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 Head of Legal and Democratic Services  
 Pennaeth Gwasanaethau Cyfreithiol a  
 Democraidaidd

To: Councillors: Nancy Matthews, Graham Rees,  
 Michael Priestly, Eryl Williams, Julian Thompson-Hill,  
 Arwell Pierce, W. G. Roberts, R. G. Parry and Thomas H. Jones

CS/NG

10 September 2009

Nicola Gittins

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Dear Sir / Madam

A meeting of the **NORTH WALES RESIDUAL WASTE JOINT COMMITTEE** will be  
**HELD IN SIAMBR ARFON, GWYNEDD COUNCIL, ARFON AREA OFFICE,**  
**PENRALLT, CAERNARFON, GWYNEDD, LL55 1BN** on **THURSDAY, 17 JULY**  
**2009** at **2.00pm** to consider the following items.

Yours faithfully

Assistant Director (Democratic Services)

**A G E N D A**

1. **APOLOGIES**
2. **APPROVAL OF PREVIOUS MINUTES**
3. **MATTERS ARISING FROM PREVIOUS MEETING**
4. **RIR – RISK STATUS UPDATE (SP REPORT)**
5. **DRAFT STRUCTURE FOR COMMUNICATIONS STRATEGY (SP REPORT)**

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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. **PROJECT TEAM APPOINTMENTS (CE)**
7. **PROGRESS REPORT (SP REPORT)**
8. **OBC/JOINT WORKING AGREEMENT – AVAILABLE SUPPORT RE APPROVALS PROCESSES FOR PARTNER AUTHORITIES (SP REPORT)**
9. **OUTLINE BUSINESS CASE POSITIONS PAPER (SP REPORT)**
10. **FUTURE MEETING DATES (SCHEDULE)**
11. **ANY OTHER BUSINESS**



Morrisons

North Rd

St David's Rd

Balaclava

A487

Stryd Bangor

B4419

A487

Balaclava Rd

Balaclava

Rhes Priordy

Lon Twrhill

Gartlewin T

Dwyrain Twrhill

Heol Elinor

Heol Edward

Twrhill E

Gwynedd Council Arfon Area Offices



3

Multi storey car park

Stryd Thonri

Victoria St

B4419

Bangor St

Glan Mor Ucha

Florida Park

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

Minutes of the meeting of the Joint Committee held at Venue Cymru, Llandudno on Friday 3<sup>rd</sup> July 2009.

### **PRESENT: Councillor Eryl Williams (Chair) – Denbighshire County Council**

Councillor Graham Prees (Vice Chair) – Conwy County Borough Council

Councillor Mike Priestley – Conwy County Borough Council

Councillor Nancy Matthews – Flintshire County Council

Councillor Neville Phillips - Flintshire County Council

Councillor Arwel Pierce – Gwynedd County Council

Councillor G. O. Parry MBE – Isle of Anglesey County Council

Councillor Tom Jones – Isle of Anglesey County Council

### **IN ATTENDANCE:**

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

Mr Andrew Kirkham and Ms Enid Roberts

#### **Denbighshire County Council**

Mr Iwan Prys Jones

#### **Flintshire County Council**

Mr Colin Everett, Mr Carl Longland, Mr Barry Davies, Mrs Kerry Feather, Ms Louise Pedreschi and Mr Graham Connah.

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

Mr Arthur Owen

#### **North Wales Residual Waste Treatment Partnership**

Mr Stephen Penny

#### **Wales Audit Office**

John Scrimgeour

### **APOLOGIES:**

Councillor J Thompson-Hill – Denbighshire County Council and Ms Hazel Nickless (WAG/PUK).

The Chairman introduced Mr Stephen Penny (Project Director) and Mr Penny outlined his previous experience in both local government and the private sector in relation to waste management.

#### **1.(a) APOLOGIES:**

Apologies as noted above.

#### **1.(b) DECLARATIONS OF INTEREST**

No declaration of interest was received by any Member or Officer in respect of any item of business.

## **2. APPROVAL OF PREVIOUS MINUTES**

The minutes of the meeting held on 11<sup>th</sup> March, 2009 were approved as a correct record.

## **3. MINUTES ARISING FROM PREVIOUS MEETING**

There were no matters arising.

## **4. COMMUNICATIONS STRATEGY**

Colin Everett, Flintshire County Council, outlined the initial work on the consultation strategy which had been undertaken on the lines previously agreed. Internal communication would be undertaken with the Officers and Members of the five partner Councils, and external communications with the media and stakeholders. A draft newsletter had been prepared and the five Councils' Head of Communications were to agree its distribution and to upload on the Council websites together with a recirculation of the first newsletter. A copy of the draft newsletter was tabled and comments were invited to be submitted by the following week.

**It was agreed to note the report.**

## **5. PROJECT TEAM APPOINTMENTS**

Carl Longland, Flintshire County Council, reported on the recruitment process for the appointment of Mr Stephen Penny as Project Director and referred to the advertisement for an Interim Project Manager position. Interviews of a number of candidates had been held and it had been decided to appoint an Officer from Gwynedd County Council for an initial three year fixed term contract. He also reported on the personnel and financial implications of the appointment (which would be borne by each of the Councils' equally) should the position not become permanent at the end of the three year period i.e. severance. The Joint Committee's approval to the verbal report was requested and agreed.

**It was agreed to accept the report and to confirm the appointment of the Gwynedd Officer on a three year secondment and on the terms outlined.**

## **6. CONSULTANCY PROCURMENT – PROGRESS REPORT**

### **(a) UPDATE ON APPOINTMENT OF ADVISORS**

Mr Stephen Penny reported that Members of the North Wales Residual Waste Joint Committee had agreed the procurement of Legal, Financial and Technical Advisors for the project. The report updated the Joint Committee regarding the appointment of Technical and Financial Advisors and Members attention was also drawn to the appointment of Legal Advisors which was to be considered as the next agenda item.

Interviews had been held the previous day for Financial Advisors and Grant Thornton had been appointed. The interviews for Technical Advisors were to be held the following week and a report would be made back to the next meeting.

**It was agreed to note the report.**

**(b) APPOINTMENT OF LEGAL CONSULTANTS FOR RESIDUAL WASTE AND A.D. WASTE PROJECTS**

Stephen Penny presented a report on the outcome of the procurement exercise for Legal Consultants to the Residual Waste and A.D. Projects.

**It was agreed to note the decision to appoint Pinsent Masons to advise on both projects.**

**7. OUTLINE BUSINESS CASE**

Stephen Penny presented a report and explained that the Outline Business Case was a planning and management tool that would enable the Project Board, the Joint Committee and the five Authorities forming the partnership together with the Welsh Assembly Government to ascertain that the proposal was supported by a strategic case. In addition, the Business Case would epitomise value for money, ensure commercial viability, was financially affordable and could be delivered successfully.

In response to the level of funding, Mr Penny indicated that the Welsh Assembly Government, if they supported the Business Case, would provide a 25% revenue subsidy for gate fees value.

**It was agreed that the recommendations of the report be approved.**

**8. REVIEW PROJECT TIMETABLE**

Mr Stephen Penny presented a report which highlighted some of the variables and interdependencies that would impact on the project timescale. This report would be the subject of further review and updated with further reports once all the Advisors were in place and in view of experience. A further report would be made a future meeting of the Joint Committee. The most likely date for the solution to start accepting residual waste could be August 2016 as procurement would take time but if a facility was in existence this timescale would be reduced.

