluation of proposals for the Competitive Dialogue process for the Interim, Waste Management and Recycling and Resource Recovery Contracts be approved.

Councillor Quinn declared a personal and prejudicial interest in the following item and in accordance with the Code of Conduct for Members, left the meeting during the consideration of the item.

65. **Sites and Planning Strategy**  
**WDA/05/08**

A report was submitted which presented Members with the progress on the implementation of the Authority's Land Acquisition and Planning Delivery Strategy to deliver the necessary new waste management infrastructure. This update included advice received from Queens Counsel in relation to Compulsory Purchase Order (CPO) powers.

Councillor Lonergan requested that a summary of the advice received from Queens Counsel in relation to CPO powers be circulated to Members.

**Resolved that:**

1. the Director, in consultation with the Solicitor and Treasurer to the Authority seeks to acquire an appropriate interest in, and in any event, submits planning applications (with associated public consultation processes) for the priority sites stated in the report;
2. the land acquisition, planning delivery and communications programme for the priority sites attached at Appendix 1 to the report be approved;
3. the Director be instructed, in consultation with the Solicitor and Treasurer to the Authority, to commence the development of a CPO Strategy and report back to the next meeting of the Authority;
4. a cost benefit analysis of the potential relocation of the Authority's offices be undertaken as part of the land acquisition and planning application process and a further report be presented to Members in due course; and



5. delegated powers of the Authority be granted to the Director, in consultation with the Solicitor to complete the required property leases for Authority's existing facilities.

Councillor Cluskey declared a non-prejudicial interest in the following item and in accordance with the Code of Conduct for Members, remained in the meeting.

Councillor Salter declared a non-prejudicial interest in the following item and in accordance with the Code of Conduct for Members, remained in the meeting.

66. **Market Testing Hafod Landfill Site Disposal**  
**WDA/11/08**

A report was submitted which sought Members' approval to the decision-making / approval process at each stage of the Hafod disposal transaction process.

**Resolved** that the decision-making responsibilities of the Authority in relation to the Hafod market-testing and potential disposal be approved as set out in Table 1 to the report.