



**Gareth Owens LL.B Barrister/Bargyfreithiwr**  
Chief Officer (Governance)  
Prif Swyddog (Llywodraethu)

To:

Councillors: Richard Dew, Brian Jones, Dafydd Meurig, Don Milne, Bob Parry, Sam Rowlands, Aaron Shotton, Carolyn Thomas, Julian Thompson-Hill and Gareth Wyn Griffith

CS/NG

19<sup>th</sup> March 2018

Nicola Gittins 01352 702345  
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Dear Sir / Madam

The Meeting of the **NORTH WALES RESIDUAL WASTE JOINT COMMITTEE** will be held at **CONWY BUSINESS CENTRE, JUNCTION WAY, LLANDUDNO JUNCTION LL31 9XX** on **TUESDAY 27<sup>TH</sup> MARCH 2018** at **2.00PM** to consider the following items.

## **AGENDA**

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST**
- 3 **APPROVAL OF PREVIOUS MINUTES**
- 4 **MATTERS ARISING FROM PREVIOUS MEETING**
- 5 **PROJECT PROGRESS REPORT + BUDGET 2018/19**

To provide an overall project update to Members and present 2018/19 operational revenue budget for approval.

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The Council welcomes correspondence in Welsh or English  
Mae'r Cyngor yn croesawau gohebiaeth yn y Cymraeg neu'r Saesneg

6 **CONSTRUCTION PROGRESS**

To update Members of the Joint Committee on progress of the construction of Parc Adfer, including discussions with Unions.

7 **INTERIM SERVICES, HAULAGE SERVICES AND WASTE TRANSFER STATIONS REPORT**

To update Members on developments regarding operational issues related to Parc Adfer becoming operational.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 – TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC**

The following item is considered to be exempt by virtue of Paragraph(s) 14 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

The report contains details relating to the financial affairs of the 5 councils and WTI. Those details are commercially sensitive and the public interest in protecting that commercial position outweighs the public interest in revealing the information during the lifetime of the contract.

8 **CONTRACT MANAGEMENT REPORT**

To update Members on Contract Management, including partner authority officer training and staffing provision.

9 **ANY OTHER BUSINESS**

Yours faithfully



Robert Robins  
Democratic Services Manager



**NORTH WALES RESIDUAL WASTE JOINT COMMITTEE**

Thursday 27<sup>th</sup> July 2017 at 2.00pm  
Toyota, Deeside Industrial Park

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**PRESENT:**

Councillor Brian Jones	Denbighshire County Council
Councillor Julian Thompson-Hill	Denbighshire County Council
Councillor Tony Thomas	Denbighshire County Council
Councillor Carolyn Thomas	Flintshire County Council
Councillor Gareth Wyn Griffith	Gwynedd County Council
Councillor Bob Parry	Isle of Anglesey County Council
Councillor Donald Milne	Conwy County Borough Council

**ALSO PRESENT:**

**Flintshire County Council**

Colin Everett (Lead Chief Executive), Lisa Brownbill (Interim Head of Internal Audit),  
Dave Ledsham (Flintshire County Council)

**Conwy County Borough Council**

Andrew Wilkinson (Head of Neighbourhood Services)

**Denbighshire County Council**

Jim Espley (Waste and Transport Manager)

**Gwynedd Council**

Medwyn Williams (Senior Manager – Waste Treatment)

**Isle of Anglesey County Council**

Meirion Edwards (Chief Waste Management Officer)

**North Wales Residual Waste Treatment Project**

Steffan Owen (Regional Contract Manager)

**Local Partnerships / Welsh Government**

Huw Roberts

1. **APOLOGIES**

Apologies for absence were received from Councillor Richard Dew (Anglesey Council Council) and Mr. Dewi Williams (Isle of Anglesey County Council), Gareth Owens (Flintshire County Council), Councillor Sam Rowlands (Conwy County Borough Council), Stephen O Jones (Flintshire County Council),



2. **DECLARATIONS OF INTEREST**

No declarations of interest were made.

3. **ELECTION OF CHAIR AND VICE CHAIR**

Councillor Carolyn Thomas (Flintshire County Council) was elected Chair, with Councillor Julian Thompson-Hill elected Vice Chair

4. **APPROVAL OF PREVIOUS MINUTES**

It was noted that no Members were present at the previous meeting of the Joint Committee, however officers were present and therefore the minutes were accepted as a correct record.