Stephen Penny referred to the recommendations of the report and that the Joint Committee and Project Board should authorise the Project Director to develop an interim solution Project work stream and to report back to the next meeting of the Joint Committee and Project Board.

**It was agreed to accept the report and the recommendations.**

**9. RISK REGISTER REPORT**

Mr Stephen Penny presented a report which highlighted some of the amendments to the Risk Register that have been made to reflect the current

understanding of risks and mitigation measures that were in place. He outlined the considerations of the report and to the amendments to three existing risks and the reasons for the amendments.

Colin Everett referred to Risk T4 and to procurement delays leading to increased procurement costs and emphasised the need for an Overview and Scrutiny Committee role in constituent Authorities and to allow time for consideration of the process.

Councillor Nancy Matthews suggested that in view of the importance of the Risk Register this should be an early agenda item for future meetings and this was agreed.

**It was agreed to note the updated Risk Register for the project.**

**10. PROGRESS UPDATE – WELSH ASSEMBLY GOVERNMENT – TOWARDS ZERO WASTE – A CONSULTATION ON A NEW WASTE STRATEGY FOR WALES**

Colin Everett presented the consultation document and whilst individual responses would be made by the partner Councils there was a need for the consortium to make a formal response and he sought a steer from the Joint Committee.

A discussion ensued and the Chairman referred to meetings with Jane Davidson A.M. regarding zero waste and other Members referred to methods of recycling and their impact on tonnages.

**It was agreed that Colin Everett and Stephen Penny would prepare a first draft of a response to the Welsh Assembly Government for circulation for Members' comments.**

**11. FINANCE UPDATE**

Mrs Kerry Feather presented a report to update Members on the current basis of funding for the project including the re-profiling of the Regional Capital Access Fund grant and the proposals for the development of a revised financial profiling statement for future monitoring by the Board. Mrs Feather referred to the considerations of the report and made reference to the original procurement for the Integrated Waste Disposal contract which had been split into two identifiable work streams of Residual and Food. The anticipated procurement costs of £4.793m were disaggregated between the two projects resulting in revised totals of £3.958m for Residual Waste Project and £0.835m for the Food Waste Project. The result was that the contribution from each of the five participating Authorities in the Residual Waste Project was revised to £0.818m. In addition to this primary source of funding the Welsh Assembly Government had awarded the project partnership a grant of up to a maximum of £0.670m from the Regional Capital Access Fund.

Table 1 of the report in paragraph 3 set out the breakdown of the £0.670m and the profiling of the grant over financial years 2008/2009 to 2010/2011. Verbal agreement had been received by Colin Everett from WAG that the total grant could be re-profiled over the procurement phase of the project. Reference was made to

the procurement process and the engagement of specialist professional advisors which was now well advanced. When this process was completed the expected total costs of specialist advisors would be known and this would represent a considerable proportion of the total cost of the project. The initial profiling of total costs for the project needed to be revised to take account of the removal of the food waste element. Colin Everett referred to the grant profile which could be shown once all the advisors were in post.

In conclusion, Stephen Penny confirmed that he had reviewed the total budget and that this was adequate to fund the project.

**It was agreed that the revised profiling of the project team costs should be funded by the Welsh Assembly Government Regional Capital Access Fund grant and the proposals for review and updating of the financial profiling statement for use in future monitoring and reporting, be noted.**

## **12. WALES AUDIT OFFICE – NORTH WALES WASTE MANAGEMENT STUDY**

Colin Everett introduced John Scrimgeour of the Wales Audit Office who presented the Wales Audit Office report. He referred to the purpose of the issues paper and to the study into Waste Management in North Wales in terms of the regional partnership and local waste issues. He referred to some of the key issues and lines of inquiry and made particular reference to capacity and resources issues together with the time factors involved. He asked for individual partner preferences for how the study was to be reported/presented to each partner Council and the majority view was that they would prefer a presentation to each Full Council.

**It was agreed to accept the report and the individual partner preferences for reporting the study to their Council meetings.**

## **13. FUTURE MEETING DATES**

It was agreed to the following dates for future meetings of the committee.

- |                 |   |                                                                                 |
|-----------------|---|---------------------------------------------------------------------------------|
| Project Board   | – | 3 <sup>rd</sup> September at 2pm in Gwynedd with the venue to be confirmed      |
| Joint Committee | – | 17 <sup>th</sup> September at 2pm in Gwynedd with the venue to be confirmed     |
| Project Board   | – | 27 <sup>th</sup> November at 2pm in the Delyn Committee Room, County Hall, Mold |
| Joint Committee | – | 9 <sup>th</sup> December at 2pm in the Delyn Committee Room, County Hall, Mold  |



**AGENDA ITEM NO: 4****REPORT TO: NORTH WALES RESIDUAL WASTE JOINT COMMITTEE****DATE: 17 SEPTEMBER 2009****REPORT BY: PROJECT DIRECTOR****SUBJECT: RISK REGISTER REPORT****1. PURPOSE OF REPORT**

- 1.1. The members of the North Wales Residual Waste Joint Committee have requested that they are provided with an update of the Risk and Issues 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 and Issues Register as considered by the previous meeting of this Joint Committee will require continued update throughout the project lifespan.
- 2.2. The Project Director has carried out a review of the risk register and has updated it as appropriate.

**3. CONSIDERATIONS**

The risk register has been updated as shown in the accompanying appendix.

Existing risk	Amendment	Reason for amendment
Risk T2	Renamed as PS 4	Specific Planning and Sites specific element of risk register now developed
Risk S9	Renamed as PS 1	As above
	New risk – PS2	Reference sites identified within OBC could lead to significant opposition to proposed development. As a result planning committee(s) and /or judicial review may not support a positive planning outcome if early engagement is not carried out with affected communities.
	New risk – PS3	Risk of challenge to planning approvals if opportunity not given to stakeholders to input to the development of the specifications and evaluation frameworks

		that will underpin the procurement and subsequent facility planning approvals process.
	New Risk – R7	Risk of WAG changing financial support available for residual waste treatment projects due to WAG affordability / budgetary constraints in the current economic climate.
	New Risk – T8	Risk that OBC timeline is delayed if required information in terms of tonnage, future recycling / diversion performance (front end) and service costs are not fully available.

