



# NWRWTP

North Wales Residual Waste Treatment Project

## **NORTH WALES RESIDUAL WASTE JOINT COMMITTEE**

Minutes of the meeting of the Joint Committee held in the Council Chamber,  
Bodlondeb, Conwy on Friday, 3 June 2011 at 10.30 am

### **PRESENT**

Councillor Eryl Williams – Denbighshire County Council **(Chair)**  
Councillor Mike Priestley – Conwy County Borough Council  
Councillor Meirion Hughes – Conwy County Borough Council  
Councillor Arwel Pierce – Gwynedd County Council  
Councillor Sharon Frobisher – Denbighshire County Council  
Councillor Neville Phillips – Flintshire County Council  
Alex Aldridge – Commissioner for the Isle of Anglesey County Council

### **ALSO PRESENT**

#### **Conwy County Borough Council**

Andrew Kirkham (Acting Corporate Director and Head of Financial Services)

#### **Denbighshire County Council**

Steve Parker (Head of Environment)

#### **Gwynedd County Council**

Dilwyn Williams (Corporate Director)

#### **Flintshire County Council**

Colin Everett (Chief Executive)  
Kerry Feather (Head of Finance)  
Louise Pedreschi (Solicitor)

#### **Isle of Anglesey County Council**

Arthur Owen (Corporate Director)  
Meirion Edwards (Chief Waste Management Officer)

#### **North Wales Residual Waste Treatment Project**

Stephen Penny (Project Director)  
Steffan Owen (Project Manager)

### **11. APOLOGIES**

Apologies for absence were received from Councillor Nancy Matthews (Flintshire County Council) and Barry Davies (Head of Legal and Democratic Services (Flintshire County Council))

### **12. MINUTES**

The minutes of the meeting of the North Wales Residual Waste Joint Committee held on 25 March 2011 were submitted for approval.

Alex Aldridge stated that he was present in his capacity as a Commissioner for the Isle of Anglesey County Council and not as a County Councillor for Flintshire County Council. Mr Aldridge stated



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that he should not be referred to as Councillor in any future minutes.

Furthermore, Mr Aldridge had declared an interest at the last meeting as he was also a County Councillor for Flintshire County Council, a partner Local Authority for the NWRWTP.

## **RESOLVED-**

**That, subject to the above amendments, the minutes of the meeting of the North Wales Residual Waste Joint Committee held on 25 March 2011 be approved as a correct record.**

### **13. DECLARATIONS OF INTEREST**

Alex Aldridge, Commissioner for Isle of Anglesey, declared a personal interest as he was also a County Councillor for Flintshire County Council.

### **14. PROGRESS REPORT**

The Project Manager presented the progress report and stated that the project was progressing within budget and the final expenditure for 2010/11 was £867,431.71 which equated to £173,486.43 per Local Authority.

There were no major issues and an update with regard to minor issues in relation to the project activity was as follows:-

- ID 32 – Heads of Terms (HoTs) had been signed. Following concerns by the relevant Highways Authority regarding the proposed site at Anglesey Aluminium discussions were on-going to resolve those issues. A meeting had taken place with the landowner and it was hoped that all issues would be resolved by June 2011
- ID 42 – Meetings had been held with the Welsh Government (WG) in relation to possible funding stream for rail related projects. Feedback from Members on possible rail projects would be provided from the future NWRWTP workshops
- ID 59 – Apart from the Project Agreement all Invitations to Participate in Dialogue (ITCD) documentation had been issued
- ID 60 – Seven sessions had been held with participants to discuss waste transfer sites and waste related activities. All the technical issues would need to be completed before the project could move forward to discuss the commercial issues
- ID 61 – The latest waste flow figures had been issued and the waste flow model would be based on those latest figures. A report on those waste flow figures would be presented at the next meeting of the NWRWTP

In relation to the latest Westminster Government initiative to consider providing funding to Councils for a weekly bin collection



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this would not affect Wales. WG had their own powers to deal with waste collection and had given a clear indication that Wales would continue with a fortnightly collection. If a weekly bin collection was put forward by WG solutions, such as lowering the capacity of bins, would need to be explored.

- ID 70 – A report on Road/Rail Projects would be presented at a future meeting of the NWRWTP
- ID 71 – There potentially would be an early indication of the price of the waste treatment solutions in August 2011
- ID 78 – The second Inter Authority Agreement (IAA) would be commenced once the waste treatment solutions were known

## **RESOLVED-**

**That the progress report for the project be noted.**

### **15. RIR – RISK STATUS UPDATE**

The Project Director presented the Risk Register Report, which highlighted some of the amendments that had been made to reflect the current understanding of the risk and mitigation measures that are in place.

A risk had been identified in relation to the WG consultation on the new sector plans for Collections, Infrastructure and Market Sector Plan and Food, Manufacture, Service and Retail Sector Plan. Within the consultations reference is made to the possible introduction of a tax on waste to energy, although the documents acknowledge that at present WG did not have the power to do this. Following a response from WG it was acknowledged that this reference to a tax on waste energy was not formal policy and is likely to be removed from the Plans. However, until the final Sector Plans had been published this would remain a risk.

Members had no matters to raise in relation to the risks outlined in appendix 1, and the changes made during the period as outlined in appendix 2.

## **RESOLVED-**

**That the updated risk register for the project be noted.**

### **16. COMMUNICATION UPDATE**

The Project Manager updated Members with regard to the Communication matters concerning the NWRWTP.

A press release had been issued announcing that the project was in discussion with Anglesey Aluminium regarding securing a portion of the site for the project. A Members' Newsletter had also been released with the same information.

Members were presented with a draft consultation booklet for their



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comment. Once finalised the booklet would be printed and circulated to relevant locations such as Council Offices, libraries and leisure centres etc.

Member Sessions would be held on Friday, 17 June 2011 at 2.00 pm in Bangor and on Wednesday, 29 June 2011 at 2.00 pm in St Asaph. As only a handful of Members had confirmed their attendance at the sessions it was suggested that an invitation reminder be sent out as soon as possible.

Comments and answers to Member queries were as follows:-

- Customer feedback had already been obtained, however, the consultation would provide the evidence needed to support any Planning Applications related to the Project. Furthermore, a number of options would be provided for the Project and the consultation could influence the solution
- The Workshop Sessions would be facilitated by the Project Manager, Project Director and John Twitchen of Sauce Consultancy
- In relation to consulting the project the following options were suggested:-
  - Drop-in Sessions
  - Road shows at Supermarkets and Shopping Centres
  - Telephone Surveys
  - Workforce via the relevant partner Intranets
  - Workforce of Partner Organisations such as the Snowdonia National Park, North Wales Fire and Rescue Service, North Wales Police and Betsi Cadwaladr University Health Board via their websites

In relation to concerns regarding Members' predetermining a Planning Application through their role as an Elected Member, suitable advice should be given to Members at Workshops. Furthermore, a letter should be sent with the consultation to Members. Members should be reminded that if they used their role as a Local Electoral Division Member to voice their concerns publically this would be considered as pre-determination and therefore they would be debarred from any Planning Committee decision.

## **RESOLVED-**

- (a) That the circulation of the Press Release and Members' Newsletter be noted.
- (b) That the consultation booklet be approved.
- (c) That a reminder invitation be circulated to Members regarding the Workshop Sessions.
- (d) That a letter be sent to all Members, with the consultation booklet, providing advice in relation to pre-determination.

## **17. PROCUREMENT RAIL UPDATE**



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To Project Director updated Members on the proposed approach for considering the potential adoption of rail as part of the NWRWTP solution within the procurement process.

The Partnership made it clear to Participants, throughout the procurement process to date, that the Partnership wanted to explore the potential use of rail as part of any solution that may be developed for the Project.

Following discussion within the project team, and its external legal advisors, a process was recommended that posed a low risk of challenge, and still enabled the Partnership to make a policy decision on whether it desired a road or rail based solution at the appropriate stage.