**RESOLVED:** *the minutes of the meeting of the North Wales Residual Waste Joint Committee held on 24 November 2016 be approved as a correct record.*

5. **MATTERS ARISING FROM PREVIOUS MINUTES**

There were no matters arising.

6. **ANNUAL ACCOUNTS**

Dave Leadsham from Flintshire County Council introduced the Annual Accounts report. He explained that as a result of the local government elections it had not been possible to hold a Joint Committee meeting until now. He explained that as the Joint Committee is a Relevant Body, the accounts require sign off by the Joint Committee.

He explained the total expenditure for 2016/17 was £412,000, with £108,000 on staff and £304,000 on advisors and other costs.

Steffan Owen (SO), Regional Contract Manager, gave a background to the advisor costs, in particular in relation to reaching Financial Close with Wheelabrator Technologies Inc (WTI).

**RESOLVED:** *That the accounts be approved, Councillor Bob Parry moved the motion, seconded by Councillor Julian Thompson-Hill.*

7. **PROJECT PROGRESS REPORT**

Colin Everett (CE) (Lead Chief Executive), gave a background to the National Agreement for the Engineering Construction Industry (NAECI) and other aspects within the report.

SO went through the draft proposed budget for 2017/18

**RESOLVED:** *That the draft budget be approved,*



*Councillor Julian Thompson-Hill moved the motion, seconded by Councillor Donald Milne.*

## 8. **WASTE TRANSFER STATIONS NETWORK AND HAULAGE CONTRACT**

SO went through the background to the need for a network of waste transfer stations to transport the waste to Parc Adfer.

He also noted the intention to tender as a partnership for a haulage contract.

Councillor Julian Thompson-Hill asked if an existing framework existed for haulage.

SO noted that whilst there might be a suitable framework, the benefits of an open procurement made it the preferred option, including competitive procurement and the ability to allow smaller local contractors to tender.

Jim Espley (JE) gave an update on Denbighshire's work on their waste transfer station. They had identified a site a Kinmel Depot, Bodelwyddan. He noted that the ground conditions were not ideal on site and that investigations were taking place that week.

JE added that Denbighshire were about to start modelling their long term collection systems, which would have an impact on the design of the waste transfer station. JE estimated 4 months for the modelling, and noted he was confident it would be ready for operations at Parc Adfer.

Andrew Wilkinson (AW) (Conwy) noted that Conwy had reported to the Joint Committee in November 2016 that a site in Conwy's ownership had been identified, which was currently in use by the authority. The proposed waste transfer station would a shared site with recycling operations.

AW noted that the technical officers had met to approve the cost split between recycling operations and residual operations, and had also challenged the design.

AW updated the committee that the site's existing functions needed to be vacated before the waste transfer station can be developed on the site, however there are complications with the vacation of the site. He reported that there was a risk that the waste transfer station won't be ready in time for Parc Adfer's operations, however noted that it was understood and accepted that this was Conwy's risk, not the Partnership's.

**RESOLVED** *Note the update*

## 9. **CONTRACT MANAGEMENT REPORT**

CE informed the Committee of the appointment of Steffan Owen as Regional Contract Manager following a rigorous interview process.



SO went through plans for contract management review by Local Partnerships on behalf of the Welsh Government, and training to be provided by them following the review. He also noted plans for specific training for partner authority finance officers.

**RESOLVED:** *That that the Joint Committee note the content of this report.*

10. **POTENTIAL OPPORTUNITIES REPORT**

SO went through the report outlining future work on investigating the opportunities for exploring the use of heat / steam from Parc Adfer. This means that excess heat / steam from the process at Parc Adfer could potentially be used to heat nearby buildings, bringing both economic and environmental benefits. The Joint Committee would be kept informed on progress on this workstream.

SO also noted that discussions had taken place between the authorities on other areas within their waste functions where future collaborative working could prove beneficial. A couple of areas such as Household Waste Recycling Centres were identified as potential and would be explored further.