3.1. Please note that the project team together with the legal, technical and financial advisors will carry out a fundamental review of risks and the risk register during development of the Outline Business Case

#### **4. RECOMMENDATIONS**

4.1. That the Joint Committee note the updated Risk and Issues 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

IDENTIFYING THE RISK or ISSUE						MANAGING THE RISK or ISSUE						
ID	Risk / Issue (i.e.: Threat to the Project)	Consequence	Current Assessment			How the risk will be managed and controlled				Impln Date	Review Date	Closure Date
			Impact	L'hood	Overall	Already in Place	Who is Managing	Not in Place (Proposed)	Who will Manage			
<b>Resourcing - Staff / Advisors / Funding</b>												
R1	Outstanding Team appointments	Project team under resourced leading to project slippage	3	2	6	Proposed team requirements specified. Interim Project Director now in role. Project Manager interviews arranged following advertisement for internal secondee.		Authorities to nominate appropriate individuals and to backfill their posts. <b>Input required from key officers in Partner Authorities. PD has produced an estimated resource input schedule to assist Partner authorities in resource management</b>	Individual Partner Authorities			
R2	Unclear definition of responsibilities of the project team	Tasks not completed. Risks and issues not escalated.	3	1	3	Job Descriptions for key roles		Project structure with outline Job Descriptions included in PID	PD			
R3	Lack of Budget profile leads to unexpected surplus	Surplus is absorbed and re-application required	3	2	6	PUK/WLGA investigating spend by discipline. Finance Officer was appointed to the team		Payments based on milestones. <b>PD has updated project budget profile. PD to monitor and manage</b>	PD			
R4	Funding not Provided from Treasury	Project Delayed whilst costs are reduced or Project suspended	4	1	4	OBC planned programme that is designed to meet WAG requirements		FBC (Final Business Case) required when Procurement completed . Need to ensure procured solution is consistent with the objectives of the original OBC.	PD	Ongoing		
R6	Consultants not appointed using correct procedures	Project delays whilst appointments challenged	4	1	4	Project Consultants Technical at ITT and Legal appointments about to be appointed. Financial outstanding but being progressed.		Take advice from Procurement specialists and PUK		Aug-09		27/07/2009
R7	<b>WAG changes financial support available for residual waste treatment projects due to WAG affordability / budgetary constraints in the current economic climate</b>	<b>Residual waste treatment projects become less affordable for partnership and each partner authority</b>	4	3	12	<b>Project Team in contact with WAG and PUK to ensure OBC &amp; subsequent procurement to be delivered in a timely fashion to ensure NWRWTP project benefits from WAG funding (that may diminish over time as other projects come on line)</b>		<b>Project Team to monitor WAG positions in terms of budget availability and lobby at ministerial level if there are indications that proposed funding is to be reduced</b>	PD	Sep-09		
<b>Timescales</b>												

T1	Multi-Authority Approach leads to protracted discussions to resolve issues	Consultancy costs increase. End date not met. LAS penalty risk increased.	3	3	9	Project Plan detailing timescales		Cabinet meeting dates to be obtained from participating Authorities for inclusion into the project plan to assess impact. documentation distribution to be widened at discretion.	PM			
T3	Partner LA doesn't sign Inter Authority Agreement (IAA)	Project delayed whilst revisions are made to IAA document	3	2	6			Newly appointed legal advisors to commence work on Partnership Agreement with Partner Authority legal leads	BD	Commence July 2009, Complete Nov 2009.		
T4a	Procurement delays lead to increased procurement costs (due to extended procurement process)	LA's seek additional funding or withdraw	3	3	9	Cabinet reports sought to extend finance as required beyond budget		Manage procurement delays by appropriate design of procurement process.	PD	Jan-10		
T4b	Procurement delays lead to increased procurement costs (due to extended Approvals processes)	LA's seek additional funding or withdraw	3	3	9	PID identifies projected timeline and key decision points.		WAG PO / PUK Transactor feedback on streamlining approvals process to be considered. Project Director (with support from the Waste Board) to seek to ensure approvals processes are identified early and streamlined.	PD	Nov-09		
T5	Key Activities not identified in Project Plan	Potential for project to be delayed due to lack of resource or dependability issues	3	1	3	WAO and PUK experts to scrutinise Project documentation		Technical, Legal and finance advisors feedback on project plan to be sought and any required amendments incorporated	PD	Aug-09		
T6	WAG Policy changes affecting project (emissions/landfill diversion)	Project delayed whilst impact of change and mitigation measures determined	4	4	16			Keep in close contact with WAG to ensure potential policy changes that may impact on the project are identified early.	PD	Ongoing		
T7	Environmental Activists seek to delay construction	Project/build potentially disrupted	3	3	9	Pro-Active Communication Plan & involvement of EA and HIA		Appointment of PR Consultants				
T8	OBC timeline is delayed if required information in terms of tonnage, future recycling / diversion performance (front end) and service costs are not fully available.	OBC is delayed if more work is required to generate this information. If the OBC is developed without this information being fully available, WAG may reject the OBC and require re submission once their work has been completed.	4	3	12	Engagement with technical consultants, and discussions with technical officers.	PD/PM	Until information received from partner authorities it is not know what further work will be required.				
Procurement Process - Decision Making / Competition/Method Policy - National / Local Finance - Affordability/Budget										04-Sep-09		

P1	One of the Partner LA's withdraw during PQQ	New OJEU notice has to be placed	5	2	10	Procurement Agreement to be drafted to tie Authorities in to the PQQ procurement phase.		Comprehensive PID endorsed by all participating partners. Partnership Agreement will be signed by all Partner Authorities before OJEU Notice published	BD			
P2	Existing contracts and facilities prevent all participating authorities to utilise all elements of the proposed final solution	Payment made by authorities in duplication	2	2	4	Facilities paid for on a gate fee by use, not availability		Agreement on payment mechansim will be sought at same time as JWA to ensure basis of payments agreed.	PD			
P3	LAS Risk for the contractor deters potential bidders	insufficient competition for contract	4	2	8			-A risk allocation workshop to be programmed by the Project Director with input from Advisors to ensure appropriate risk allocations are made for the procurement and that the Partnership adopt a commercially deliverable and sustainable position.	PD	Nov-09		
P5	Potential bidders do not bid due to the costs associated with Competitive Dialogue process	Reduced Competition on bid process	4	2	8			To ensure a suitably streamlined, timely and well delivered procurement process adopted. Appropriate use and instruction of advisors. Input from WAG PO and PUK.	PD	Ongoing		
P6	Potential bidders do not bid due to the Risks being passed to the Contractor	Reduced Competition on bid process	4	2	8			A risk allocation workshop to be programmed by the Project Director with input from Advisors to ensure appropriate risk allocations are made for the procurement and that the Partnership adopt a commercially deliverable and sustainable position.	PD	Nov-09		
P7	Potential bidders do not bid due to lack of cohesiveness of the Partnership	Reduced Competition on bid process	4	2	8	Partnership Agreement & Governance Arrangements drafted		All related documentation signed prior to PIN & OJEU				
P8	Potential bidders do not bid due to the prescriptive requirements	Reduced Competition on bid process	4	2	8	Procurement is 'Open' Technology		Ensure appropriate design of procurement process.	PD	Nov-09		