In brief the process was:-

- Invitation to Submit Detailed Solutions (ISDS) stage Participants required to submit fully developed road and rail solutions in September 2011
- Partnership to assess both the submissions and decide on a road or rail solution at Joint NWRWTP Committee meeting to be held in October 2011. No participants would be de-selected at this stage
- Participants informed of the Partnerships' decision (road or rail based solution) and given a further 3 weeks to refine their solution (via an Invitation to Submit refined solutions - ISRF)
- Participants' ISRF responses submitted in November 2011 with the Partnership making its decision on the two Participants to be taken through to the CFT stage in January 2012
- The two stage process extended the procurement process by up to a period of 3 months, but it was the view of the project team that this additional stage was required to ensure rail can be appropriately considered

The Project Director was confident that following an initial assessment regarding network access Participants would be able to deliver a rail submission. Members were further advised that Anglesey Aluminium already had a rail head located at the site.

## **RESOLVED-**

**That the proposed procurement approach to enable the Partnership to determine its policy preference in relation to the use of road or rail as the basis for solutions be approved.**

## **18. ANY OTHER BUSINESS**

Members were advised that Friends of the Earth had issued a briefing



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statement. A response to that statement had been sent to ENTEC for their technical input. The response would be sent to Members for their comment but a reply was required by the morning of Monday, 6 June 2011 to enable the response to be issued by the afternoon of that day.



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## AGENDA ITEM NUMBER 5

### **NORTH WALES RESIDUAL WASTE TREATMENT PROJECT PROGRESS REPORT**

#### **NORTH WALES RESIDUAL WASTE JOINT COMMITTEE**

**Date : 6 October 2011**

**Period: 26 May 2011 to 28 September 2011**

#### **PROJECT SUMMARY**

To procure a sustainable waste management solution for the 5 local authorities in North Wales (Conwy, Denbighshire, Flintshire, Gwynedd and Isle of Anglesey) that will assist with the reduction in greenhouse gas emissions from landfill and will minimise the tonnage of waste residue sent to landfill thus ensuring that the authorities avoid Landfill Allowance Scheme (LAS) infraction penalties and meet National Waste Strategy targets.

#### **PROJECT STATUS**

<b>Overall Project Status</b>	
<b>Amber</b>	<p>Dialogue has been continuing with the three participants on legal, financial and technical matters. The consultation process has progressed with various sessions held across the Partnership area for stakeholders and the public to discuss the project.</p> <p>Extension of time for ISDS submission requested by one participant to the timetable.</p>

<b>Budget status</b>	
<b>Green</b>	<p>Actual spend for this financial year up to 19/08/11 is £312,096.</p> <p>Profiled spend for this financial year up to 31/07/11 is £405,087. (Under profile by £92,991).</p>

<b>Status</b>	<b>Meaning</b>
<b>Green</b>	There are no problems; all is progressing well and to plan
<b>Amber</b>	There are some minor/ less significant problems. Action is needed in some areas but other parts are progressing





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	satisfactory
Red	There are significant problems and urgent and decisive action is needed.

**PROJECT UPDATE** – Activities due for completion 26<sup>th</sup> May 2011 to 28<sup>th</sup> September 2011 (and highlighted longer term actions).

ID	Activity	RAG status	Comments	Forecast	Actual
32	Option developed on second site that is capable of acceptance by Joint Committee	Amber	Verbal update by Project Director.	May 2011	
60	Identify issues with potential use of existing sites arising from ISOS submissions	Green	Extensive dialogue held with all bidders on sites. General agreement reached with each bidder.	September 2011	Complete
61	Liaise with technical officers on waste flows following 2010/11 outturn data.	Green	Individual sessions held between Amec and the individual authorities to go through waste flow models in detail. Technical group session held to agree waste flow forecast. See item 8 on Agenda	June 2011	Complete
62	Procure advisors to plan and carry out consultation exercise on approach of partnership	Amber	Consultation process began in June 2011	End Feb 2011	Complete
63	Decide on engagement and facilitation support	Amber	Facilitation support used on an as and when required basis. Sauce Consultancy for specialist strategic advice and support.	March 2011	Complete
64	June Dialogue sessions	Green	Meetings with participants as part of competitive dialogue process	June 2011	Complete
65	July Dialogue sessions	Green	Meetings with participants as part of competitive dialogue	July 2011	Complete





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			process		
66	August Dialogue sessions	Green	Meetings with participants as part of competitive dialogue process	August 2011	Complete
67	September Dialogue sessions	Green	Meetings with participants as part of competitive dialogue process	September 2011	Complete
68	Briefing pack provided to minerals and waste planning officers	Green	Briefing pack provided to Planning Officers	June 2011	Complete
69	Issue ISDS Waste Flow Model to participants	Amber	Following action 61	End of June 2011	Complete
70	Process for assessment of road / road-rail solutions to be determined	Green	Process for assessment of road/ rail solutions agreed.	July 2011	Complete
71	Project Team to receive early indications of content of potential ISDS submissions including pricing information etc	Green	To aid internal project team and partner authority Finance Officers such that there are no “surprises” when ISDS submissions are ultimately received.	August 2011	Complete
72	ISDS solutions to be submitted by participants	Amber	Verbal update by PD at meeting (see Appendix 1 below for revised procurement timetable)	Late January 2012	
73	Assessment of ISDS submissions	Amber	Key information provided to Finance, Technical and Legal Officers prior to developing recommendations to Project Board and Joint Committee	February 2012	
74	Participants informed of partnership's decisions on road / road-rail, and invited to submit	Amber	As per revised procurement timetable (see Appendix 1)	Early March 2012	



	refinements to their ISDS submissions in the light of decision				
75	Submission of Refined ISDS by participants	Amber	As per revised procurement timetable (see Appendix 1)	Apr / May 2012	
76	Refined ISDS submissions evaluated	Amber	As per revised procurement timetable (see Appendix 1)	May / June 2012	
77	Negotiation positions to be agreed by Project Board	Green	The PD will develop a number of "best" and "backstop" positions for approval by the Project Board, that will be used to take commercial positions within the procurement process	July 2011	Complete
78	The second IAA (IAA2) to be commenced	Green	This to commence once ISDS solutions are known (and the likely contract structures are more certain). Some preliminary discussions and development work to be carried out during summer 2011.	November 2011	
79	Partnership sites title information and related constraints gathered and identified	Green	Title information received. See action 82 below.	June 2011	Complete
80	Project Team and Lead Legal Officer to meet with Estates to discuss any inconsistencies in the title information	Green		4 October 2011	
81	Additional period given for consultation responses	Green	Two weeks added to allow for last minute / late responses in the interest of including as	7 October 2011	



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			many responses as possible		
82	Full analysis of consultation responses	Green	Report to be drawn up showing results of consultation exercise	October 2011	
83	Report back to public and respondents with results of consultation	Green	TBC (see item 86 below)	TBC	
84	Communication and engagement plan for next 12 months	Green	Meeting organised with Project Team, Amec and Sauce Consultancy to plan communication and engagement going forward for the next 12 months	21 October 2011	
85	Meet Environment Agency Wales to discuss technical issues arising from proposals	Green		November 2011	
86	Further dialogue sessions prior to ISDS submissions	Green		December 2011	
87	Financial and technical teams to be consulted on the road / rail assessment result prior to Project Board and Joint Committee	Green		February 2012	
90	Road / Rail assessment results to be presented to Project Board and Joint Committee	Green		February / March 2012	



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**KEY RISKS** – See item 6 on this agenda.

