

Present: Councillor Murphy (in the Chair)  
Councillors: Cummings, Driver, Emmott, Fitzpatrick, Hewitt, Lancaster, Piddington, Quinn, Shilton-Godwin and Young  
Officers: Treasurer & Deputy Clerk, Solicitor, Deputy Treasurer, Head of Corporate Services, Senior Governance and Scrutiny Officer  
Contract Team: Head of Project Management Office  
Advisors: Partner: Head of Local Government, DWF  
Procurement Project Lead Transactor, GMCA Waste Infrastructure Development Programme (WIDP)  
District Officers: Head of Waste Management, Bolton Council  
Assistant Audit and Counter Fraud Manager, Oldham Council  
Waste and Recycling Manager, Rochdale Council  
Assistant Director, Environment and Community Safety, Salford City Council  
Strategic Head of Place Management, Stockport Council  
Assistant Executive Director, Environmental Services, Tameside Council

**43. Apologies for Absence**

Apologies for absence were received and noted from Councillors Ali, Bellamy, Brock, Holden, Iqbal, Jones, Smart and Zaman.

The Clerk to the Authority, Director of Contract Services, Head of Finance, and Head of Administration & Organisational Development

**44. Urgent Business, if any, introduced by the Chair**

**a) Contract Update – Item 8**

Members noted that the Contract update was circulated as a late item.

**45. To receive Declarations of Interest in any contract or matter to be discussed at the meeting**

There were no declarations of interest made by any Member, in respect of any contract or agenda item.

**46. Public & Member Question Time**

There were no questions received at the meeting.

**47. To approve the minutes of the Authority meeting held on the 31st August 2017**

The Minutes of the meeting of the Authority, held on 31 August 2017 were submitted for consideration as a correct record.

**Resolved:** That the Authority agreed to approve the minutes of the meeting of the Authority,

held on 31 August 2017, as a correct record.

**48. To approve the minutes of the Special Authority Meeting held on the 8th September 2017**

The Minutes of the special meeting of the Authority, held on 8 September 2017 were submitted for consideration as a correct record.

**Resolved:** The Authority agreed to approve the minutes of the special meeting of the Authority, held on 8 September 2017, as a correct record.

**49. Exclusion of Press and Public**

**RESOLVED:** That, in accordance with Section 100(4) of the Local Government Act 1972 the public be excluded from the meeting at this juncture for the following business on the grounds that it involves the disclosure of exempt information as defined in the respectively indicated paragraph 3 and that it would not be, on balance, in the public interest to disclose the information to the public because disclosure would be likely to breach the reasonable requirements of companies to commercial confidentiality at this stage of the procurement process.

**50. Contract Update**

The Solicitor reiterated the confidential nature of this report and any subsequent discussions on this matter.

Members considered a joint report of the Treasurer & Deputy Clerk, the Director of Contract Services, and the Interim Programme Director (Commercial) which provided an update on the Recycling and Waste Management Contract termination, set out the proposed arrangements for an 18 month interim contract with the existing operator and revised terms to access the Thermal Power Station at Runcorn. The report also set out detailed feedback, from the Special Meeting of the Authority which took place on 8 September 2017, where options for the reprocurement contract were presented.

A presentation was also made to the meeting that provided additional information on progress in obtaining commercial close, and presented the substantially completed shape of the final transaction. A detailed question and answer session took part as part of the presentation process.

Members noted that on the acquisition of Viridor Laing (Greater Manchester) Limited (VLGM) on 26 September 2017, it will be necessary to rename the company and appoint a new board of directors. Members suggested that Greater Manchester Combined Waste and Recycling as the most appropriate name for the new company name and that the Head of Corporate Services & Deputy Monitoring Officer, Sarah Mellor, and the Deputy Treasurer, Mark Stenson be appointed as initial directors of this company, together with the Solicitor to the Authority, Colin Brittain as Company Secretary.

In response to an enquiry from a Member, officers confirmed that there was no conflict of interest regarding the appointment to these roles.

**Resolved:** The Authority agreed:

- a) to grant delegated Authority to the Treasurer & Deputy Clerk, in consultation with the Chair of the Authority, to assess final affordability and instigate the transactions, as set out in paragraphs 5.3.1 and 5.6.4 to the report;
- b) to grant approval for the temporary partial suspension of the Treasury Management Strategy Statement, between the 26 September and 2

October 2017, as set out at paragraph 5.5.2 to the report and to note that a revised Strategy will be considered (after scrutiny by the Audit & Standards Committee on the 1<sup>st</sup> November 2017) at the next appropriate Authority meeting;

- c) to note the proposed borrowing strategy, as set out in section 5.7 to the report, which will be implemented in accordance with the existing scheme of delegation;
- d) that, as set out in section 5.9 to the report:
  - a. the companies be named Greater Manchester Combined Waste and Recycling (HoldCo) and Greater Manchester Combined Waste and Recycling respectively;
  - b. the Head of Corporate Services & Deputy Monitoring Officer (Sarah Mellor) and Deputy Treasurer (Mark Stenson) be appointed as initial directors, at nil remuneration and that the Solicitor (Colin Brittain) be appointed as Company Secretary;
  - c. Sarah Mellor, Head of Corporate Services & Deputy Monitoring Officer (or nominee), be empowered to act for Greater Manchester Combined Waste and Recycling in accordance with the transaction; and
  - d. that the Directors be provided with independent legal and financial advice, at the companies cost, to be able to discharge their duties;
  - e. that relevant indemnities and warranties, as provided for in The Local Authorities (Indemnities for Members and Officers) Order 2004, be provided to the individual Directors and Company Secretary of the Company.
- e) to approve the arrangements for the provision of interim services and confirmed the proposed the way forward as set out in Section 6 to the report and expanded by the accompanying presentation;
- f) that having considered the suggestions in Section 10 to the report, and the presentation made at the meeting, the requirements to include in tender documentation for the letting of replacement operating contracts which will be carried out under the existing delegation, as amended, be confirmed;
- g) that the Treasurer & Deputy Clerk undertakes to write to the Chief Fire Officer, on behalf of the Authority, to thank the service for their excellent response to the recent fire at the Bolton Thermal Recovery Facility; and
- h) to be provided with details of the proposed revised Inter Authority Agreements at the Authority meeting on 19 October 2017.

The meeting opened at 1.30pm and closed at 15.47pm.

GMWDA