P9	Cost of Contract too High	Project Re-tendered	4	4	16		Allow variants within the bid to remove elements to bring costs down. Use of competitive Dialogue will allow some iteration and amendment to risk allocation and specifications if required	PD	Ongoing		
P10	Variant bid and resultant funding arrangements are present in PQQ	PQQ evaluation period extended to accommodate variations and risks regarding funding methodologies	2	2	4	Financial assessment to be undertaken by consultancy	Review of this position to be undertaken in conjunction with advisors as part of procurement design process	PD	Nov-09		
P11	Decision on award of contract is not left solely with Lead Authority	Selection of Contractor is delayed due to multi-Authority Involvement (Cabinet Process)	4	3	12		Project Champions from participating Authorities shall evaluate the bid without disclosure to members/senior staff (GMWDA Model)- Evaluation approach will be determined prior to OJEU publication	PD	Nov- Dec 09		
P12	Solution offered is not technically viable	landfill diversion not obtained, LA's incur infraction penalties	5	2	10	LAS infraction fine passed to contractor. Technical viability scored within procurement documentation	Appropriate evaluation framework (based on WAG Framework) to be developed and utilised for the project.				
P13	Technological solutions offered are not commissionable within LAS infraction timescales	LA' s face infraction fines for additional landfill above allowance	4	4	16		Identification of intermediate solutions. Workstream to be initiated If OBC reference case modelling indicates interim solution required.	PD	Nov-09		
P14	Bids scored by inexperienced internal team	Solution selected is not the most advantageous tender and is open to challenge by unsuccessful bidders	4	3	12		Bid team selected by Project Director and PUK				
P15	Bids scored by external consultants	Solution selected does not meet local requirements and is not accepted by LAs	4	2	8		Bid team selected by Project Director and PUK including mix of appropriate skills (including advisors)				
P16	Officer(s) are perceived to have preconceived ideas of the 'best' solution	Lack of trust of bidder selection and solution selected	4	2	8		Agreed scoring criteria and evaluation Framework (Based on WAG Framework) Moderation of scores to ensure consistency of evaluation approach.	PD	Jan-10		
<b>Specification - Ambiguity/Scope Creep Planning - Sites/Availability Communication Approvals</b>											

S1	Mis-information to Members caused by differences in reports and documentation	Authorities working to different agendas/outcomes leading to a breakdown in the consortia	3	2	6		Communication protocol established to ensure consistency of message	PM			
S2	RDF produced Cannot be sold	RDF is landfilled	4	2	8		Review of this position to be undertaken in conjunction with advisors as part of procurement design process	PD	Nov-09		
S3	RDF quality not consistent due to inflow of residual	Purchaser of RDF rejects loads	4	2	8		Contractor to guarantee calorific value within tolerance limits-A risk allocation workshop to be programmed by the Project Director with input from Advisors to ensure appropriate risk allocations are made for the procurement and that the Partnership adopt a commercially deliverable and sustainable position.	PD	Nov-09		
S4	LA fails to supply required volumes of waste for treatment	Contractor invokes penalty clause to meet targets	4	3	12		Waste volumes set at minimum levels and monthly monitoring of waste arisings until contract sign to provide clarity. A risk allocation workshop to be programmed by the Project Director with input from Advisors to ensure appropriate risk allocations are made for the procurement and that the Partnership adopt a commercially deliverable and sustainable position.	PD	Nov-09		
S5	Waste composition analysis not as Eunomia / AEA	Contractor unable to determine appropriate technology for treatment / EfW	2	3	6		Waste composition to be monitored during procurement and data shared at Competitive Dialogue to inform solution. All Wales Waste composition analysis being delivered by WAG through WRAP. Initial work commencing in June 09.				



S6	LA collection methodology leads to peaks and troughs of supply	treatment plant unable to cope with wide variance in volumes / composition	3	3	9		LA's sign LAA to ensure even flow of material to facilities as determined by the contract. A risk allocation workshop to be programmed by the Project Director with input from Advisors to ensure appropriate risk allocations are made for the procurement and that the Partnership adopt a commercially deliverable and sustainable position.	PD	Nov-09		
S7	Potential bidders do not bid as volumes of waste are too small	Reduced Competition on bid process	4	2	8		Consider adding Commercial and Industrial waste to scope of project. Consider allowing bidders to be open to other contracts Review of this position to be undertaken in conjunction with advisors as part of procurement design process	PD	Nov-09		
S8	WAG waste management targets change	Local Authorities will incur penalties regardless of this project	4	4	16		Project Director to keep in close contact with WAG to ensure potential policy changes that may impact on the project are identified early. (See risk T6)	PD	Ongoing		

<b>Planning and Sites</b>											
PS1 (was S9)	Regional Waste Plan is in conflict with potential solutions	Reduced Competition on bid process	4	2	8		Planning and Site Workstream to be set up to assist in reducing site and planning uncertainty and improve prospects for a positive planning outcome for the project.	PD	Aug-09		
PS2	Reference sites identified within OBC could lead to significant opposition to proposed development. As a result planning committee(s) and /or judicial review may not support a positive planning outcome if early engagement is not carried out with affected communities.	Risk of un successful planning application or judicial review against planning consent and therefore inability to deliver the project as procured.	4	3	12		Early communications effort and engagement with community and local busniesses that could be directly affected by the potential development of a waste facility.	PM	ep 09 onwards		

PS3	Risk of challenge to planning approvals if opportunity not given to stakeholders to input to the development of the specifications and evaluation frameworks that will underpin the procurement and subsequent facility planning approvals process.	Risk of un successful planning application or judicial review against planning consent and therefore inability to deliver the project as procured.	4	3	12			Specifications and Procurement evaluation frameworks to be developed ensuring adequate / sufficient opportunity given or stakeholder input.							PM	Mar-10
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## **AGENDA ITEM NUMBER 5**

**REPORT TO :**            **NORTH WALES RESIDUAL WASTE JOINT COMMITTEE**

**DATE :**                **17 SEPTEMBER 2009**

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

**SUBJECT :**            **COMMUNICATIONS AND ENGAGEMENT STRATEGY**

### **1.00 PURPOSE OF REPORT**

1.01 To update Members of the Joint Committee on progress with developing the headline structure and content of a Communications and Engagement Strategy for the project.

### **2.00 BACKGROUND**

2.01 The project will involve the procurement of residual waste treatment services that will be of interest to both external and internal stakeholders as well as members of the public. It is critical to a successful project outcome that a Communications and Engagement Strategy is developed and delivered to support the project.

2.02 A number of key risks in delivery of the project relate to understanding of the project by key stakeholders and the management of communications and engagement (please see the Project Risk and Issues Register at Agenda item 4) and thus a robust Communications and Engagement Strategy will be required to manage these risks.

### **3.00 CONSIDERATIONS**

3.01 The attached draft Communications and Engagement Strategy in its present form is a headline strategy that will be developed further over the coming weeks and months of the project. The Project Manager will work with the project team and partner authorities together with Waste Awareness Wales (A National campaign to ensure high standards of communications in waste projects is achieved) to further develop the strategy.

3.02 The project commenced work on the Outline Business Case (OBC) in August 2009. A number of areas thus require addressing within a Communications and Engagement Strategy at this point.

Key areas that will require focus are:

- Internal approvals – key briefings for decision makers, and internal stakeholders.

- Early communications and engagement with communities and local businesses potentially directly affected by identified reference sites to be named in an OBC. (The OBC will become public domain and it is important that engagement and communication have commenced early)
- Preparation of Questions and Answers (Q&As) in the expectation of media and stakeholder interest during / after approvals for the OBC.
- Enablement of stakeholder input to the development of key procurement deliverables (e.g. output specification and procurement evaluation frameworks) and thus reducing the risks of a successful challenge to any subsequent planning approvals process.
- Preparation of a “Partnership” identity to support the forthcoming procurement process (e.g. a web site that will go live prior to procurement commencement)

The Project Manager will work with each partner authority and the technical advisors to the project in the first instance to further develop the activities to deliver the strategy. The project team will consider securing specialist communications/ PR advice once the overall strategy priorities have been finalised.

## **RECOMMENDATIONS**

- 4.01 Note the attached draft Communications and Engagement Strategy.
- 4.02 To agree the areas for initial focus as described within this report.