## **Appendix 1 – Outline Procurement Timetable**

Key

Joint Committee decision	Individual partner authority decision	WG Review / Decision
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### **Key Decision Points**

Stage	Key dates	Key decision	Who
Joint Committee - road/ rail	March 2012	Decision on road/ rail	JC (finance officers consulted )
Joint Committee ISDS de-selection	21/06/2012	De-selection of 1 participant	JC
WG Readiness review	Sep to Oct 2012	Are all issues resolved before dialogue can be closed ?	WG
Joint Committee approve preferred bidder, FBC and IAA2	Feb 2013	Preferred bidder, FBC and IAA2	JC
Individual authority approve preferred bidder, FBC, IAA2 & authority to proceed to Contract award approvals	Feb to May 2013	Approved bidder, FBC, IAA2 & authority for JC to proceed to Contract award	Partner authorities (cabinet, scrutiny, full council etc)
Gateway review 3 – Investment Decision (WAG approval of FBC)	May to June 2013	Approval of funding	WG
JC approval of Contract award	Aug 2013	Contract award	JC
Planning application submitted for key facility	July 2013		
Planning determination	July 2013 to March 2014	Planning determination	Host authority(s) planning and regulatory committees



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Stage	Updated timetable	
	from	to
ISDS submission		27/01/12
Joint Committee - road/ rail		March 2012
Submission of refined ISDS		30/03/2012
Joint Committee ISDS de-selection		21/06/2012
WG Readiness review (assessment of readiness to close dialogue)	14/09/2012	25/10/2012
Submission of CFT		Jan2013
JC approve preferred bidder & FBC		Feb 2013
Individual authority approved bidder, FBC, IAA2 & authority to proceed to Contract award approvals	Feb2013	May 2013
Approved bidder appointed		May 2013
Gateway review 3 – Investment Decision (WG approval of FBC)	May 2013	June2013
Commercial close		June 2013
JC approval of Contract award		Jul-2013
Contract Award		Aug 2013
Planning application submitted for key facility		Jul 2013
Planning Consent achieved		Mar 2014
Construction period	Sep 2014	Dec 2016
Commissioning	Dec 2016	Mar 2017
Facility fully available		Mar 2017*

\*Note original OBC full facility availability was estimated at September 2016



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## AGENDA ITEM NO: 6

**REPORT TO:** **NWRWTP JOINT COMMITTEE**

**DATE:** **6 OCTOBER 2011**

**REPORT BY:** **PROJECT DIRECTOR**

**SUBJECT:** **RISK REGISTER REPORT**

### **1. PURPOSE OF REPORT**

- 1.1. The members of the NWRWTP Joint Committee have requested that they are provided with an update of the risk register at each meeting of the Joint Committee.
- 1.2. This report will highlight some of the amendments to the risk register that have been made to reflect the current understanding of risks and mitigation measures that are in place.

### **2. BACKGROUND**

- 2.1. The Risk Register will require continual update throughout the project.

### **3. CONSIDERATIONS**

- 3.1. There is one new risk identified this reporting period.
  - PS 12 (Planning and Permitting). The recent issue of the draft Collections, Infrastructure and Markets Sector Plan (CIM) by WG has led to uncertainty as to the status of the existing Regional Waste Plan (RWP). The RWP may be given reduced weight in determination of a planning application for waste facilities if uncertainty remains over its status. The Project team and North Wales regional waste planning team are engaging with WG on this issue to ensure that the final issued version of Collections, Infrastructure and Markets Sector Plan (CIM) does not leave a planning "policy vacuum".
- 3.2. There is a change to existing risk F2 (finance) this period (Procurement delays lead to increased procurement costs due to extended procurement process). This is due to request from participants and extension to the ISDS timetable given (approx 5 months). The new timetable will still be within 12 month delay sensitivity produced for OBC.
- 3.3. The Top 9 risks (after controls have been put in place) are shown in appendix 1.
- 3.4. Risk TB4 closed as a duplicate of F2
- 3.5. The changes this period are shown in appendix 2.





- 3.6. The risk register will continue to be reviewed by the Project Director and reported to the Project Board at future meetings.

#### **4. RECOMMENDATIONS**

- 4.1. That the Joint Committee note the updated risk register for the project.

#### **5. FINANCIAL IMPLICATIONS**

- 5.1. Not applicable

#### **6. ANTI-POVERTY IMPACT**

- 6.1. None

#### **7. ENVIRONMENTAL IMPACT**

- 7.1. Not applicable

#### **8. EQUALITIES IMPACT**

- 8.1. Not applicable

#### **9. PERSONNEL IMPLICATIONS**

- 9.1. Not applicable

#### **10. CONSULTATION REQUIRED**

- 10.1. Not applicable

#### **11. CONSULTATION UNDERTAKEN**

- 11.1. Not applicable

### **LOCAL GOVERNMENT ACCESS TO INFORMATION ACT 1985**

#### **Background Documents:**

None

**Contact Officer:** Stephen Penny NWRWTP



## Appendix 1 Top (Red) risks and issues

Appendix 1: Top (Red) Risk and Issues

ID	Risk / Issue (i.e.: Threat to the Project)	Consequence	Current Assessment			How the risk will be managed and controlled		Residual risk after			Impln Date	Review Date	Additional explanatory notes
			Impact	L'hood	Overall	Already in Place	Not in Place (Proposed)	Impact	L'hood	Overall			
Policy & regulatory Risk – Change in WG objectives / regulations													
PO1	WVG changes financial support available for residual waste treatment projects due to WVG affordability / budgetary constraints in the current economic climate	Residual waste treatment projects become less affordable for partnership and each partner authority	5	4	20	Project Team to monitor WVG positions in terms of budget availability and lobby at ministerial level if there are indications that proposed funding is to be reduced		5	3	15	Ongoing	Nov-10	
PO2	WVG Environmental policy and objectives change	Project is now inappropriate	4	5	20	Keep in close contact with WVG to ensure potential policy changes that may impact on the project are identified early.	Project team develop a partnership consultation response (for approval by the PB and Joint Committee) highlighting the potential impact of such a target on the project and to ensure WVG addresses how any such target is related to potential household numbers of population growth rates that authorities may be subject to in future.	4	4	16	Ongoing	Feb-11	WVG have indicated in the finalMunicipal Sector Plan (MSP) that they may adopt a waste minimisation target for MSW with a negative growth rate (reduction) of -1.2% pa. The WVG MSP does not take any account of individual or partner authority HH or population growth rates. The Partnership has however received guidance from WVG that the Partnership is free to make its own assessments about future waste arisings and as a result planning risk is now moderated.
PO4	Change in legislation or guidance either at European, National or Regional/Local level	Could require revisit of preferred solution, possible termination of project, excessive LAS compliance costs	3	5	15	Keep in close contact with WVG to ensure potential policy changes that may impact on the project are identified early.	Lobby WVG and liaise with WLGA on this issue.	3	4	12	Ongoing	Sep-10	WVG have now clarified the position on use of IBA (Bottom ash) so the likelihood of policy change in relation to this has reduced. However recent sector plan consultations have raised the potential for the introduction of a tax on waste to energy. The Project team one of a number of options that WVG may consider. If WVG were to introduce such tax the financial impacts cannot be determined at this point but could potentially be considerable. (dependant on whether this would apply to household waste or just to C&I wastes). To be prudent the impact assesment has been increased from 3 to 4 to reflect this uncertainty. The Project team have submitted a joint letter in conjunction with project green to WVG. The Project team are now awaiting final publication of the Collections and Infrastructure Plan.



