



**At the Annual Meeting of the Authority  
held on Friday 28<sup>th</sup> June 2006**

Present:           Councillor Cluskey  
                      Councillor Swann  
                      Councillor Tattersall  
                      Councillor Keaveney  
                      Councillor Crowther  
                      Councillor Salter  
                      Councillor Moseley

1.   **Appointment of Chairman**

It was moved and seconded that Councillor Cluskey be appointed Chairman.

**Resolved** that Councillor Cluskey be appointed Chairman for the 2006/07 Municipal Year.

The Chairman took this opportunity to pay tribute to the previous Chairman, Councillor Fletcher and to pass on the Authority's appreciation for his work and commitment over the last 16 years.

2.   **Appointment of Deputy Chairman**

It was moved and seconded that Councillor Swann be appointed Deputy Chairman.

**Resolved** that Councillor Swann be appointed Deputy Chairman for the 2006/07 municipal year.

3.   **Apologies for Absence**

An apology for absence were received from Councillor Small.

4. **Declaration of Interest by Members and Officers**

Councillor Swann declared a personal and non-prejudicial interest in item 8, recorded herewith as minute 8 in so far as they relate to his capacity as a director of Mersey Waste Holdings Limited.

5. **Minutes of Meeting held on 12<sup>th</sup> May 2006**

Councillor Moseley proposed that an item be added to future agendas for Any Other Business. Peter Blackburn, Solicitor to the Authority would consider how this could be accommodated under current procedural rules.

**Resolved** that the minutes of the meeting held on 12<sup>th</sup> May 2006 be approved and signed as a correct record.

6. **Questions on the Discharge of Functions**  
**WDA/16/06**

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 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	Councillor Swann
Liverpool CC	Councillor Small
St Helens MBC	Councillor Crowther
Sefton MBC	Councillor Cluskey
Wirral MBC	Councillor Salter

7. **Constitution including Scheme of Delegation and Procedural Rules**  
**WDA/15/06**

The Authority considered a report recommending an amendment to the current Contract Procedural Rules and a corresponding amendment to the Scheme of Delegation. The Clerk to the Authority informed Members that she intended to fully review the Authority's Procedural Rules and would report back to Members later in the year.

**Resolved** that:

1. the Authority's Procedural Rules be reviewed and a revised document be presented to Members later this year;
2. the amended Contract Procedural Rules attached to the report be adopted to take effect immediately; and
3. the amended Scheme of Delegations attached to the report be adopted for the 2006/07 Municipal Year.

Councillor Swann declared a non-prejudicial interest in the following item, recorded herewith as Resolution 8, and in accordance with the Code of Conduct, remained in the meeting.

8. **Mersey Waste Holdings Limited**  
**'Arms Length' Status**  
**WDA/26/06**

A report was submitted, informing Members that it is regarded as in the best interests of the Authority to pass a resolution confirming the 'arms length' status of its Local Waste Disposal Company, Mersey Waste Holdings Limited.

**Resolved** that Mersey Waste Holdings Limited be an 'arms length company' pursuant to the provisions of Section 68(6) of the Local Government and Housing Act 1989 in relation to the previous, current and forthcoming financial years.

9. **Appointments and Representations**  
**WDA/17/06**

A report was submitted outlining the roles and responsibilities of Members and the terms of reference and powers of the Authority to be delegated to the Appeals Committee and the Governance and Audit Committee. Members considered the membership of these Committees and representation on other bodies.

**Resolved** that:

1. the roles and responsibilities of Members be reviewed at the next available Members' Workshop. Until this time, roles and responsibilities are agreed as follows:

- a. Councillor Cluskey (Strategy and Forward Planning, Finance, Performance Management, Best Value, Procurement, Sustainability)
  - b. Councillor Salter (Risk Management and Audit portfolio and supporting Councillor Cluskey in Procurement)
  - c. Councillor Moseley (Communications and PR)
  - d. All Members (Scrutiny, Public Consultation)
2. the terms of reference and the delegation of powers of the Authority to the Appeals Committee and the Governance and Audit Committee be approved as presented at the meeting;
3. Membership of the Authority's Committees be as follows:
  - a. Appeals Committee  
Councillors Salter, Swann, Tattersall and another Liberal Democrat Member to be confirmed.
  - b. Governance and Audit Committee  
Councillors Swann, Small, Keaveney and Tattersall
4. representations on other bodies for the 2006/07 Municipal Year be as follows:-
  - a. The Board of Mersey Waste Holdings Limited  
Councillor Swann
  - b. The Board of Bidston Methane  
Councillors Crowther, Swann and Salter
  - c. North Western Local Authorities' Employers' Organisation  
Councillor Cluskey

10. **Risk Management Strategy**  
**WDA/18/06**

A report was submitted seeking approval to a Risk Management Strategy which sets out a framework within which the Authority embeds risk

management within its corporate governance and management arrangements.