## **5.00 FINANCIAL IMPLICATIONS**

- 5.01 The Project Director has allocated a communications and stakeholder engagement budget of £100k for 2009/10, £100k for 2010/11 and £120k for 2011/12 from within the total budget allocated to the project (please see Agenda Item 7 Project Progress Report). It should be noted that the figures above are for community engagement and consultation work which will be associated with any planning applications as well as communications and have been set based on past experience of requirements of similar projects.

## **6.00 ANTI POVERTY IMPACT**

- 6.01 None

## **7.00 ENVIRONMENTAL IMPACT**

- 7.01 None

## **8.00 EQUALITIES IMPACT**

- 8.01 None

## **9.00 PERSONNEL IMPLICATIONS**

- 9.01 None

## **10.00 CONSULTATION REQUIRED**

10.01 None

**11.00 CONSULTATION UNDERTAKEN**

11.01 None

**12.00 APPENDICES**

12.01 None

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**  
**BACKGROUND DOCUMENTS**

Contact Officer : Stephen Penny  
Telephone : (01352) 704914  
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## **NWRWTP Communications and Stakeholder Engagement Strategy Working Draft**

### **1 Introduction**

This is a draft Communications and Stakeholder Engagement Strategy for the North Wales Residual Waste Treatment Project.

#### **1.1 What is Stakeholder Engagement?**

To understand what engagement is, we first need to define it. The word engagement is used as a catch-all to describe different ways of involving stakeholders. It describes processes that seek the views of individuals or groups on policies, plans or projects that may affect them directly or indirectly. A stakeholder is any person or organisation who has, or perceives themselves to have, a stake in a situation or decision. They might be residents, people running local businesses, amenity groups, environment groups, health workers and so on.

In the case of waste management, engagement includes a range of activities from educating and informing the public as to the need for residual waste treatment services to consultation with stakeholders on the evaluation framework to be utilised for a procurement process and the design and location of a facility.

### **2. What do we want to have at the end of the engagement process?**

The following outcomes are sought for the North Wales Residual Waste Treatment Project-

- a clear sense of stakeholders' most and least favoured options
- a list of concerns and needs related to each option
- agreed criteria by which to assess options
- improved relationships with stakeholders
- identification of requirements for additional information about sites
- scrutiny of and agreement of the data and information being used
- Well informed residents and stakeholders

#### **2.1 Types of Engagement**

Engagement can take many forms, from public meetings to web-based debates, from workshops to questionnaires. Sometimes bracketed with engagement are terms such as 'public participation' and 'stakeholder dialogue'. These terms imply the handing over of some power and responsibility to stakeholders. Stakeholder dialogue and public participation

generally indicate a profound level of involvement between the organisation doing the engaging and the stakeholders being engaged, where serious dialogue and deliberation require a commitment of time and resources.

## 2.2 Purpose of Engagement

### Project Delivery

Engagement is an extremely effective way of informing a decision-making process. By talking to the people most knowledgeable about and/or affected by a decision, it is possible to reveal facts or issues that would otherwise have remained obscured. This extra information can help the partnership to develop the best possible waste solution and as a result the Partnership should engage with the community at an early stage in discussing site proposals and planning applications.

### Engagement in waste planning implementation (development control)

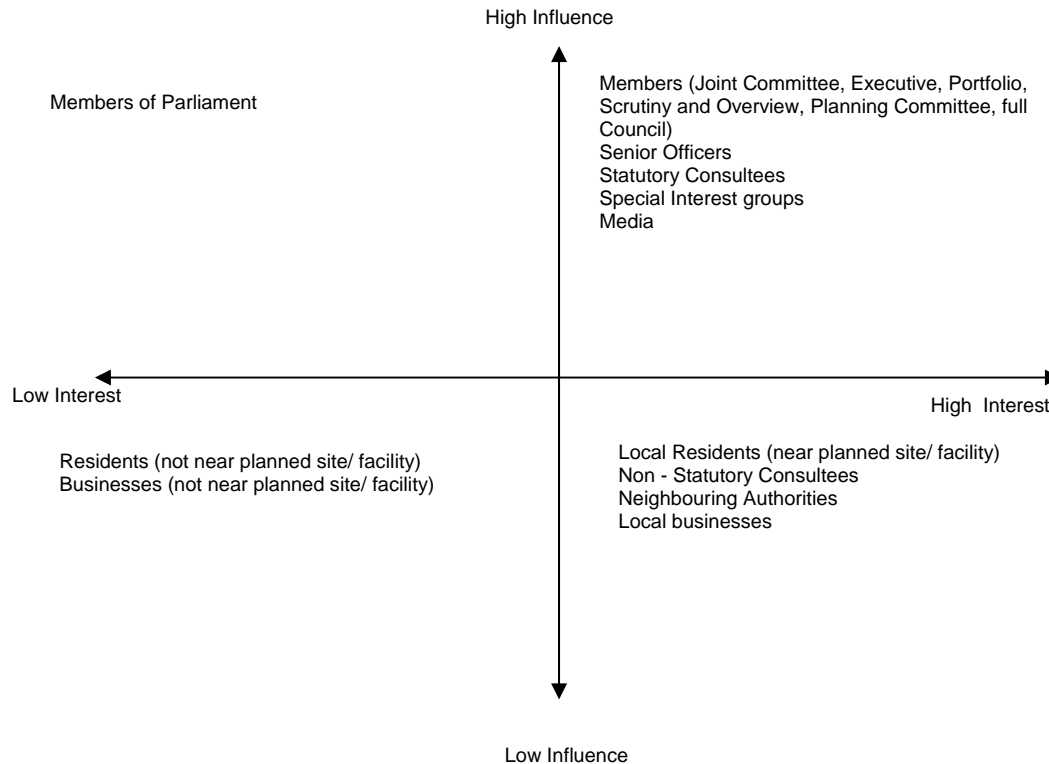
Waste planners, like all planners, are required by law to engage stakeholders at various stages throughout the planning process but it is at the pre-submission stage of the planning process that local people can feel most engaged and can therefore most effectively influence development proposals. The main types of engagement required in the planning process are:

- **Publicity.** Planning authorities are required to publicise planning applications so that neighbours and other interested parties have the opportunity to make their views known.
- **Consultation.** Planning authorities are required to notify certain statutory consultees of a planning application within a set time-scale.
- **Non-statutory stakeholders** may also be consulted. Statements of Community Involvement (SCI) set out the local authority's policy for engaging with the public on planning decisions. SCIs can go above and beyond the statutory requirements for engagement.

## 3. WHO? STAKEHOLDER ANALYSIS

Stakeholder analysis allows the Partnership to identify who to engage with. It consists of three main steps: identification, assessment and enlisting. It enables the Partnership to develop a better understanding of the groups and individuals with a stake in a project. Involving the right people not only helps to ensure that a process works well, but is also essential for the legitimacy and credibility of the whole process.

Figure 3.1 (below) illustrates the initial stakeholder identification for the NWRWTP



#### 4 When? Timing

The Partnership will need to ensure that the engagement happens at the most appropriate stage in the process. The crucial principle is to engage at the stage at which stakeholder input can best be absorbed: too early and the input may be too vague (because so are your objectives); too late and it will be very difficult to incorporate.