## Appendix 1 Top (Red) risks and issues (continued)

Appendix 1 - Top (Red), High and Medium (continued)

ID	Risk / Issue (i.e.: Threat to the Project)	Consequence	Current Assessment			How the risk will be managed and controlled		Residual risk after			Impln Date	Review Date	Additional explanatory notes
			Impact	L'hood	Overall	Already in Place	Not in Place (Proposed)	Impact	L'hood	Overall			
Communication & stakeholders – failure to proactively engage with key stake holders leading to delays and lack of public support for the proposed solution.													
CO4	Pressure from lobby groups/public against the preferred solution and location.	Alternative solution/site has to be sought, increased project development costs, delays to project delivery programme, excessive LAS costs.	4	5	20		Project team will ensure an adequate stakeholder engagement and communications plan in place. Alternative site work will continue during early stages of procurement process.	4	3	12	Ongoing	Sep-10	
Procurement Strategy and Process													
P13	Technological solutions offered are not commissionable within LAS infraction timescales	LA's face infraction fines for additional landfill above allowance	4	4	16	OBC modelling has shown that each partner authority can meet LAS allowances if they increase "front end" recycling and composting" and the project is delivered to timetable. Any underperformance in this "front end" recycling and composting are outside the scope of this project and any	Procurement process to ensure that is delivered in timely manner with the risk of late delivery of the residual waste treatment service minimised.	4	3	12	Ongoing	Sep-10	
Planning and permitting –ability to secure successful planning and permitting outcome for solution													
PS5	Suitable sites are not in council ownership to support development of the solution	Project delayed whilst suitable sites are secured	5	3	15	Project team are identifying sites that could be suitable for location of both the waste transfer stations and residual waste treatment facility(s)	Commence negotiations with land owners of (further) additional sites identified as potentially suitable for location of facilities with the aim of securing	5	3	15	Ongoing	Sep-10	
PS14	The recent issue of the draft Collections, Infrastructure and Markets Sector Plan (CIM) by WG has led to uncertainty as to the status of the existing Regional Waste Plan (RWP). Thus the RWP may be given reduced weight in determination of a planning application for waste facilities. A policy vacuum may therefore exist if this is not addressed by WG.	Unsuccessful planning application	4	4	16	Project team and north wales regional waste planning team engaging with WG on this issue to ensure that the final issued version of Collections, Infrastructure and Markets Sector Plan (CIM) does not leave a planning "policy vacuum".		4	3	12	Ongoing	Sep-11	WG's published draft Collections, Infrastructure and Markets Sector Plan (CIM) indicates that RWP's will be replaced but with no indication as to timetable for replacement.



## Appendix 1 Top (Red) risks and issues (continued)

ID	Risk / Issue (i.e.: Threat to the Project)	Consequence	Current Assessment			How the risk will be managed and controlled		Residual risk after			Impln Date	Review Date	Additional explanatory notes
			Impact	L'hood	Overall	Already in Place	Not in Place (Proposed)	Impact	L'hood	Overall			
Wastes													
W3	Composition of waste is different from that anticipated (poor data, policy changes, changes in collection practices)	Performance is below required level, excessive LAS compliance costs	3	5	15		Waste composition to be monitored during procurement and data shared at Competitive Dialogue to inform solution. All Wales Waste composition analysis being delivered by WG through WRAP. Initial work commencing in June 09. Performance of technology solution will be tested and understood as part of the procurement process to identify	3	4	12	Ongoing	Sep-10	Technology specific. EfW less sensitive to waste compositional change.
Performance													
PE1	Market/outlet is not available for outputs from the facility(s)	Increased project operational costs, increase in demand for landfill void	4	4	16		Ensure market deliverability demonstrated as part of procurement evaluation process.	4	3	12	Ongoing	Sep-10	Electricity sound, ash uncertain. Project and market saturation dependant.



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## Appendix 2 Headline Changes this Period

IDENTIFYING THE RISK or ISSUE						MANAGING THE RISK or ISSUE										Additional explanatory notes
ID	Risk / Issue (i.e.: Threat to the Project)	Consequence	Current Assessment			How the risk will be managed and controlled				Residual risk			Impln Date	Review Date	Closur e Date	
			Impact	L'hood	Overall	Already in Place	Who is Managin g	Not in Place (Proposed)	Who will Manage	Impa ct	L'ho od	Ove rall				
Policy & regulatory Risk – Change in WG objectives / regulations																
PO4	Change in legislation or guidance either at European, National or Regional/Local level	Could require revisit of preferred solution, possible termination of project, excessive LAS compliance costs	4	5	20	Keep in close contact with WG to ensure potential policy changes that may impact on the project are identified early.	PD	Lobby WG and liaise with WLGA on this issue.	PD	4	3	12	Ongoing	Sep-11		WG have now clarified the position on use of IBA (Bottom ash) so the likelihood of policy change in relation to this has reduced. However recent sector plan consultations have raised the potential for the introduction of a tax on waste to energy. The Project team one of a number of options that WG may consider. If WG were to introduce such tax the financial impacts cannot be determined at this point but could potentially be considerable. (dependant on whether this would apply to household waste or just to C&I wastes). To be prudent the impact assesment has been increased from 3 to 4 to reflect this uncertainty. The Project team have submitted a joint letter in conjunction with project green to WG. The Project team are now awating final publication of the Collections and Infrastrcuture Plan.
Planning and permitting -ability to secure successful planning and permitting outcome for solution																
PS14	The recent issue of the draft Collections, Infrastructure and Markets Sector Plan (CIM) by WG has led to uncertainty as to the status of the existing Regional Waste Plan (RWP). Thus the RWP may be given reduced weight in determination of a planning application for waste facilities. A	Unsuccessfull planning application	4	4	16	Project team and north wales regional waste planning team engaging with WG on this issue to ensure that the final issued version of Collections, Infrastructure and Markets Sector Plan (CIM) does not leave a planning "policy vacuum".			PD	4	3	12	Ongoing	Sep-11		WG's published draft Collections, Infrastructure and Markets Sector Plan (CIM) indicates that RWP's will be replaced but with no indication as to timetable for replacement.
Finance & Affordability																
F2	Procurement delays lead to increased procurement costs (due to extended procurement process)	LA's seek additional funding or withdraw	3	3	9	Affordability envelope has been agreed that includes delay to the project	PD	Manage procurement delays by appropriate design of procurement process.	PD	3	3	9	Jan-10	Sep-11		Due to request from participant and extension to the ISDS timetable given (approx 5 months). Timetable will still be within 12 month delay sensitivity produced for OBC.



# NWRWTP

North Wales Residual Waste Treatment Project

## AGENDA ITEM NO: 7

**REPORT TO: NWRWTP JOINT COMMITTEE**

**DATE: 6 OCTOBER 2011**

**REPORT BY: PROJECT MANAGER**

**SUBJECT: COMMUNICATIONS UPDATE**

### **1. PURPOSE OF REPORT**

- 1.1. To update the NWRWTP Joint Committee on communication matters concerning the North Wales Residual Waste Treatment Project (NWRWTP).

### **2. BACKGROUND**

- 2.1. The Joint Committee has requested regular updates on communication matters relating to the NWRWTP. This report provides an update on progress to date.

### **3. CONSIDERATIONS**

#### **3.1. Consultation Exercise - Summary**

The consultation exercise has been on going since the Member sessions were held in June 2011.

The closing date for consultation responses was Friday 23<sup>rd</sup> September, however the Project Team are including responses included for two weeks following this date in order to include as many responses as possible in the results. This was advertised in a press release that was issued on the 16 September 2011.

This means that a full report on the results of the consultation process will follow this report, however it was felt that an early indication of the results would be of benefit to the Joint Committee, therefore please note that the information below is an early indication and a summary of the results thus far only.

Below is a brief list of the activities that have taken place:-

- Two Member sessions were held (one “west” in Bangor, and one “east” in St Asaph)
- “Drop in” sessions at each of the five partner authorities (where members of the public were able to have an informal discussion about the project)
- Community Group sessions where various community groups etc were invited to attend a meeting to discuss the project and the consultation.



# NWRWTP

North Wales Residual Waste Treatment Project

- 2 interest group sessions where environmental / interest groups were invited to discuss the project (1 x east and 1 x west).
- The consultation questionnaire can be complete on line, and project website has a consultation page.
- The consultation has been advertised internally within the five partner authorities, including booklets distributed to Council Offices, libraries etc.
- A telephone survey of the consultation questionnaire commissioned of 1,000 residents of the partnership area.

## Member sessions

Two Member sessions were held on the 17<sup>th</sup> and 28<sup>th</sup> of June 2011. One “west” session in Bangor (Parc Menai), and one “east” session in St Asaph (Optic).