**RESOLVED:** *That the Joint Committee note the content of this report.*

11. **ANY OTHER BUSINESS**

CE asked about the frequency of future meetings, and suggested 6 monthly. This was agreed. Councillor Julian Thompson-Hill suggested the addition of a written quarterly report, which was agreed by the Committee.

(The meeting ended at 4.00 pm)

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## NORTH WALES RESIDUAL WASTE TREATMENT PROJECT PROGRESS REPORT

### NORTH WALES RESIDUAL WASTE JOINT COMMITTEE

**Date : 27<sup>th</sup> Mar 2018**

### PROJECT SUMMARY

To manage the North Wales Residual Waste Treatment (NWRWTP) contract with Wheelabrator Technologies Inc (WTI) for the development, and operation of a residual waste treatment facility in Deeside, Flintshire. The project also encompasses other aspects of partnership working within the partner authorities' waste management functions.

### PROJECT STATUS

Overall Project Status	
Green	<p>Construction of the Parc Adfer facility is progressing well and within projected timescales.</p> <p>There has been a number of protests on site and at County Hall, Mold by union activists, and discussions with the unions remain on-going.</p> <p>Work on the Contract Manual has progressed and now the final stages of putting the document together remains. Progress has begun on bringing additional resources into the Contract Management Team in preparation for Parc Adfer coming on stream.</p> <p>Discussions are on going within the Partnership and with WTI regarding managing the transition period between existing services and Parc Adfer coming on stream, and managing operational factors.</p> <p>There has been limited progress on the WTS's at Conwy and Denbighshire, which is regularly tracked by the Technical Officers Group. See agenda item 7.</p>



<b>Budget status</b>	
Green	A proposed budget for 2018/19 is provided below for approval by the Joint Committee.

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



## Appendix 1 – Draft budget for 2018/19

<b>NORTH WALES RESIDUAL WASTE TREATMENT PROJECT</b>		
<b><u>Contract Management - draft budget for 2018-19</u></b>		
<b>EXPENDITURE HEADING</b>	<b>DRAFT BUDGET 2018 - 19</b>	<b>Notes</b>
	<b>£</b>	
Contract Manager	60,000	Includes on costs, estimate based on 2017/18 costs plus 1%
Contract Manager Travel and other expenses	2,000	
Finance Officer	20,000	Based on 1 x FTE accountant level post starting in October 2018
Admin Support	5,400	Based on 0.5 x FTE administrative post starting in January 2019
Technical Support	6,000	Based on 0.5 x FTE Technical support post starting in January 2019
Lead Authority internal administrative recharge	30,000	To cover costs for aspects such as governance, accounting, HR etc
IT/ Telephones	1,500	IT equipment and phones required for new staff
Software		
Stationery/Printing/Subscriptions	250	
Translation	1,000	Based on 2 Joint Committees
Advertising	6,000	Statement of accounts advert and recruitment adverts
Venues	1,500	
Audit fees	900	
<b>TOTAL CONTRACT MANAGEMENT COSTS</b>	<b>134,550</b>	
On going advisor costs	30,000	Based on advice of £30k per annum
<b>TOTAL ADVISOR COSTS</b>	<b>30,000</b>	
Contingency	10,000	
<b>TOTAL COSTS</b>	<b>174,550</b>	
WAG Contribution		
Other Income		
<b>TOTAL INCOME</b>	<b>0</b>	
<b>NET COST</b>	<b>174,550</b>	
<b>EQUAL PARTNERSHIP SHARES</b>	<b>34,910</b>	

FTE = Full Time Equivalent



## Appendix 2 – Other costs

It is anticipated that the construction of the Waste Transfer Stations in Denbighshire and Conwy will start in 2018/19. It is likely that the costs will be spread over 2018/19 and 2019/20 up to the full agreed partner authority maximum contribution of £500k per authority.

Partner Authorities are therefore advised to expect their contributions to be spread over 2018/19 and 2019/20.



## AGENDA ITEM NO: 6

**REPORT TO:** NWRWTP JOINT COMMITTEE

**DATE:** 27<sup>th</sup> MARCH 2018

**REPORT BY:** CONTRACT MANAGER

**SUBJECT:** CONSTRUCTION PROGRESS REPORT

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

- 1.1. To update the Joint Committee on progress on the construction of the Parc Adfer facility.