Annexe 1 illustrates the most appropriate timing for engagement of the identified stakeholders for the NWRWTP

#### 5 How? Methods

Choosing the right methods of engagement is an important step in designing an engagement process. There are a wide range of tools and techniques for stakeholder engagement. These are not mutually exclusive and can be used in parallel or sequentially on the same engagement exercise if that is what the circumstances require.

Annexe 1 illustrates the most appropriate method for engagement of the identified stakeholders





## 6 Communications protocols

All drafting and finalisation of documentation, press releases, invitations to meetings etc must be checked with all those who need to approve them.

### Insert table here with nominated approvers

Use plain language throughout. Ensure that key players such as neighbouring local authorities or local industry are aware of the engagement process; in most cases they will have been made aware of, or even involved as part of the planning or development process, but a 'no surprises' rule keeps people happy.

Ensure that there is always one person as a named point of contact on any documentation/invitation letters for comments or complaints from stakeholders on how the process is being managed. Technical questions about the issues involved should, however, be routed to the appropriate manager.

*TBC in consultation with each partner authority communications teams*

## 7 SWOT analysis for the NWRWTP

<p><b>Strengths</b></p> <ul style="list-style-type: none"> <li>○ Clear need for residual waste treatment facilities</li> <li>○ Financial Commitment for OBC development demonstrated in PID.</li> <li>○ WAG is a supporter of need for new residual waste treatment services.</li> </ul>	<p><b>Weakness</b></p> <ul style="list-style-type: none"> <li>○ Lack of internal officer time capacity/ resources</li> <li>○ Potential for disagreements within partnership (ability to maintain a joint vision)</li> </ul>
<p><b>Opportunities</b></p> <ul style="list-style-type: none"> <li>○ Save money (economies of scale)</li> <li>○ Provide access to facilities for LA with less tonnages</li> <li>○ Environmental/Sustainable benefits</li> <li>○ Meet National Targets</li> <li>○ Reduce reliance on landfill</li> </ul>	<p><b>Threats</b></p> <ul style="list-style-type: none"> <li>○ Site Issues</li> <li>○ Planning</li> <li>○ Political perception</li> <li>○ Public perception</li> <li>○ Changes in Targets/ Legislations (move goal posts)</li> <li>○ Market Interest</li> </ul>

### Annexe 1 The most appropriate timing for engagement of the identified stakeholders for the NWRWTP

Stakeholder	Stages for engagement	Method of Engagement	What	Who
Members - Joint Committee	All stages	Reports to PB. Briefings as required. Workshops	All aspects of the project	Project Director Advisors Project Board
Members - Individual Partner Authority Scrutiny and Overview,	When OBC and JWA early draft available Pre – final tender and contract award.  During development of the OBC	<ul style="list-style-type: none"> <li>• Newsletter</li> <li>• Joint briefings.</li> <li>• Individual Partner authority Briefings</li> </ul> Workshops	Key aspects of the reference solution, budgetary position and joint working agreement  Specification and evaluation frameworks	Project Director Advisors Project Board representatives Technical, financial officers from Partner authorities.
Members -Planning Committee	Pre -application	Briefings  Visits to example /existing residual waste treatment facilities	General understanding re the need for residual waste treatment and the performance etc of residual waste treatment technologies that may be proposed.	TBC
Members -full Council	When OBC and JWA early draft available Pre – final tender and contract award.		General understanding re the need for residual waste treatment and the performance etc of residual waste treatment technologies that may be proposed.  Key aspects of the reference solution, budgetary position and joint working agreement	
Senior Officers	When OBC and JWA early draft available Pre – final tender and contract award.  During development of the	Workshops	Key aspects of the reference solution, budgetary position and joint working agreement  Specification and evaluation	

Stakeholder	Stages for engagement	Method of Engagement	What	Who
	OBC		frameworks	
Planning and regulatory Officers	During development of the OBC	Visits to example /existing residual waste treatment facilities	Consult on suitability/ status of the reference site(s) and potential for sites(s) to house specific technology proposed in reference solution	
Statutory Consultees (EA etc)	During development of the OBC	Briefings	Key aspects of the reference solution  Consult on suitability/ status of the reference site(s) and potential for sites(s) to house specific technology proposed in reference solution	
Special Interest groups	During development of the OBC / contract documentation	<b>Focus group – workshop</b>  Publish on Web site.	Specification and evaluation frameworks  Key aspects of the reference solution	
Media	OBC and key stages of procurement		General understanding re the need for residual waste treatment and the performance etc of residual waste treatment technologies that may be proposed.  Site specific proposals	PR Agency to be secured

Stakeholder	Stages for engagement	Method of Engagement	What	Who
Local Residents (near planned site/ facility)	<p><b>Early during OBC development (as reference sites will become public domain)</b></p> <p>Key stages pre-application</p>	<p>Local meetings Briefings materials Brief local media Involve local members</p> <p>TBC - Requires planning engagement</p>	<p>General understanding re the need for residual waste treatment and the performance etc of residual waste treatment technologies that may be proposed. Key aspects of the reference solution</p> <p>Site specific proposals</p>	Community engagement specialists to be secured
Non - Statutory Consultees	TBC		<p>General understanding re the need for residual waste treatment and the performance etc of residual waste treatment technologies that may be proposed.</p> <p>Key aspects of the reference solution</p> <p>Site specific proposals</p>	
Neighbouring Authorities	TBC		<p>General understanding re the need for residual waste treatment and the performance etc of residual waste treatment technologies that may be proposed.</p> <p>Key aspects of the reference solution</p> <p>Site specific proposals</p>	

Stakeholder	Stages for engagement	Method of Engagement	What	Who
Local businesses			<p>General understanding re the need for residual waste treatment and the performance etc of residual waste treatment technologies that may be proposed.</p> <p>Key aspects of the reference solution</p> <p>Site specific proposals</p>	
Members of Parliament	Pre OBC submission to WAG	Copied in on member newsletters and 1:1 Briefing	<p>General understanding re the need for residual waste treatment and the performance etc of residual waste treatment technologies that may be proposed.</p> <p>Site specific proposals</p> <p>Key aspects of the reference solution</p>	
Residents (not near planned site/ facility)	On OBC approval	Web site Partner authorities include within regular communications/ publications	<p>General understanding re the need for residual waste treatment and the performance etc of residual waste treatment technologies that may be proposed.</p> <p>Site specific proposals</p>	PR Agency to be secured

Stakeholder	Stages for engagement	Method of Engagement	What	Who
Businesses (not near planned site/ facility)	On OBC approval	Web site Partner authorities include within regular communications/ publications	General understanding re the need for residual waste treatment and the performance etc of residual waste treatment technologies that may be proposed. Site specific proposals	PR Agency to be secured
<b>Etc.</b>				