General feedback from the sessions is that they were a success, in particular the aspect of the Members of partner authorities meeting together. Appendix 3 shows the attendance for both sessions, followed by a brief list of the questions that were asked during the sessions.

## Drop in sessions

These were advertised in the local press / media through an advert in all the local press across the five authorities, together with a series of press releases. They were also advertised on the project website. As expected, turnout was low at the authorities where sites have not been mentioned as potentially hosting a facility.

- Conwy - 13
- Gwynedd (Dolgellau and Bangor) - 6
- Anglesey - 23
- Denbigh - 6
- Flintshire - 49 (27 at St David's Park, 22 at Connah's Quay Town Council)

Total attendance = 97

Below is a brief summary of the discussions held at the sessions

- Most of the discussions held were detailed, with some lasting over an hour. These were valuable and in depth discussions.
- The vast majority left the sessions happier than when they arrived, although there was a number that even after the discussions were against certain proposals (e.g. EfW at Anglesey or EfW at Deeside Industrial Park)
- In Gwynedd, Anglesey, Conwy and Denbighshire the vast majority of attendees were supportive of the project, and wanted to know more about it.
- In Flintshire, there was a greater concern about the possibility of an “incinerator at Deeside”, mainly centred around health effects. There is a lack of trust in the permitting and licensing regime from those that were opposed.
- It should be noted, though, that while a good number of the Flintshire drop in sessions' attendees had concerns, it was by no means universal, and indeed a good proportion were either





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supportive, or could recognise the arguments being made for both need, and why the site was being considered.

- It did not come across at any of the sessions that there is a groundswell of opposition to the project.

### Community Group sessions

The Community Group and interest group sessions were not well attended at all, with some sessions with one or two attendees. This is despite follow up calls to the invitees. In total, 12 people attended 5 sessions.

Overall, however, feedback was very positive at those sessions, with nearly all attendees supportive of the project. The sessions did, however, provide a good opportunity for detailed discussion, and also provided vital contacts for further consultation and engagement in the future.

### Summary of various “drop in” and community group sessions

Overall, whilst the attendance at some of the various sessions was disappointing, the project team has learnt a great deal from the sessions, and has had detailed discussions with a good number of residents, and opened up further avenues for engaging (more community groups identified etc).

The process has also highlighted the importance of a pro active engagement campaign throughout the procurement process, and it is clear that an informal detailed discussion with a resident has a far greater effect than more formal communications avenues (e.g. press releases etc)

### 3.2. Press Coverage

Face to face briefings were given to some of the local press during July in order to advertise the consultation process, and three press releases were issued during August and September advertising the drop in sessions and the closing date for consultation responses. There was reasonable press / media coverage during the consultation process and all the local press / media ran at least one story of some sort advertising the sessions (including BBC news website, Real Radio interview etc). Some ran a number of stories on the consultation. See appendix 2 below for some examples of the coverage.

### 3.3. Consultation Questionnaire – indication of results

In appendix 1 below are some graphs showing an early indication of the results thus far. The number of consultation responses received thus far is 305 (162 booklets, 143 via the on line questionnaire).

### 3.4. Communication and Engagement planning

The Project Team have arranged a meeting with technical and communication advisors on 21 October 2011 to plan communication and



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engagement going forward for the following 12 months. This will be put before the Joint Committee for approval once it is finalised.

## **4. RECOMMENDATIONS**

4.1. To note the content of this update report.

## **5. FINANCIAL IMPLICATIONS**

5.1. Not applicable.

## **6. ANTI-POVERTY IMPACT**

6.1. Not applicable.

## **7. ENVIRONMENTAL IMPACT**

7.1. Not applicable.

## **8. EQUALITIES IMPACT**

8.1. Not applicable .

## **9. PERSONNEL IMPLICATIONS**

9.1. Not applicable.

## **10. CONSULTATION REQUIRED**

10.1. See above.

## **11. CONSULTATION UNDERTAKEN**

11.1. Not applicable.

## **LOCAL GOVERNMENT ACCESS TO INFORMATION ACT 1985**

### **Background Documents:**

None

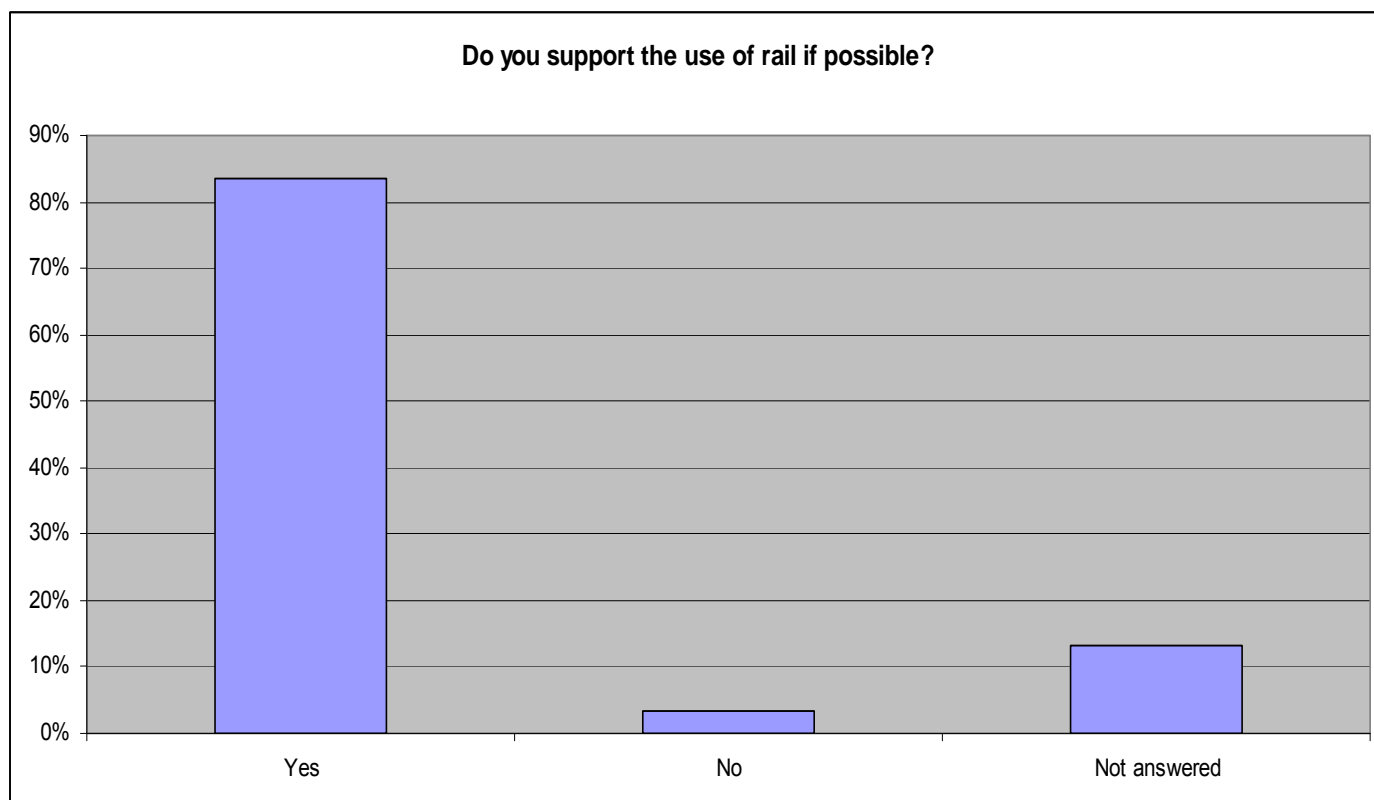
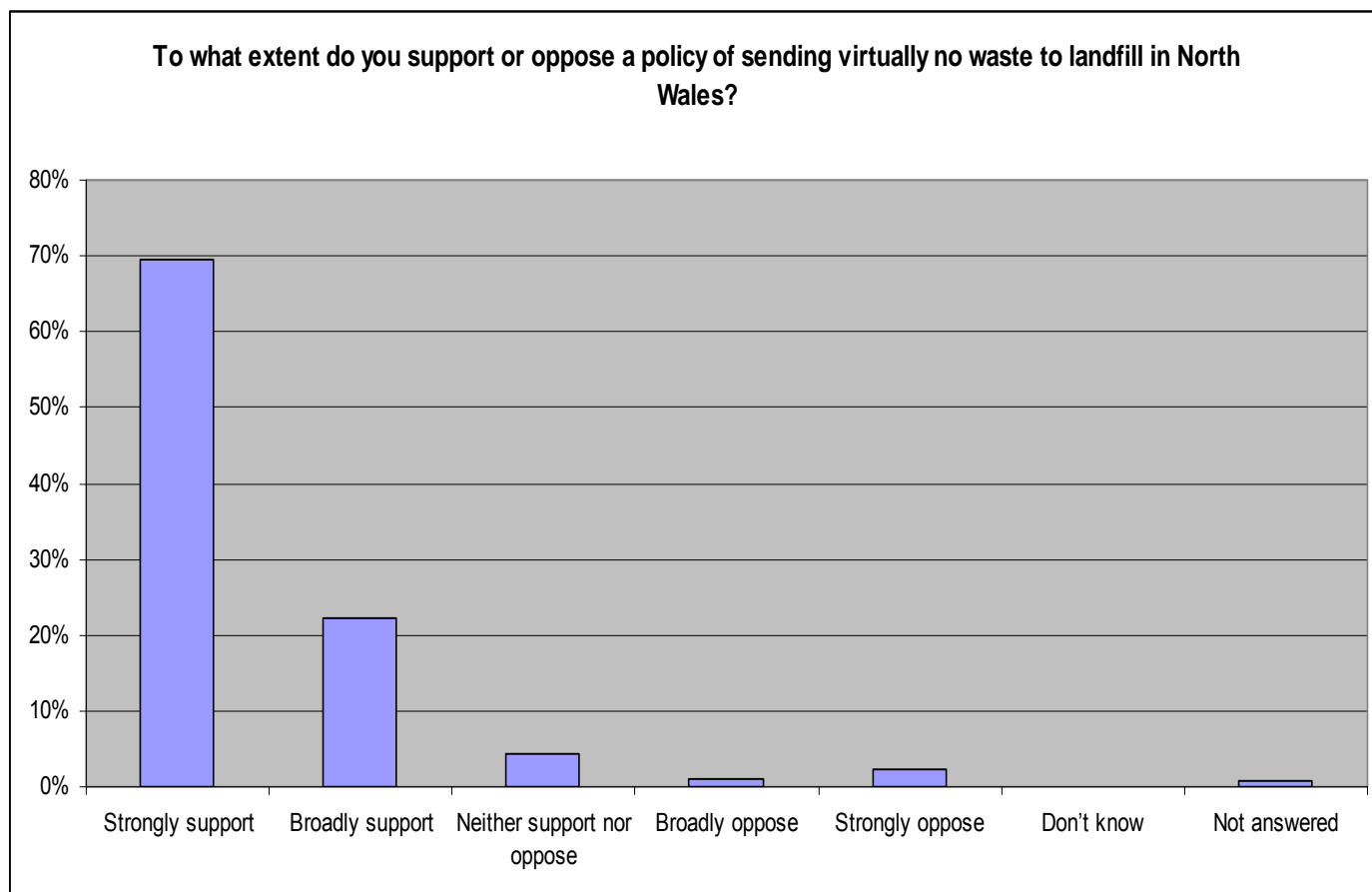
**Contact Officer:** Steffan Owen NWRWTP