### **2. BACKGROUND**

- 2.1. Financial Close on the NWRWTP procurement was reached in mid-December 2016 and the contract formally awarded to Wheelabrator Technologies Inc (WTI).
- 2.2. WTI's Engineering Procurement and Construction (EPC) contractor is CNIM, whose Civil Engineering sub-contractor is Clugston. Both CNIM and Clugston are highly experienced contractors in the Energy from Waste (EfW) market. Furthermore, they have a well-established relationship, with Parc Adfer being their 10<sup>th</sup> EfW construction project together.
- 2.3. A Liaison Procedure for reporting progress of the construction against the timetable is set out in the Project Agreement (PA). To comply with the with PA's requirements a formal Monthly Construction Progress Report is submitted to the authority by WTI. Monthly meetings (Contract Management Board) are held with WTI and their contractors to formally report on progress, issues on site and any potential known risks to the programme.
- 2.4. The NWRWTP are represented on the Contract Management Board (CMB) and all output and discussions of the CMB is reported to the Technical Officers Group and the Project Board.
- 2.5. As well as the above, the authority's Contract Manager visits the site weekly, although flexibility remains to visit the site at other times should the need arise.

### **3. CONSIDERATIONS**

#### Overview and key areas of progress

- 3.1. Below is a summary of progress of the construction of Parc Adfer.



## Overall progress

- 3.2. The current civil works are focused on the structural steel erection over the waste bunker, turbine hall, flue gas treatments foundations (pile caps) and mains substation. Boiler panels have been delivered to site and a number of them have been erected.
- 3.3. The engineering activities most recently have included the continuation of below ground services design of the electricity substation, ongoing ventilation, cooling and heating study, mains substation interfaces and visitor centre design.
- 3.4. The partnership will be part of the design process for the visitor centre, with a lead technical officer to represent the partnership along with the contract manager and possibly one additional officer dependent on requirements.
- 3.5. Overall, progress on site has been good with no changes to the programme since the start of the works.

## Health and Safety

- 3.6. The Health and Safety record on site remains extremely good. There have been no Riddor incidents since the start of construction in over twelve months ago in January 2017, which means that as at the end of February 2018, the site is over 200,000 man hours without a Riddor reportable incident. There have been 5 minor personal injury incidents since the since the start of construction.

## Planning and Permit

- 3.7. Following a trial period at the end of 2017, planning permission has been granted for 24hr working on site, which CNIM could potentially make use of as and when necessary.
- 3.8. A non-material planning variation will be submitted in due course for various minor modifications when the detailed modifications have been finalised and agreed with the Civil Works Sub-Contractor, the EPC Contractor and the Authority.
- 3.9. A permit variation has been submitted to Natural Resources Wales. The variation covers:-
  - Change of technology provider (from original permit of Baumgarte to CNIM);
  - Modified flue gas treatment;
  - Option for change to the emissions sampling point; and
  - For information purposes only an explanation of how the IBA area will be used.

## Risk to programme

- 3.10. WTI's assessment of the overall risk to the timetable remains low.
- 3.11. One area which has been highlighted as medium is Industrial Relations, specifically action by Unions (see 3.14 below)



### Reported key dates

3.12. WTI's reported Planned Service Commencement date is remains at 14<sup>th</sup> October 2019 and Planned Readiness Date remains at 21<sup>st</sup> May 2019. The Planned Readiness Date is a key date for the authorities as it is the date when the commissioning of Parc Adfer begins and waste from the authorities starts going to into the facility Other key dates are shown in table 2 below :-

Activity	Key Date	Achieved
Financial Close / Effective Date	15th December 2016	
Procurement of all long lead time items complete	27th March 2018	31 <sup>st</sup> July 2017
Commencement of Grid Connection Works by DNO	11th April 2018	4 <sup>th</sup> October 2017
Design works complete	7th August 2019	
Bunker excavation and concrete works complete	8th October 2018	
Site hand-over from Clugston to CNIM complete	28th June 2019	4 <sup>th</sup> December 2017
Long lead time items all on site	27th September 2018	
Long lead time items installed	31st December 2018	
Boiler pressure test	2nd August 2018	
Grid Connection G59 Test / Completion by SPEN	22nd August 2018	
Commencement of O&M Contractor staff training	18th March 2019	
Issue of Construction Completion Certificate	21st May 2019	
<b>Issue of Readiness Test Certificate</b>	<b>21st May 2019</b>	
Issue of Acceptance Test Certificate	14th October 2019	
<b>Planned Service Commencement</b>	<b>14th October 2019</b>	
EPC Contractor's Longstop Completion Date	14th October 2020	
Credit Agreement Longstop Date	15th January 2021	

