



**At the Meeting of the Authority
held on Friday 15th August 2008**

Present : Councillor Cluskey
Councillor Salter
Councillor Dean
Councillor Tattersall
Councillor Twigger
Councillor Gardiner
Councillor Crowther
Councillor Lonergan
Councillor Harris

25. **Apologies for Absence**

Apologies for absence were received from Councillor Moffatt.

26. **Minutes of the Annual General Meeting held on 27th June 2008**

Resolved that the minutes of the meeting held on 27th June 2008, be approved and signed as a correct record.

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

Councillor Cluskey declared a non-prejudicial interest in item 9 and a personal and prejudicial interest in items 12 and 13, recorded herewith as minutes 33, 36 & 37 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 9 and a personal and prejudicial interest in items 12 and 13, recorded herewith as minutes 33, 36 & 37 in so far as it relates to his capacity as a director of Mersey Waste Holdings Limited.

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

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

29. **Questions from Members of the Public under Procedural Rule 10**

Members of the Public may ask questions of the relevant portfolio holder at ordinary meetings of the Authority in accordance with Section 10 of the Authority's Procedural Rules.

The following question was received and the member of the public attended the meeting to put forward their questions as follows:

SUBMITTED BY: Cllr Janet Kent, Elected Member for Belle Vale Ward in Liverpool.

'At the last meeting of the MWDA, which I attended in April, I noted that one of the formal replies (to Question 11 from Mrs Perry of 18 Sullington Drive) indicated that a study had been made of the demographics of the area. This was not part of the planning Application lodged at Millennium House, nor was it on the disk of documents provided for us to study (by 20:20 as I recall). My question is: Can we now have a copy of this study of the demographics of the areas and an explanation as to why it was not submitted as part of the planning application for the site in Holt Lane, although the Chair has been led by his officers to believe that it was?'

The following response was provided by the Chairperson of the Authority:

'The Holt Lane site was one of five possible sites that came out of a site selection process commissioned by Liverpool City Council and undertaken by Mouchel Parkman/Liverpool 2020.

There is no formal report on demographics for the development of a HWRC at Holt Lane in Liverpool. This was not a requirement of the planning application or indeed an area on which the planning determination of the development took place. In the development of the site selection methodology various sources of information were used for data, these include; The Unitary Development Plan for Liverpool, Local Transport Plan, Economic Strategy for Merseyside and Merseyside Information Service census and population surveys held by Liverpool City Council Data Management.

The issue of demographics was covered within the sites selection report, and related to the coverage of numbers of residents being within a three-mile locale of any proposed HWRC facility. i.e. to confirm that any proposed HWRC should be located close to a populated area and provide the spatial coverage needed for recycling provision across Liverpool and Merseyside. The demographic review did not prejudice against economic

well-being of certain areas, or wards with higher deprivation. The site selection methodology did not look at age, race, disability, etc.

At no time did Officers of the Authority advise the Chairperson of the Authority that a 'demographics report' was being submitted as part of the planning application for the Holt Lane site. Any inference to this effect is completely incorrect. The Chairperson of the Authority was fully briefed as to the submission of the Holt Lane planning application and its contents.'

The Chairperson then asked Councillor Kent if she had a supplementary question and Councillor Kent asked the following question:

'Will the MWDA be amending its policies and practices to ensure that all future HWRC's are located no closer than 500 metres to residential areas?'

The Chairperson stated that a written response to the question will be supplied to Councillor Kent.

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

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

31. **Human Resource Strategy**
WDA/45/08

The Authority considered a report seeking approval to the proposed Human Resource Strategy 2008 – 2010.

Resolved that:

1. The Human Resource Strategy 2008 -2010 be approved and;
2. The Director submits a further report to the Authority on the specific implications of Job Evaluation.

32. **Implementation of Sustainable Procurement Strategy**
WDA/46/08

A report was submitted to the Authority seeking approval to adopt and establish a whole life evaluation approach to sustainable options (Invest to Save) and to seek agreement to endeavour to achieve the BREEAM Excellent Standard for new build.

Resolved that:

1. A whole life financial evaluation approach to the Authority's capital and procurement programmes be adopted and;
2. agreement be given to endeavour to achieve the BREEAM Excellent Standard for new build and Very Good for refurbishment against a base case costing within the funding affordability envelope.

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.

33. **Appointment of Auditors to Mersey Waste Holdings Limited.**
WDA/51/08

The Authority considered a report seeking approval to the selection of Auditors by Mersey Waste Holdings.

Resolved that approval be given to appoint BDO Stoy Hayward as Auditors of Mersey Waste Holdings Limited for the period 1st October 2008 to 30th September 2008.

34. **Proposed Holt Lane HWRC Dismissal of Planning Appeal**
WDA/48/08

A report was submitted to inform the Authority of the decision of the Planning Inspectorate to dismiss the Authority's appeal lodged against Liverpool City Council's Planning Committee and to provide Members with a summary of the potential actions that could be pursued.

Resolved that:

1. The decision of the Planning Inspectorate be noted and;
2. Option Three as outlined within the report be agreed.

35. **Exclusion of the Public**

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

<u>Minute</u>	<u>Reason (under the Local Government Act 1972)</u>
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36&37	Exempt information relating to the financial or business affairs of any particular person (Para 3 of Schedule 12A)
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Councillor Cluskey declared a personal and prejudicial interest in the following items and in accordance with the Code of Conduct for Members, left the meeting during the consideration of the items.

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

It was moved and seconded that Councillor Tattersall take the chair in the absence of the Chairperson for the following items:

36. **Mersey Waste Holdings Limited Management Strategy for the period 1st October 2008 to Corporate Cessation**
WDA/49/08

A report was submitted to inform Members of the Management Strategy and operational plans of the company for the period 1st October to cessation of operation, and to seek approvals required under the Shareholders Agreement.

Resolved that:

1. That the report of the Managing Director of Mersey Waste Holdings Limited be noted and;
2. approval be given to the revisions to the company's organisational structure included within the report.

37. **Sale of Hafod Revised Offer**
WDA/50/08

A report was submitted to Members seeking approval to the proposal by the Board of Mersey Waste Holdings Limited to accept a revised offer for the purchase of Hafod Quarry Landfill site.

Resolved that the recommendations contained in the report be approved.

Councillors Cluskey and Salter returned to the meeting and Councillor Cluskey took the chair.

The following item had not been notified five clear working days in advance of the meeting.

38. **Waste Development Plan Document Process**
WDA/52/08

The Chairman asked Members to decide whether or not they wished to consider a late item but advised them that the report made reference to information which derived from a private and confidential meeting.

The Clerk to the Authority declared a personal and prejudicial interest in the item and left the meeting.

The Solicitor advised Members that the Procedural Rules allowed the Chairman to table a late item for consideration by Members, however this particular report contained a proposal derived from a confidential meeting of the Leaders and Chief Executives and therefore approval was needed from that body before Members had sight of the contents of the report to be tabled. The Director proposed that alternatively, he could provide Members with a verbal briefing on the content of the report at the close of this meeting without breaching confidentiality.

Cllr Lonergan proposed that the meeting be adjourned and reconvened within a week to allow time to secure approval from the relevant officers to enable the report to be tabled without breaching confidentiality.

Cllr Gardiner seconded the proposal.

The Chairman, after consultation with the Solicitor, proposed that the report not be tabled and that Members receive a briefing from the Director on the implications of the report immediately following the meeting.

The Members agreed to that proposal and the Chairman closed the meeting.