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## Appendix 1 Graphs of results of consultation process thus far

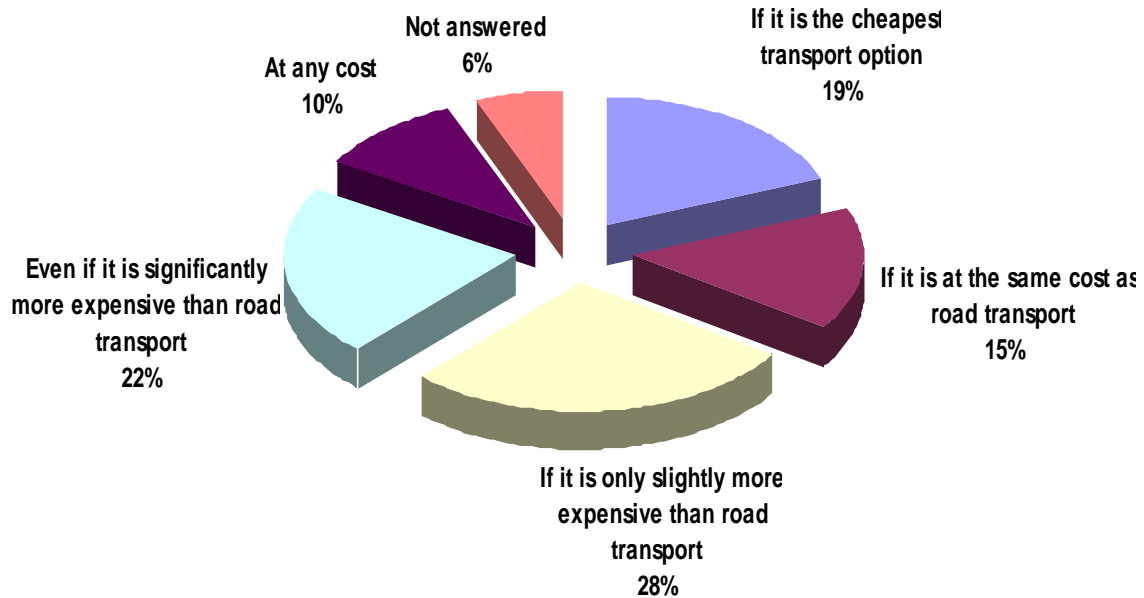




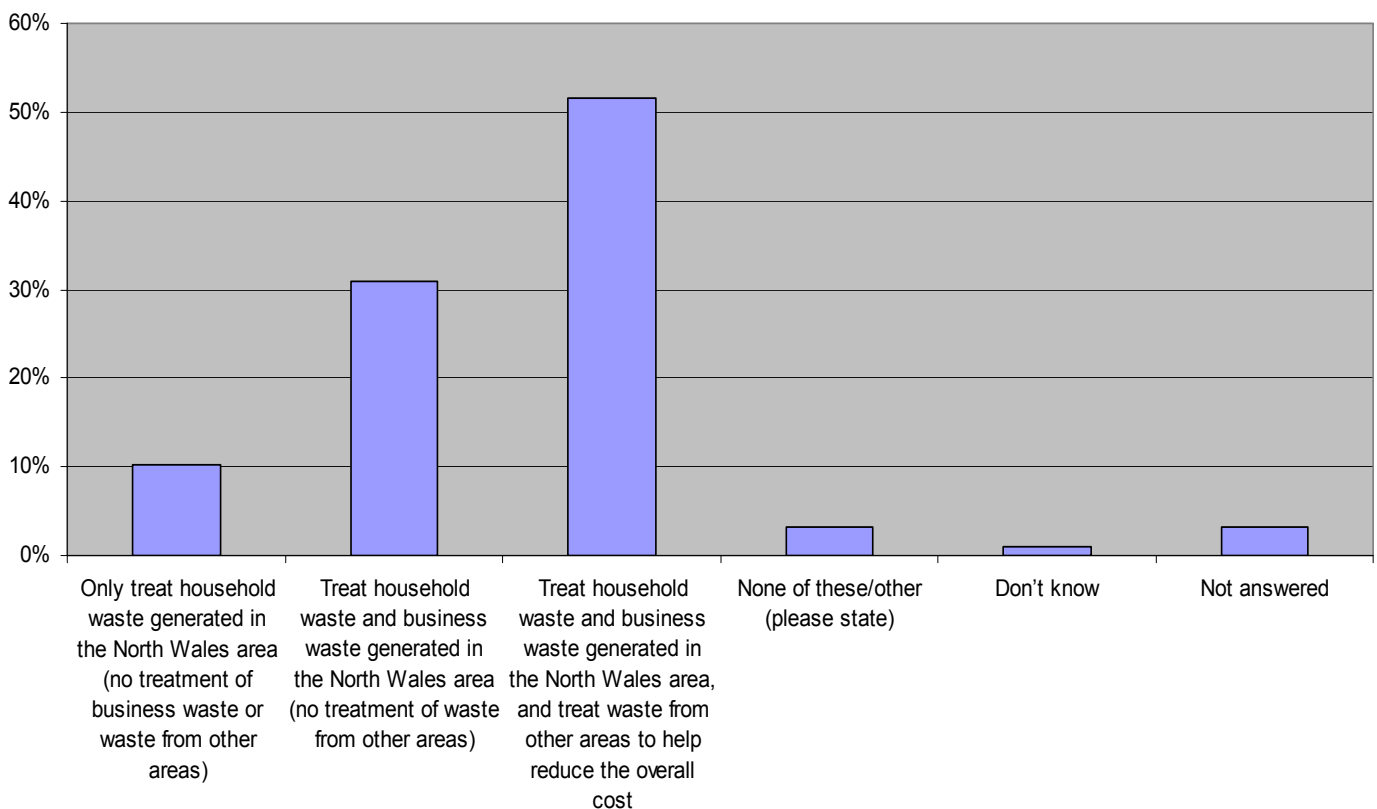
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## To what extent do you support the use of rail is possible?