3.13. Overall, the construction progress is recorded at 52% complete, against an expected level of 50%.

### Discussions with the Unions

3.14. One issue that has arisen in relation to the construction of Parc Adfer is that a number of protests have been staged by Unite and GMB Union members at the Parc Adfer site and at County Hall, Mold. The protestors have been



seeking the build of Parc Adfer to be carried out under a specific agreement called the National Agreement for the Engineering Construction Industry (NAECI). This agreement is a collective bargaining agreement used in the Engineering Construction Industry backed by the Unite and GMB Unions and is a set of terms of employment negotiated between employer representatives and Trades Unions.

- 3.15. NAECI typically applies to “Major Projects” such as significant energy projects whose planning determinations are not carried out locally (over 50MW), but there is no requirement for it to apply below this level.
- 3.16. The NWRWTP contract was awarded to WTI in December 2016, therefore the Partnership is not in a contractual position to impose NAECI on either WTI or its sub-contractors. It is also worth noting that signing up to NAECI is not an obligation and no requirement was placed on the Partnership from any party (including Welsh Government) to specify NAECI during the NWRWTP procurement process.
- 3.17. CNIM, as the engineering, procurement and construction contractor have stated that they cannot sign up to NAECI after the fact as they entered into a contract with WTI on a particular commercial and legal basis, and as NAECI was not part of that it could not be added in subsequently.
- 3.18. The Partnership have facilitated direct discussions with CNIM, WTI and Unions seeking to address union concerns relating to contracting and employment practices on site. The Partnership have sought assurances that good employment and contracting practices are in place for all sub-contractors on site. CNIM have also held discussions with the unions independently.
- 3.19. A meeting was held with representatives of the partnership (Lead Chief Executive and Contract Manager), WTI, CNIM and the Unions in January 2018, with a number of actions agreed, which are summarised below:-
  - The CNIM to provide a list of sub-contractors on site;
  - CNIM to provide further detail on how statistics relating to local workers on site are calculated;
  - CNIM to provide further detail of their internal risk assessment for workplace fatigue (particularly in relation to workers travelling to site);
  - CNIM to provide information on their own auditing of their “Good Practice Guide” which provides that contractors adhere to a set of principles (e.g. CNIM formally forbids zero hours contracts etc) - i.e. how many of their sub-contractors have they audited and of those, how many raised issues of employment practices that broke their “Good Practice Guide”;
  - Unions and CNIM to organise local level site meeting;
  - NWRWTP to revert on the Union point about the ability to vary the contract (Unions referred to it as a “living contract”),
  - Unions to raise any specific examples of unsatisfactory contracting practices for CNIM, WTI and Partnership to act on.



3.20. In relation to the final bullet point above, the Partnership, WTI and CNIM all stated that should any examples or instances of unsatisfactory contracting or employment practices be raised by the Unions they will be investigated and dealt with swiftly.

3.21. The Partnership, WTI and CNIM have been working to complete the above actions, and the Joint Committee will be updated verbally at the meeting on progress against these actions. A further meeting is being organised with the Unions as a follow up.

## **4. RECOMMENDATIONS**

The Project Board is asked to:-

4.1. Note the content of this report.

## **5. FINANCIAL IMPLICATIONS**

5.1. The financial implications of the contract have previously been through an approvals process within all partner authorities.

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

6.1. Not applicable.

## **7. ENVIRONMENTAL IMPACT**

7.1. The environmental implications of the contract have previously been through an approvals process within all partner authorities.

