



**At the Meeting of the Authority
held on Friday 5th October 2007**

Present : Councillor Cluskey
Councillor Salter
Councillor Crowther
Councillor Quinn
Councillor Dean
Councillor Bridson
Councillor Lonergan

26. **Apologies for Absence**

An apology for absence was received from Councillor Turner.

27. **Minutes of the Meeting held on 10th August 2007**

The comments by Councillor Dean with regard to the minutes of the meeting held on 10th August were noted.

Resolved that the minutes of the meeting held on 10th August 2007 be approved and signed as a correct record.

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

Councillor Cluskey declared a personal and prejudicial interest in item 8, recorded herewith as minute 33 in so far as it relates to his capacity as a director of Mersey Waste Holdings Limited.

Councillor Quinn declared a personal and prejudicial interest in item 10, recorded herewith as minute 35 in so far as it relates to his employment with Knowsley MBC.

29. **Questions by 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 Rule 9 of the Authority's Procedural Rules.

The following questions were received:

1. **SUBMITTED BY: Councillor D Lonergan**

I am concerned that Minutes of the Authority's meetings do not necessarily reflect the questions asked or the debate that has taken place at the meeting, focusing mainly upon just a brief description of the issue and the decision made. There also does not appear to be available any other verbatim note of the proceedings.

I would ask therefore whether, for the purposes of clarity and transparency, the minutes should be more detailed or, alternatively, a verbatim note made available of the meeting, especially when significant issues are being discussed.

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

The minutes of Authority meetings follow the normal local government practice in that they are a brief note of the items under discussion and, in particular, a record of the decisions made. There may also be included any issue which a Member has specifically requested, during the meeting, to be included in the minutes. In addition to the formal minutes of a meeting there is a handwritten note, taken during the meeting, which records the main points raised during the course of the meeting. It is from this note that the minutes are drafted and it also provides a reference point if an issue is raised subsequently as to what happened at the meeting.

This practice has not, to my knowledge, led to difficulties in establishing what has taken place at Authority meetings.

Clearly, a handwritten note is not, and cannot be, a verbatim note of the proceedings and there would be significant practical difficulties in providing a word for word record of the discussion and debate at the meetings.

The Chairman proposed that the following question be dealt with in closed session.

Resolved that the public be excluded from the meeting during consideration of the following question.

2. **SUBMITTED BY: Councillor D Lonergan**

The question submitted by Councillor Lonergan was circulated to Members and the Chairperson made his response.

It was proposed and agreed that Procedural Rule 9 be suspended to allow for the matter to be considered and discussed.

Resolved that the question and response be circulated to Members.

The public were readmitted to the meeting.

30. **Minutes of the Governance and Audit Committee Meeting held on 24th September 2007**

Resolved that the minutes of the Governance and Audit Committee Meeting held on 24th September 2007 be noted.

31. **Urgent Action taken under Delegated Powers WDA/28/07**

A report was submitted to the Authority, which detailed urgent actions taken under delegated powers by the Director of Waste Disposal as follows:

1. In consultation with the Deputy Chairperson of the Authority, to approve revisions to the Shareholders Agreement with Mersey Waste Holdings Limited in relation to the appointment of directors to its board.
2. In consultation with the Chairperson, to approve an amendment to the membership of the Audit and Governance Committee to replace Councillor Dean with Councillor Salter for the meeting to be held on 24th September 2007.

Resolved that the urgent actions detailed in the report be noted.

32. **Waste Flow Modelling Report**
WDA/29/07

A report was submitted which advised Members of the outcomes of the revised waste flow model and its potential consequences. Approval was sought to re-endorse the Joint Municipal Waste Management Strategy for Merseyside and to approve the development of a Recycling Performance Recovery Strategy.

Councillor Harris, representing Halton Borough Council noted that where a decision be made to procure for the treatment of Kitchen Waste, the matter of kitchen waste collection would be an issue.