## Where the waste will come from





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## Appendix 2 – Examples of some of the press coverage

# County residents urged to have say on waste incinerator plans

**RESIDENTS are being urged to have their say on controversial plans which could see an incinerator built on Deeside.**

A consultation was launched this week into the Welsh Government's £142.7 million North Wales Residual Waste Treatment Project (NWRWTP) set up to manage waste across five councils in the region.

The prospects of an incinerator on Deeside have been described as a "real threat".

An outline business case presented by project bosses caused anger when it gave Deeside Industrial Estate as the only example of a possible location for an incinerator to handle waste which cannot be recycled.

Now people in Flintshire, Denbighshire, Anglesey,

Gwynedd and Conwy are being asked for their views on the waste treatment facility.

Steffan Owen, project manager for NWRWTP, said: "We have created a leaflet and want to inform people about the project."

"There are questions in the leaflet and the answers given will inform the direction in which we proceed."

Questions include asking people for their views on recycling, on transporting waste by rail and from how far away the new facility should take waste.

Connah's Quay Central councillor Aaron Shotton said the Health Protection Agency was researching the link between infant mortality and incinerator sites in England.

He said: "Given the health effects have not been disproved, I would still urge Flintshire Council to rule out incineration and rule out

Deeside as an option.

"The people of Deeside do not want this and it is important they understand an incinerator on Deeside is a very real threat."

"There is a real and present danger," and Cllr Shotton urged residents to join a campaign against a site in Deeside.

Residents are also asked for their views on benefits the project could bring to the area, such as employment opportunities and the ability to use heat from treating the waste as a power source.

Anxious councillors opposed to an incinerator on Deeside are urging people to fill in the questionnaire.

Connah's Quay councillor Bernie Attridge said: "I'm entirely opposed to an incinerator on Deeside and I will campaign against it."

"I was always told by officers taking this project forward they were energy neutral, but the shortlisted three all specialise in getting energy from waste and that means incinerators. I know a decision has not been made yet but the longer this process goes on the more concerned I am for Deeside."

But project bosses insist Deeside is not confirmed as the definite site. "The document had to name a potential site and potential technology," said Mr Owen. "We put Deeside in because it's

a potential site."

Mr Owen's colleague John Twichen said: "We couldn't just name a site in make believe, it had to be suitable."

"The land is owned by Flintshire Council and it is also in the development plan for suitable development."

"What might be built and where it might be built is not yet determined."

Mr Owen said bidders are welcome to submit other potential sites in their plans.

The project team has also identified a potential site in Anglesey and is in talks with Anglesey Aluminium to finalise an agreement to list their land as a possible location.

Consultation leaflets are available from today and feedback can also be given at [www.nwrwtp.org](http://www.nwrwtp.org).

Details of drop in sessions for the public, planned for later this summer, are still to be confirmed.

● **WHAT do you think about the project? Have your say at [www.leaderlive.co.uk](http://www.leaderlive.co.uk)**



■ Cllr Bernie Attridge.



■ Cllr Aaron Shotton.





# NWRWTP

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## Consultation begins on waste site

**PUBLIC** consultation has begun over multi-million pound plans to process non-recyclable waste.

Up to 150,000 tonnes of rubbish from five counties across North Wales could be dumped on Anglesey if the scheme gets the go-ahead.

Land belonging to Anglesey Aluminium Ltd has been earmarked as a possible location for an incinerator.

North Wales' five main councils have joined forces to create the region's largest joint local government

procurement project.

It represents an investment of up to £800m over its 25-year lifetime.

The partnership, called the North Wales Residual Waste Treatment Project (NWRWTP), has invited firms to draw up plans for

processing plants like incinerators to deal with waste currently put into landfill.

As well as Anglesey, a site in Deeside, Flintshire, has been identified prompting some concerns from people living nearby.



Anglesey Aluminium







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BBC News - Deeside waste incinerator consultation begins - Microsoft Internet Explorer provided by Flintshire County Council

http://www.bbc.co.uk/news/uk-wales-north-east-wales-14067745

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9 July 2011 Last updated at 10:05

### Deeside waste incinerator consultation begins

Public consultation has begun over multi million pound plans to process non-recyclable waste in north Wales.

Officials have invited firms to draw up plans for processing plants like incinerators to deal with waste currently put into landfill.

So far, two potential sites have been earmarked on Anglesey, Gwynedd, and in Deeside, Flintshire, prompting some concerns from people nearby.

Residents are now being given the opportunity to have their say.

North Wales' five main councils have joined forces to create the region's single largest joint local government procurement project.

It represents an investment of up to £800m over its 25-year lifetime.

Flintshire council is taking the lead among the group made up of authorities covering Anglesey, Gwynedd, Conwy, and Denbighshire.

The partnership is called the North Wales Residual Waste Treatment Project (NWRWTP).

Last year, they announced Deeside Industrial Estate could potentially be used as a site to locate an energy from waste incinerator.



The Welsh Government has agreed to put £142m into the project

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Council discusses new waste plan

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## BBC News Wales Website– 9 July 2011

BBC News - £800m North Wales Residual Waste Treatment talks start - Microsoft Internet Explorer provided by Flintshire County C

http://www.bbc.co.uk/news/uk-wales-north-east-wales-14415802

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BBC News - £800m North Wales Residual Waste Treat...

Wales Politics North West North East Mid South West South East

5 August 2011 Last updated at 07:52

### £800m North Wales Residual Waste Treatment talks start

Public consultation is starting over plans to process non-recyclable waste in north Wales, possibly building an incineration plant.

Two sites in Deeside and Anglesey have been earmarked in the £800m project.

Officials say nothing has been finalised and all ideas are being considered.

They are holding talks with residents across the region, starting at Holyhead on Friday.

North Wales' five main councils have joined forces and invited firms to draw up plans for processing plants like incinerators to deal with waste currently put into landfill.

They expect it will process more than 150,000 tonnes of waste a year in a project costing an estimated £800m over 25 years.

Flintshire council is taking the lead among the group made up of authorities covering Anglesey, Gwynedd, Conwy, and Denbighshire.


The partnership is called the North Wales Residual Waste Treatment Project (NWRWTP).

**'People against'**

Councillor Eryl Williams, chair of the NWRWTP's joint committee, said the Welsh Government has set target of recycling 70% of household waste by 2025, and using landfill was no longer an option.