## **8. EQUALITIES IMPACT**

8.1. Not applicable.

## **9. PERSONNEL IMPLICATIONS**

9.1. Not applicable.

## **10. CONSULTATION REQUIRED**

10.1. As set out within the report.

## **11. CONSULTATION UNDERTAKEN**

11.1. Not applicable.

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



# NWRWTP

North Wales Residual Waste Treatment Project

## Background Documents:

None

**Contact Officer:** Steffan Owen - NWRWTP Project Manager



**REPORT TO: NWRWTP JOINT COMMITTEE**

**DATE: 27<sup>th</sup> MARCH 2018**

**REPORT BY: CONTRACT MANAGER**

**SUBJECT: WASTE TRANSFER STATIONS, HAULAGE CONTRACT AND INTERIM SERVICES REPORT**

## **1. PURPOSE OF REPORT**

- 1.1. To update the Joint Committee on progress on the development of waste transfer stations in Conwy and Denbighshire.
- 1.2. To update the Joint Committee on the on going work preparing for the period of transition between partner authorities' existing residual waste arrangements and the start of Parc Adfer's commissioning.
- 1.3. To update the Joint Committee on the on going discussions within the Partnership on the partnership haulage contract.

## **2. BACKGROUND**

- 2.1. It is agreed that the development of waste transfer stations within Conwy and Denbighshire will be funded by the Partnership and within the Second Inter Authority Agreement, a financial cap was placed on these developments, which has been placed at £2.5m.
- 2.2. Conwy carried out a site search in 2015, with a site at Blackmarsh Road, Mochdre identified as the preferred location. The site is in local authority ownership and currently used as a Highways and Fleet Depot.
- 2.3. Conwy intends to relocate its licensed materials recycling facility to share the Blackmarsh Road site with the waste transfer stations. This facility is used for storage, separation and recycling of waste originating from bulky collections, fly tipping, parks and grounds maintenance, street sweeping, highways and other internal Council departments. A shared waste transfer station / materials recycling facility will result in reduced capital cost to the Partnership, as Conwy will fund those construction elements required for the materials recycling facility function and also contribute to the cost of shared elements such as office/welfare, paving, drainage, access etc. The split between the costs attributable to the materials recycling facility and waste transfer station functions has been agreed by the partner authorities following scrutiny by the technical officers.



- 2.4. Denbighshire have identified a site at Kinmel Park Depot, Bodelwyddan, however detailed design has not yet begun on this site (see 3.1 below for further detail).

### **3. CONSIDERATIONS**

#### Denbighshire Waste Transfer Station

- 3.1. As noted above, Denbighshire have identified a suitable site at Kinmel Park Depot, Bodelwyddan. Denbighshire are currently working with WRAP (Waste and Resources Action Programme) modelling future collection scenarios, and have therefore not undertaken the design of their waste transfer station as it will depend on the outcome of the modelling.
- 3.2. Denbighshire's estimate at the time of writing is that if approvals for the collection modelling process ran smoothly then they could be in a position to commence construction late summer 2018 and their current estimate is that construction would take no longer than 6 months.

#### Conwy Waste Transfer Station

- 3.3. As noted above, Conwy's preferred option for a site was chosen at Blackmarsh Road, Mochdre which is in local authority ownership and currently used as a Highways and Fleet Depot. Construction of the site cannot begin until Highways have vacated the site. Unfortunately the site that Conwy's Highways department is relocating to has been the subject of difficulties which has delayed the project.
- 3.4. Conwy are hopeful of a resolution shortly.

#### Waste Transfer Station development timetable and wider implications

- 3.5. As can be seen from the above updates, it remains unlikely that either of the waste transfer station sites identified will be developed within Parc Adfer's construction timetable. This means that Conwy and Denbighshire will need to secure some form of interim arrangements for the transfer (reception and storage) of their residual waste until the sites are complete. This could be a private sector site or other internal option.
- 3.6. Both Conwy and Denbighshire have acknowledged and accepted that the responsibility, liability and costs of securing their interim waste transfer station requirements are entirely their own and not in any way attributable to other partner authorities.
- 3.7. It should be noted, however, that should Conwy and Denbighshire's waste transfer stations' not be ready when Parc Adfer begins accepting the partnership's waste, any haulage contract or interim residual waste treatment service would need to take account of any temporary arrangements made – i.e. a collection point for the haulage contract that is flexible and can be changed when the permanent sites are complete.