## Annexe 2 Engagement / Communication Resource and Activity Programme (examples)

Activity	When	Estimated costs	Comment
Newsletter for members	4 times per year	TBC	Printing/ distribution costs
Direct engagement with those communities potentially directly affected by site-specific proposals.	Before OBC becomes public domain – October / November 2009	£15k per site	Includes initial newsletter, preparation of Q&As, determining initial interest level, concerns and information requirements followed by local independently facilitated consultative / briefing meetings
Contract specification and evaluation framework stakeholder engagement	TBC	Workshops for members and officers already included for within advisor costs.  Special Interest groups and invited Focus group workshops £35k	Workshops held separately for <ul style="list-style-type: none"> <li>• Members</li> <li>• Officers</li> <li>• Special Interest groups</li> <li>• Invited Focus group</li> </ul> <p>Independently facilitated workshop for Special Interest groups and invited Focus group (a set of 3 workshops for each group)</p>
Web site (dedicated information to NWRWTP)	When reference solution known (November 2009)	£15k	Web design, hosting and content management (including production of Q&A s)
Member briefings (Joint Committee) re OBC/ JWA	Pre OBC approvals meeting (Nov/ Dec 2009)	£2k	Assumes detailed advisor led briefing.
Executive Member briefings (Individual Partner Authority) re OBC/ JWA	Jan/ Feb 2010	TBC	TBC

**AGENDA ITEM NUMBER 7****NORTH WALES RESIDUAL WASTE TREATMENT PROJECT  
PROGRESS REPORT****NORTH WALES RESIDUAL WASTE JOINT COMMITTEE****Date : 17<sup>th</sup> September 2009****Period: – 1<sup>st</sup> July 2009 to 20<sup>th</sup> November 2009****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>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.

<b>Overall Project Status</b>	
Green	The Project Manager Steffan Owen joins the team on 3 <sup>rd</sup> August 2009. The external advisor team are now fully in place. The project initiation meeting is scheduled for the 20 <sup>th</sup> August 2009 with work due to commence on the OBC following this meeting.

<b>Budget status</b>	
Green	Total spend 2008/09 was £79k. The Project Director has submitted as re-profiled RCAF allocation to WAG on 22 July 2009. Verbal agreement given at meeting, awaiting written confirmation from WAG. Re-profiled budget now produced by Project Director – (see attachment to this report). Confirmation at this stage that budget estimates as contained within the approved PID will be adequate to deliver the project.



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**PROJECT UPDATE – Activities due for completion 1<sup>st</sup> July to 21<sup>st</sup> August 2009**

ID	Activity	RAG status	Comments	Forecast
	Appointment of Project Manager	Green	Steffan Owen to joined the project on 3rd August 2009	03 Aug 09
	Appointment of legal advisors	Green	Official orders being raised.	30 July 2009
	Appointment of financial advisors	Green	Official orders being raised.	30 July 2009
	Appointment of technical advisors	Green	Official orders being raised.	30 July 2009
	Organisation of Project Initiation meeting	Green	Arranged for 20 <sup>th</sup> August 2009	27 July 2009
	Estimate of partner authority officer resource input to project	Green	PD has produced first draft and circulated to partner authorities on 30 July 2009	30 July 2009
	Project Initiation meeting	Green	Key aspects of OBC development outlined. Technical and financial information requirements of partner authorities identified.	20 August 2009

**PROJECT UPDATE – Activities due for completion 1<sup>st</sup> August 2009 to 1<sup>st</sup> November 2009.**

ID	Activity	RAG status	Comments	Forecast
	September meetings between Grant Thornton and Finance Offices with support from Technical Officers	Green	To identify detailed budgetary and information requirements to support development of the OBC.	11 September 2009
	Contact each partner	Green		4 September

	authority to confirm timetable of OBC and JWA approvals			2009
	Update Project Plan to reflect OBC and JWA approvals timeline and share with WAG	Green	Approvals timeline a critical factor in finalising project plan. Updated version to be shared with WAG to confirm OBC submission date and project delivery timetable	8 September 2009
	WAG written confirmation of acceptance of re-profiled RCAF grant	Amber	Awaiting WAG confirmation of timetable	2 <sup>nd</sup> week September 2009
	Partner authority data provision to technical advisors to enable waste flow model development	Green	Technical advisors to liaise with partner authority technical officers following project initiation meeting	8 September 2009
	Initial meeting between legal advisors and partner authority legal officers re the development of the JWA/ IAA	Amber	Was due for 1 <sup>st</sup> week of September, but now schedules for 3 <sup>rd</sup> week in September.	3 <sup>rd</sup> week September 2009
	The requirement for and approach to the potential need for interim residual waste treatment capacity will be identified as part of the OBC development process	Green	Work will commence in September and October as part of the waste flow modelling to be carried out by the technical consultants	October 2009
	The Technical consultants to be instructed in relation to the sites and planning Workstream	Green	Project Director to instruct	August 20th
	Development of a waste flow model to underpin development of the reference solution	Green		Sep



# NWRWTP

North Wales Residual Waste Treatment Project

	Risk Workshop	Green		Sep
	Development of the reference solution	Green		Oct
	Development of affordability and shadow tariff models	Green		Oct
	Development of strategic case within OBC	Green		Oct
	Development of economic, commercial and financial case within OBC	Green		Oct
	Working draft of OBC shared with DESH	Green		30 Oct
	Planning health check (to accompany OBC) completed	Green		Oct
	Finalised OBC	Green		20 Nov
	Finalised JWA	Green		20 Nov

**KEY RISKS** – See item 4 on this agenda.

**Budget Update - WAG RCAF Grant re-profile (July 2009)**

**Original Allocation / Profile**

WAG RCAF Grant

<b>Period</b>	<b>Activity (ref to QA Regime Annex A)</b>	<b><u>Funding</u> <u>Cap £m</u></b>
1 April 2008 to 31 March 2009	Stage 1 Project Preparation	0.075
1 April 2008 to 31 March 2009	Stage 2 Business Case Production	0.195
1 April 2009 to 31 March 2010	Stage 3 Procurement Activities	0.2
1 April 2010 to 31 March 2011	Stage 3 Procurement Activities	0.2

**Amended Profile**

<b>Period</b>	<b>Activity (ref to QA Regime Annex A)</b>	<b><u>Funding</u> <u>Cap £m</u></b>
1 April 2008 to 31 March 2009	Stage 1 Project Preparation	0.075
1 April 2009 to 31 March 2010	Stage 2 Business Case Production	0.195
1 April 2010 to 31 March 2011	Stage 3 Procurement Activities	0.2
1 April 2011 to 31 March 2012	Stage 3 Procurement Activities	0.2

### **NWRWTP – PROJECTED SPEND PROFILE 2009/10 TO 2011/12**

<b>Spend year</b>	<b>2008/09</b>	<b>2009/10</b>	<b>2010/11</b>	<b>2011/12</b>	<b>Total</b>
Project Management costs	£79,000	£228,200	£253,462	£256,152	£816,814
Advisor costs (core)		£154,805	£484,656	£147,882	£787,343
Additional /time and cost works		£515,000	£412,500	£492,500	£1,420,000
Potential site option/ lease payment)		£100,000	£200,000	£200,000	£500,000
<b>Total costs</b>	£79,000	£998,005	£1,350,618	£1,096,534	£3,524,157
Project Contingency (10%)		£99,801	£135,062	£109,653	£352,416
<b>WAG RCAF contribution</b>	£75,000	£195,000	£200,000	£200,000	£670,000
net	£4,000	£902,806	£1,285,680	£1,006,187	<b>£3,198,673</b>
<b>Per authority</b>	<b>£800</b>	<b>£180,561</b>	<b>£257,136</b>	<b>£201,237</b>	

#### Notes

Per authority Allocation is a 1/5th of total and subject to confirmation

Site option / lease payments relate to the potential requirement to provide funding to secure access to site(s) for residual waste treatment or waste transfer services

Advisor costs (core) relate to fixed price / target price elements of advisor works

Additional time and cost works relate to non-core activities (time and cost) - including planning and site support from technical advisors and communications support

Project Management costs include Project Director, Project Manager, administrative, venue, translation and finance -recharges costs related to the project.

