



**At a Meeting of the Authority
held on Friday 22nd May 2009**

Present : Councillor Cluskey (Chairperson)
Councillor Salter
Councillor Lonergan
Councillor Crowther
Councillor Gardiner
Councillor Moffatt
Councillor Harris

116. **Apologies for Absence**

Apologies for absence were received from Councillors Dean, Tattersall and Johnston.

117. **Declarations of Interest by Members and Officers**

Councillor Cluskey declared a personal and prejudicial interest in Items 7 and 8, recorded herewith as minutes 122 and 123 respectively, in so far as they relate to Mersey Waste Holdings Limited.

Neil Ferris, Monitoring Officer, declared a personal and prejudicial interest in item 7, recorded herewith as minute 122 in so far as it relates to the board of Mersey Waste Holdings Limited.

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

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

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

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

120. **Annual Audit Fee and Audit Plan 2009/10
WDA/13/09**

A report was submitted informing Members of the proposed audit work identified by the Audit Commission for 2009/10 and their associated fees.

Resolved that Members note the fees and planned audit work proposed by the Audit Commission.

121. **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>
122, 123 124 & 125	Information relating to the financial or business affairs of any particular person (including the Authority holding the Information) (Para 3 of Schedule 12)

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

Neil Ferris, Monitoring Officer, declared a personal and prejudicial interest in the following item and in accordance with the Code of Conduct, left the meeting during consideration of the item.

It was proposed and seconded that Councillor Salter take the chair in the absence of the Chairperson.

122. **Mersey Waste Holdings Limited**
WDA/15/09

The Authority considered a report which sought Member approval to change the membership of the Board of Mersey Waste Holdings Limited (MWHL). The report also sought shareholder approval to MWHL's budget and requested that delegated powers be granted to the Director, in consultation with the Chair and Treasurer, to manage the change structure of the MWHL group and to agree indemnities to the new directors.

Resolved that:

1. the Director be granted delegated powers of the Authority in respect of its role as MWHL shareholder to manage the change in MWHL Board structures, in consultation with the Chair and Treasurer;
2. the current MWHL Executive Directors, transferring to Veolia as part of the Waste Management Recycling Contract (WMRC) arrangements, be requested to resign;
3. the appointment of three new Directors to the Board of MWHL be approved subject to the remuneration for such appointments not exceeding an annual budget of £32,200, applied on a pro rata basis for 2009/10;
4. the Director be granted delegated powers of the Authority, in consultation with the Chair, to provide appropriate indemnities to the MWHL Directors appointed by the Authority;

5. a further options report be presented to Members at such time as the reduction of MWHL structures has been completed; and
6. MWHL's 2008/09 budgets be approved in accordance with the Shareholders Agreement.

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

Neil Ferris returned to the meeting.

123. **Urgent Action Taken Under Procedural Rule 23**
WDA/14/09

A report was submitted which informed Members of a decision taken by the Director to grant shareholder approval under delegated powers which enabled Mersey Waste Holdings Limited to enter into various agreements and asset transfers required to facilitate the completion of the Waste Management Recycling Contract.

Resolved that the action taken be noted.

Councillors Cluskey returned to the meeting and took the Chair.

124. **Replacement Huyton HWRC Land Acquisition**
WDA/16/09

The Authority considered a report which sought Member approval to incur capital expenditure to secure an eighteen month option on a site identified as a replacement for Huyton HWRC.

Resolved that:

1. the amount specified in the report be paid to the site owner, as a deposit to secure a conditional contract for the purchase of the site, such payment to be deducted from the final acquisition cost stated in the report, should the acquisition proceed.

125. **Scrutiny Item: Option Payment for the Acquisition of a Site**
WDA/12/09

Members considered an Executive Decision which had been called in for scrutiny. The proposal sought in principle approval to an option payment for the acquisition of a site.

Resolved that the proposal not be approved.