Councillor Quinn requested that the Director report back to Members on the progress of the proposed Recycling Performance Recovery Strategy.

Resolved that:

1. the risks arising from the revised waste flow modeling be acknowledged;
2. the Authority's commitment to the Joint Municipal Waste Management Strategy key targets be reaffirmed; and
3. the development of a Recycling Performance Recovery Strategy be approved, in conjunction with District Waste Collection Authorities.

Councillor Cluskey declared a personal and prejudicial interest in the following item, recorded herewith as Resolution 33, and in accordance with the Code of Conduct for Members, left the meeting during consideration of the item.

Councillor Salter took the chair.

33. **Appointment of Directors to Mersey Waste Holdings Limited**
WDA/31/07

A report was submitted seeking Members' nominations for the three additional Board Directors of Mersey Waste Holdings Limited. The Solicitor to the Authority provided a verbal clarification to Members on the matter of indemnity and reported that the company's insurers would provide the necessary indemnity in terms of Members undertaking the role of a board member of Mersey Waste Holdings Limited.

Resolved that:

1. Councillor Salter be appointed as an additional Board Director of Mersey Waste Holdings Limited; and
2. that the two remaining appointments be left open should any further nominations be received.

Councillor Cluskey returned to the meeting and took the chair.

34. **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>
35	Information in respect of which a claim to legal, professional privilege could be maintained in legal proceedings (Paragraph 5 of Schedule 12A)

Councillor Quinn declared a personal and prejudicial interest in the following item, recorded herewith as Resolution 35, and in accordance with the Code of Conduct for Members, left the meeting during consideration of the item.

35. **Progress of Contract Procurement**
WDA/30/07

A report was submitted which updated Members on the progress in developing the Authority's procurement programme and approval was sought to the proposed long lists of participants into the Interim and Resource Recovery Contracts.

Resolved that:

1. approval be given to the following organisations being carried forward to the Outline Solutions stage of the interim contract;
 1. Cory Environmental (Central) Ltd
 2. Resource from Waste Alliance Consortium (Fairport Engineering, Morgan Professional Services Ltd, Land Securities Trillium, United Utilities Contract Services)
 3. Shanks Group plc
 4. SITA UK Ltd
 5. Veolia ES Aurora Ltd

6. VT Group Ltd (Biossence Ltd)
 7. Waste Recycling Group Ltd
 8. TEG Environmental
2. that approval be given to the following organisations being carried forward to the Outline Solutions stage of the Resource Recovery contract;
1. Biffa
 2. Cory Environmental (Central) Ltd
 3. Covanta
 4. Global Renewables (Bovis Lend Lease Holdings Ltd)
 5. Elliniki Technodomiki (Helector SA)
 6. Ineos Chlor
 7. CEP SA (Amey Infrastructure, Amey Ventures Ltd)
 8. Resource from Waste Alliance Consortium (United Utilities Contract Solutions Ltd, Land Securities Trillium)
 9. Shanks Group plc
 10. SITA UK Ltd (Peel Environmental Holdings, RBS)
 11. Skanska Infrastructure Development Ltd (Earth Tech Engineering Ltd, Tyco Ltd)
 12. Veolia ES Aurora Ltd
 13. Viridor
 14. VT Group Ltd
 15. Waste Recycling Group Ltd
3. that the progress in implementing the three contract strategy and the management of procurement risks be noted and it was agreed that Member approval would be sought at key stages in the contract procurements, as set out in the report;
4. that the result of forecasts of recycling performance levels arising from the implementation of District Council Action Plans and the Authority's procurement programme be noted and it be approved that a fully costed proposal for kitchen waste treatment be included as a Mandatory Variant Bid in the procurement of the Waste Management and Recycling Contract and the need to work with District Councils be noted to consider a programme for the introduction of kitchen waste collections; and
5. the Director be instructed to bring a further report on the Site Selection Process to the next meeting of the Authority.