He told BBC Radio Wales "there are bound to be people against" plans put forward.

"People don't want things on their doorstep," he said.



The plan is to process 150,000 tonnes of non-recyclable waste a year

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#### PUBLIC MEETINGS

ANGLESEY: Boston Centre Stage, Boston Street, Holyhead: 5 August, 14:00-19:00 BST and 6 August 10:00-16:00 BST

## BBC News Wales Website– 5 August 2011





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North Wales Residual Waste Treatment Project

## Appendix 3 – attendance at the June 2011 Member sessions, and a list of the questions asked at the sessions.

<b>Friday 17<sup>th</sup> June 2pm Ty Menai (Formerly Technium CAST) Parc Menai , Bangor</b>	<b>Attended ✓</b>
Cynghorydd RH Wyn Williams (G)	✓
Councillor Gail Hall (C)	✓
Councillor Robert Llewelyn Jones (A)	✓
Councillor Ioan Thomas (G)	✓
Councillor Eurfryn Davies (A)	✓
Councillor Goronwy Parry (A)	✓
Councillor Peter Rogers (A)	✓
Councillor Edward T Dogan	✓
Cynghorydd Eric M Jones (G)	✓
Cynghorydd Gwilym Williams (G)	✓
Councillor Ian Jenkins (C)	✓
Councillor Mike Rayner (C)	✓
Councillor Alwyn Gruffydd (G)	✓
Councillor John Wynn Jones (G)	✓



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<b>Tuesday 28<sup>th</sup> June 9.30am Optic Technium, St. Asaph</b>	<b>Attended ✓</b>
Councillor Carolyn Thomas (F)	✓
Councillor Jim Falshaw (F)	✓
Councillor Brian Cossey (C)	✓
Councillor Nancy Matthews (F)	✓
Councillor Huw Jones (D)	✓
Councillor Christine Jones (C)	✓
Councillor Eng. Klaus Armstrong-Braun (F)	✓
Councillor Christine Evans (D)	✓
Councillor Dave Mackie (F)	✓
Councillor Doreen Mackie (F)	✓
Councillor Susan Shotter (C)	✓
Councillor Dewi Owens (D)	✓
Councillor Eric Owen (F)	✓
Councillor Robin Baker (F)	✓
Councillor Mrs MC Doyle (C)	✓
Councillor William Knightly (C) (poss)	✓
Councillor Mike Priestley (C)	✓
Councillor Chris Bithell (F)	✓
Councillor Ronald Peacock (C)	✓
Councillor John Bevan (C)	✓
Councillor Geoff Corry (C)	✓
Councillor Andrew Hinchliff (C)	✓
Councillor Keith Marshall (G)	✓
Councillor Dennis Hutchinson (F)	✓
Councillor Aaron Shotton (F)	✓
Councillor David Cox (F)	✓
Councillor Raymond Hughes (F)	✓
Councillor Neville Phillips (F)	✓
Councillor Colin Legg (F)	✓
Councillor Gwilym Charles Evans (D)	✓
Councillor Cefyn Henry Williams (D)	✓
Councillor Huw Jones (D)	✓
Councillor Michael John Eckersley (D)	✓
Councillor AM Khan (C) (poss)	✓
Councillor Grenville James (F)	✓
Councillor Bill Cowie (D)	✓
Councillor Ken Stone (D) – Town Council (Mayor of Kinmel Bay & Towyn)	✓



## **Questions Raised**

### **17 June 2011**

- What percentage of waste will be sent to recovery?
- Does this solve the landfill problem?
- Is there enough waste for the facility?
- How will the £600 million be allocated across the local authorities, will there be a penalty if we miss the minimum tonnage? Will we have to divert recycling to energy recovery?
- How much energy will it produce and what are the emissions?
- Keep Wales tidy - take it to England! But I do understand, there is economic benefit in doing it here, but why can't we do it ourselves, employ a Welsh company?
- What are the problems with the gateway to the EU, will we see waste imported?
- Corks used to be made out of cork, now they are not which is bad for cork trees. Now we have this waste that we didn't have – what can be done?
- Will it all be taken by rail? e.g. Gwynedd
- Will there be a mobile visitor centre?
- Are we creating something we don't need?

### **28 June 2011**

- From the seven bids received at ISOS, were there any alternatives to energy from waste?
- How can new technologies ever develop if we can't select one and back it?
- Has the timescale slipped?
- I have been bombarded by information from Friends of the Earth, are their claims correct?
- How sound is the technology and how tried and tested is it?
- Why not Mechanical Biological Treatment (MBT)?
- Will there be compensation if you don't fill the facility?
- Germany re-uses residual waste from energy from waste – will we?
- What happens if there is not enough waste?



# NWRWTP

North Wales Residual Waste Treatment Project

- What about legislation affecting commercial waste collectors, is it the same/are there targets?
- Public need to be convinced that we need this, they need information – what's being done?
- It's not really technology neutral, we were supposed to be technology neutral, are councillors finding out about this change in position when it's already too late?
- Where are the sites?
- Will it be transboundary? Will commercial waste come from outside Wales?
- What about Wrexham, will they be involved in this?
- Will people be happy to accept the facility near them?

FLINTSHIRE COUNTY COUNCIL

EXEMPT INFORMATION SHEET

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COMMITTEE: NWRWTP Joint Committee

DATE: 6 October, 2011

AGENDA ITEM NO: 8

REPORT OF: Project Director

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SUBJECT: Waste Flow Model Update

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The Report on this item is NOT FOR PUBLICATION because of exempt information in accordance with the following section(s) or paragraph(s) of Schedule 12A of the Local Government Act 1972:

	<u>Para</u>	
Information relating to a particular individual *	12	[ ]
Information likely to reveal the identity of an individual *	13	[ ]
Information relating to financial/business affairs of a particular person * See Note 1	14	[✓]
Information relating to consultations/negotiations on labour relations matter *	15	[ ]
Legal professional privilege	16	[ ]
Information revealing the authority proposes to:		
(a) give a statutory notice or		
(b) make a statutory order/direction *	17	[ ]
Information on prevention/investigation/prosecution of crime *	18	[ ]
<u>For Standards Committee meetings only:</u>	<u>Sec</u>	
Information subject to obligations of confidentiality	18A	[ ]
Information relating to national security	18B	[ ]
The deliberations of a Standards Committee in reaching a finding	18C	[ ]
Confidential information which the Council is not permitted to disclose	100A	[ ]
	(3)	

**PLEASE TICK APPROPRIATE BOX**

\* Means exempt only if the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Note 1: Information is not exempt under paragraph 14 if such information is required to be registered under Companies Act 1985, the Friendly Societies Acts of 1974 and 1992, the Industrial and Provident Societies Act 1965 to 1978, the Building Societies Act 1986 or the Charities Act 1993.

**SCHEDULE 12A LOCAL GOVERNMENT ACT 1972  
EXEMPTION FROM DISCLOSURE OF DOCUMENTS**

**REPORT:** Waste Flow Model Update

**AUTHOR:** Project Director

**MEETING AND DATE OF MEETING:** NWRWTP Joint Committee  
6 October, 2011

I have considered grounds for exemption of information contained in the report referred to above and make the following recommendation to the Proper Officer:-

**Exemptions applying to the report:**

Paragraph 14

**Factors in favour of disclosure:**

Transparency

**Prejudice which would result if the information were disclosed:**

The report contains information which if disclosed at the present time could prejudice a fair bidding process.

**My view on the public interest test is as follows:**

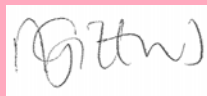
On balance, at the present time it is not in the public interest to make the information publicly available.

**Recommended decision on exemption from disclosure:**

Exempt from disclosure

**Date:** 28 September, 2011

**Signed:**



**Post:** Team Manager – Committee Services

---

I accept the recommendation made above.



---

Proper Officer

Date: 28 September, 2011