### Commissioning and Interim Services

- 3.8. Due to the nature of and large timescales involved in building complex facilities such as Energy from Waste plants, contracts such as the Parc Adfer contract do not have an absolute fixed date for when the facility will start accepting waste. Despite this, recognising that contracting authorities such as the NWRWTP need as much notice as possible in order to manage the transition from existing arrangements to waste going into the new facility, certain contractual obligations have been placed on WTI to provide the Partnership with options for dealing with the period of transition from existing residual waste arrangements to Parc Adfer coming on stream and as much certainty as possible to allow the authorities to manage existing arrangements.
- 3.9. The Contract Manager visits the site weekly for updates on the progress of the construction. To date, no changes have been made to the Construction Programme since the commencement of the works.
- 3.10. Despite the contractual mechanisms referred to above, there may be some potential movement to the start of the commissioning services and thus a level of flexibility will be required in partner authorities' existing arrangements to cover the period of transition to Parc Adfer coming on stream. Any delays to the commissioning can be dealt with utilising existing contractual provisions, however there is a possibility that commissioning services may be earlier than the scheduled date. In this instance, whilst WTI must give the Partnership notice of any change to the programme, notification of an early completion may mean the authorities may need to end existing arrangements earlier than expected. This means potentially having shorter notice periods for interim / existing contracts.
- 3.11. With the above in mind, the Technical Officer Group have been in discussions with WTI in relation to managing the transition period from partner authorities existing arrangements to Parc Adfer's commissioning services. In order to extend the options available to the partner authorities, the Partnership triggered the contractual clause that requests WTI to price and / or tender for the supply of residual waste treatment services from an agreed point in time up until the start of commissioning services. This service is known as Interim Services. Those discussions are now on going.
- 3.12. The Interim Services must be agreed between the Partnership and WTI therefore triggering this contractual mechanism does not commit the partnership to the services with WTI, but does allow discussion with them on the possibility of them providing a service.
- 3.13. Further discussions with WTI are scheduled in order to agree scope for the Interim Services for WTI to provide a quote or tender for those services. This will also influence how the authorities approach their existing arrangements. This is a key work stream for the Technical Officers.



## Haulage Contract

- 3.14. The Project Board decided in April 2017 that the Partnership would not be instructing WTI to tender for or manage a partnership haulage contract and would do so internally as a Partnership. It was also decided to tender as one contract, but it should be split into smaller “lots” based on authority boundaries.
- 3.15. The Technical Officer group have been discussing this at their monthly meetings, however they concluded that the tender process for the haulage contract should not start until there is some further clarity on the issue of the waste transfer stations at Conwy and Denbighshire and the partner authorities’ arrangements for treating their residual waste for the transition period from existing arrangements to going into Parc Adfer.
- 3.16. The Project Board discussed the Haulage Contract at the last meeting February 2018 and a decision was taken to proceed with the tender process for a haulage contract (in lots) in the latter half of 2018 in order to be in place for early 2019. The contract would need to have flexibility to deal with changing collection points for the waste (waste transfer station locations for 2019 onwards are not confirmed at this stage), changing drop off points (existing drop off points, potential new drop off points under an “interim services” arrangement with WTI or existing contractors and then eventually Parc Adfer).

## **4. RECOMMENDATIONS**

- 4.1. Note the content of the report

## **5. FINANCIAL IMPLICATIONS**

- 5.1. Financial implications of Conwy's Waste Transfer Station have been previously reported to the Joint Committee and Project Board. This will be monitored as the development progresses. The financial implications of Denbighshire's Waste Transfer Station are not known yet.

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

N/A

## **7. ENVIRONMENTAL IMPACT**

N/A

## **8. EQUALITIES IMPACT**

N/A

## **9. PERSONNEL IMPLICATIONS**

N/A

## **10. CONSULTATION REQUIRED**



None.

## 11. CONSULTATION UNDERTAKEN

11.1. The Conwy WTS development has been regularly reported to the Project Board, Joint Committee and technical officer groups. The WTS developments in Conwy and Denbighshire are a regular agenda item at Project Board meetings.

## LOCAL GOVERNMENT ACCESS TO INFORMATION ACT 1985

### Background Documents:

None

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