



**At the Meeting of the Authority
held on Friday 26th September 2008**

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

39. **Apologies for Absence**

Apologies for absence were received from Councillors Twigger and Dean and Carole Hudson.

The Chairperson asked that the Authority's condolences to Councillor Dean be noted.

40. **Minutes of the Authority Meeting held on 15th August 2008**

It was agreed that the date range quoted in Resolution 33 of the minutes should be amended to read, '1st October 2008 to 30th September 2009,' and that preceding Resolution 36, the minutes should state that Councillor Crowther took the chair rather than Councillor Tattersall.

Resolved that the amended minutes of the meeting held on 15th August 2008 be approved and signed as a correct record.

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

Councillor Cluskey declared a personal and prejudicial interest in items 9, 12 and 14, recorded herewith as minutes 49, 50 & 52 in so far as it relates to his capacity as a director of Mersey Waste Holdings Limited.

Councillor Salter declared a personal and prejudicial interest in items 9, 12 and 14, recorded herewith as minutes 49, 50 & 52 in so far as it relates to his capacity as a director of Mersey Waste Holdings Limited. He also declared a non-prejudicial interest in item 7, recorded herewith as minute 45 in so far as it relates to his capacity as a director of Bidston Methane Limited.

Councillor Crowther declared a non-prejudicial interest in item 7, recorded herewith as minute 45 in so far as it relates to his capacity as a director of Bidston Methane Limited.

Councillor Gardiner declared a non-prejudicial interest in item 7, recorded herewith as minute 45 in so far as it relates to her capacity as a director of Bidston Methane Limited.

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

Members of the Authority may ask questions of the Chairperson or other relevant Member at ordinary meetings of the Authority in accordance with Procedural Rule 9 of the Authority's Procedural Rules.

The following question was received:

SUBMITTED BY: Councillor D Lonergan

'I read with great concern your letter dated 5th September 2008 regarding the notice of resignation from the Clerk, Solicitor and Treasurer to the Authority.

I am sure that all Members support your comments regarding their service to the Authority and are reassured in respect to your commitment to provide information to the Board on the recruitment process to these vacant posts.

However, there is no explanation provided as to the reasons for their departure and the impact that their resignations will surely have in respect to our stakeholders' confidence in the management of the Authority's business.

Therefore, please can the Director provide information as to why they have decided to resign and comment on the implications and risks arising from their departure and how these matters will be managed?'

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

'The Authority cannot comment on the reasons for the individual officers' resignations – this would not be appropriate. The Member may wish to ask this question direct to the officers concerned.

In terms of the management of the implications and risks associated with the resignations, the Authority's statutory officers are currently working their notice and Members will receive detailed information at a special meeting of the Authority on 17th October 2008. The report will address the short and long terms plans to recruit new statutory officers and will ensure that the Authority continues to comply with its statutory obligations in this regard.'

The Chairperson then asked Councillor Lonergan if he had a supplementary question and Councillor Lonergan asked the following question:

'Could the Chairman please ask the current statutory officers to state their reasons for their resignations as a matter of public record.'

The Chairperson stated that such a request would be made.

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

There were no questions submitted by members of the public under Procedural Rule 10.

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

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

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

45. **Audit Commission ISA 260 (UK&I) Audit and Amended Statement of Accounts**
WDA/57/08

The Auditor Commission presented a report on its findings in relation to the audit of the Authority's Accounts for 2007/08 and a Value for Money conclusion. Subject to material amendments to the Statement of Accounts 2007/08, the auditor provided an unqualified opinion.

Resolved that:

1. the Auditor's findings attached at Appendix 1 to the report be noted;
2. the recommendations contained within the auditor's report to strengthen the Authority's financial and governance arrangements be noted;
3. the Treasurer of the Authority sign the letter of representation attached at Appendix 2 to the report; and
4. the amended Statement of Accounts 2007/08 attached at Appendix 3 be approved and signed by the Chairperson and the Treasurer on behalf of the Authority.

46. **Audit Commission Waste Partnership Performance Report 2007/08**
WDA/55/08

A report was submitted which informed Members of the results of a review undertaken by the Audit Commission on the progress made by the Merseyside Waste Partnership.

Resolved that:

1. the contents of the Audit Commission Report be noted;
2. Members agree to the development of an action plan to address the areas over which the Authority has control; and
3. the proposals for the development of an action plan to address areas that relate to the Merseyside and Halton waste partnership be approved.

The Chairman agreed to change the order of the agenda and delay consideration of item 7 until after item 11 on the agenda for reasons of expediency.

47. **Climate Change Policy and Action Plan**
WDA/53/08

The Authority considered a report seeking approval to a Climate Change Policy and associated action plan.

It was moved and seconded that Appendix 3 to the report be withdrawn until such a time as the document was complete. It was noted that this appendix was for information only and was not being submitted for Authority approval but the Director agreed to withdraw it.

Resolved that:

1. the Climate Change Policy and action plan be approved; and
2. Members agree to the Authority in exercising its functions to have regard to regional and sub-regional climate change action plans.

48. **Consultation for the Provision of a Grant Scheme**
WDA/47/08

A report was submitted which outlined a proposal for a Grant Scheme for the Community and Voluntary Sector and sought Members' approval to consult the Waste Collection Authorities.

Resolved that the Waste Collection Authorities be consulted on a Grant Scheme for the Community and Voluntary Sector, being provided by MWDA.

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 Crowther take the chair in the absence of the Chairperson for the following items:

49. **Waste Disposal and Household Waste Recycling Centres. MWHL Waste Management Contracts October 2008 to September 2009**
WDA/56/08

A report was submitted which informed Members of the progress made in relation to the reletting of contracts with Mersey Waste Holdings to continue to provide waste services up to September 2009.

Resolved that:

1. upon receipt of the rates and prices for the new Mersey Waste Holdings Limited contracts for continuation of existing waste management services, Ernst and Young be requested to review the rates and prices;
2. subject to finalisation of rates and prices, the Director be granted delegated powers to let the Contracts accordingly; and
3. in the event that finalisation of rates and prices is not achieved at the expiry of existing contracts, then the Director be granted delegated powers to let contracts and make payments to Mersey Waste Holdings Limited based upon existing rates which shall be uplifted in accordance with inflation until such time that the new rates are finalised.

50. **Annual Report and Financial Statements**
Mersey Waste Holdings Ltd 2008/07
WDA/58/08

A report was submitted which presented to Members the audited accounts of Mersey Waste Holdings Limited for 2008/09 as required by the Shareholder's Agreement.

A point of clarification was made on the Report of the Directors appended to the Authority's report which quoted on page 2 a figure of '£977m' which should have read as '£977k'.

Resolved that Members note the content of the annual report and financial statements.

51. **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>
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52	Exempt information relating to any individual (Para 1 of Schedule 12A)
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52. **Mersey Waste Holdings Limited Directors Bonus Payments**
WDA/54/08

A report was submitted which provided a response from Mersey Waste Holdings Limited in relation to a proposal for the payment of Directors' bonus payments.

Resolved that the Authority agree to the payment of awarded bonuses.