**Resolved** that the Risk Management Strategy attached to the report be approved.

11. **Code of Corporate Governance and Statement of Internal Control**  
**WDA/20/06**

A report was submitted, seeking approval to a proposed Code of Corporate Governance which documents how the Authority directs and controls its functions and relates to the community. The code provides a framework for reviewing and maintaining corporate governance arrangements and included such a review for 2005/06 with an action plan for improvement. The report also sought approval to the Statement of Internal Control which provides a good indication of the Authority's corporate governance and is published within the Authority's Statement of Accounts for 2005/06.

**Resolved** that:

1. the proposed Code of Corporate Governance be adopted;
2. the Statement of Internal Control be signed by the Authority's representatives and approved for its inclusion in the Statement of Accounts 2005/06.

12. **Merseyside Waste Disposal Authority**  
**Statement of Accounts 2005-06**  
**WDA/21/06**

A report submitted presenting Members with the Authority's Statement of Accounts for 2005/06. Members were informed the Accounts and Audit Regulations 2003 (as amended 2006) places a duty on the Authority to prepare and publish its Statement of Accounts.

**Resolved** that:

1. the Authority's Statement of Accounts for 2005/06 be approved;  
and
2. the Chairman of the Authority sign and date the Statement of Accounts as required.

13. **Merseyside Waste Disposal Authority**  
**Outturn Report 2005-06**  
**WDA/22/06**

A report was submitted requesting that Members note the final outturn position with regard to the Authority's Capital and Revenue Expenditure in 2005/06. An underspend of £3.4M was reported in the Revenue Budget 2005/06, the reasons for which were outlined in the report and included the accounting for Landfill Allowances (LATS) and a reduction in waste arisings.

**Resolved** that:

1. the final outturn position with regard to the Authority's Capital and Revenue Expenditure for 2005/06 be noted; and
2. the final outturn with regard to the Authority's Prudential Indicators as included in Appendix 3 to the report be noted.

14. **Waste Management Inspection and Audit Plan 2006/07**  
**WDA/19/06**

A report was submitted outlining the proposed Audit Plan for 2006/07. This item was also intended to discuss the outcome of the Audit Commission Inspection. It was proposed that inspection results be considered under private agenda as the report was still in draft form.

**Resolved** that:

1. the content of the Audit Plan 2006/07 be approved; and
2. the draft Inspection Report be considered under private agenda.

15. **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>
16, 17 18 & 19	Exempt information concerning the proposed terms in the course of negotiations for a contract (Paragraph 9 of Schedule 12A)

16. **Waste Management Inspection and Audit Plan 2006/07**  
**WDA/19/06**

This item continued from minute 14 detailed above. The Audit Commission inspectors presented Members with their findings following an inspection of the Authority's Waste Management Services. Members were given the opportunity to comment on the draft report and were informed that the final report would be published in August 2006.

**Resolved** that the Authority prepare a response to be submitted to the Audit Commission by 7<sup>th</sup> July 2006.

17. **Waste Management Contracts Procurement Project**  
**Intermediate Proposals**

The Authority considered a report which informed Members of approaches being made by companies with proposals for waste management treatment solutions. The Authority was asked to agree a consistent response to such proposals to ensure that the procurement process is conducted in a fair, robust and competitive manner.

**Resolved** that Members note the adoption of a set of principles to guide the engagement with prospective bidders to the Procurement Process, in advance of the formal request for Expressions of Interest to be published in the OJEU in August and October 2006.

18. **New Technologies Demonstrator Programme**  
**WDA/25/06**

The Authority considered a report seeking Members' approval of the Business Case for a New Technologies Demonstrator Programme project, involving a partnership which includes DEFRA, North West Development Agency and private contractors.

**Resolved** that:

1. the Business Case for the New Technologies Demonstrator Programme project be approved; and
2. delegated powers of the Authority be granted to the Director, in consultation with the Solicitor and Treasurer to the Authority, to enter into funding agreements with DEFRA and the North West Development Agency (through Envirolink).

19. **Capital Programme 2006/07**  
**WDA/23/06**

A report was submitted seeking approval to set the overall Capital Programme for 2006/07 which reflects the Authority's current circumstances and needs. Appendix 5 to the report was tabled at the meeting.

**Resolved** that:

1. the Authority approve a programme of capital expenditure in the sum of £11,532 for 2006/07; and
2. the Authority approve the revision to its Prudential Indicators attached at Appendix 5.

The following item had not been notified three clear working days in advance of the meeting, however, the Chairman agreed to it being considered as a matter of urgency in order to implement a decision as soon as possible.

20. **DECLARATION OF INTENT FROM HALTON BOROUGH COUNCIL**

Members were informed of a letter received that day from Halton Borough Council which formally requested that they be accepted, in principle, as a partner of the Merseyside Waste Disposal Authority to work towards securing appropriate waste treatment and disposal services and facilities in partnership with the Merseyside authorities.

**Resolved** that:

1. the Authority agrees in principle to the acceptance of Halton Borough Council as a partner; and
2. officers be instructed to consider the implications of this proposal and produce a risk / benefit analysis for consideration by Members at a future meeting of the Authority.

Before closing the meeting, the Chairman wished to record a note of thanks to all involved in the Clean Merseyside Centre Project which was completed in March 2006 and transferred to a North West Remade Centre.