## **AGENDA ITEM NUMBER 8**

**REPORT TO :**            **NORTH WALES RESIDUAL WASTE JOINT COMMITTEE**

**DATE :**                 **17 SEPTEMBER 2009**

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

**SUBJECT :**             **SUPPORT FOR PARTNER AUTHORITY APPROVALS OF  
OBC AND JOINT WORKING AGREEMENT**

### **1.00 PURPOSE OF REPORT**

- 1.01 To update and seek feedback from members of the Joint Committee on potential support available to Partner Authorities in relation to the approvals process for the Outline Business Case (OBC) of Joint Working Agreement

### **2.00 BACKGROUND**

- 2.01 An Outline Business Case (OBC) and Joint Working Agreement will be submitted for approval to the Project Board (PB) and this Joint Committee (JC) in December this year. Briefings will be made available to members of the Project Board and the Joint Committee prior to the project board and Joint committee meetings. The Project Manager Steffan Owen will be liaising with members of the PB and JC in the forthcoming weeks to diary the briefings.
- 2.02 The Project Board and Joint Committee are able make recommendations for approval of the OBC and Joint Working Agreement to the partner authorities. The partner authorities will then undergo their own approvals processes. Once all Partner Authorities have provided approvals the OBC can then be submitted to WAG for their consideration and approval.
- 2.03 At this time it is anticipated that the approvals process for individual partner authorities will commence on approval of the OBC/ JWA programmed for the December 2009 Project Board and Joint Committee cycle. The expectation is that all approvals would be received by partner authorities by early March 2010. The approvals process for the Partner Authorities is outlined in the attachment to this report.

### **3.00 CONSIDERATIONS**

- 3.01 The Project Management team (the Project Director and Project Manager) together with the external financial, legal and technical advisors will be made available as required to assist each partner authority in its approvals processes.

Potential areas where support can be provided to Partner Authorities:

- Briefings on the financial and technical aspects of the Outline Business Case for decision makers, and internal stakeholders. Briefings could be to internal project boards, executives, scrutiny & overview committees or other officer or member bodies.
- Briefings on the legal (and where appropriate financial) aspects of the Joint Working Agreement for decision makers, and internal stakeholders. Briefings could be to internal project boards, executives, scrutiny & Overview committees or other officer or member bodies.

## **RECOMMENDATIONS**

- 4.01 To note the available assistance that can be offered to each partner authority in their OBC/ JWA approvals process.
- 4.02 For each Partner Authority to consider what assistance it may require in the approval process and to inform the Project Director by 17<sup>th</sup> October 2009 to allow support to be programmed and if required the advisors to be instructed.

### **5.00 FINANCIAL IMPLICATIONS**

- 5.01 The budget allocated to the project is sufficient to cover the provision of support to the partner authorities.

### **6.00 ANTI POVERTY IMPACT**

- 6.01 None

### **7.00 ENVIRONMENTAL IMPACT**

- 7.01 None

### **8.00 EQUALITIES IMPACT**

- 8.01 None

### **9.00 PERSONNEL IMPLICATIONS**

- 9.01 None

### **10.00 CONSULTATION REQUIRED**

- 10.01 None

### **11.00 CONSULTATION UNDERTAKEN**

- 11.01 None

### **12.00 APPENDICES**

- 12.01 None

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**  
**BACKGROUND DOCUMENTS**

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### NWRWTP – Individual Partner authority process for approval of OBC and JWA

The table below summarises the pathway for the approvals of the OBC and the JWA within each of the partner authorities. The OBC is timetabled to be finalised at the end of Nov 2009, and for submission to WAG at the end of March 2010.

The dates below are the dates of the meetings themselves; therefore papers will need to be ready in advance of those dates.

Partner Authority	Specific Group / committee	Relevant Scrutiny / Overview Committee	Executive or equivalent	Full Council
Isle of Anglesey County Council		Development, Infrastructure & Resources Policy Overview Committee 26 January 2010	Executive 23 February 2010	4 March 2010 (If necessary)
Gwynedd Council		Environment Scrutiny Committee 9 February 2010	Board - 15 February 2010	25 February 2010
Conwy County Borough Council		Partnerships Overview and Scrutiny Committee - 20 January 2010	Cabinet 9 February 2010	
Denbighshire County Council		Environment and Regeneration Scrutiny Committee - Update on what the OBC & JWA will cover – 12 November 2009	Cabinet 12 January 2010	JWA only 19 January 2010
Flintshire County Council	Leader's Strategy Group - 15 December 2009	Environment and Regeneration Overview and Scrutiny Committee - 13 January 2010	Executive – 19 or 26 January 2010	2 March 2010

## Partner Authorities' Committee Calendars

### Anglesey

Committee	Date
Executive	9 September 2009
County Council	15 September 2009
Development, Infrastructure & Resources Policy Overview Committee	17 September 2009
Principal Scrutiny Committee	30 September 2009
Executive	6 October 2009
Executive	27 October 2009
Development, Infrastructure & Resources Policy Overview Committee	12 November 2009
Executive	17 November 2009
Principal Scrutiny Committee	24 November 2009
Executive	1 December 2009
County Council	10 December 2009
Audit Committee	14 January 2010
Executive	19 January 2010
Development, Infrastructure & Resources Policy Overview Committee	26 January 2010
Principal Scrutiny Committee	4 February 2010
Executive	23 February 2010
County Council	4 March 2010
Executive	23 March 2010
Development, Infrastructure & Resources Policy Overview Committee	31 March 2010
Principal Scrutiny Committee	8 April 2010
Audit Committee	15 April 2010
The Executive	27 April 2010

Gwynedd

Committee	Date
Arfon Area Committee	9 September 2009
Development Scrutiny Committee (Principal Scrutiny Committee)	15 September 2009
Board	22 September 2009
Audit Committee	28 September 2009
Environment Scrutiny Committee	1 October 2009
Board	13 October 2009
Council	22 October 2009
Board	3 November 2009
Board	24 November 2009
Development Scrutiny Committee (Principal Scrutiny Committee)	1 December 2009
Environment Scrutiny Committee	3 December 2009
Arfon Area Committee	9 December 2009
Council	10 December 2009
Board	15 December 2009
Audit Committee	14 January 2010
Board	26 January 2010
Development Scrutiny Committee (Principal Scrutiny Committee)	2 February 2010
Environment Scrutiny Committee	9 February 2010
Board	16 February 2010
Council	25 February 2010
Board	9 March 2010
Arfon Area Committee	10 March 2010
Audit Committee	11 March 2010
Board	30 March 2010
Development Scrutiny Committee (Principal Scrutiny Committee)	20 April 2010
Board	27 April 2010
Environment Scrutiny Committee	29 April 2010
Council	6 May 2010

Conwy

Committee	Date
Principal Overview and Scrutiny Committee	7 September 2009
Cabinet	10 September 2009
Partnerships Overview and Scrutiny Committee	24 September 2009
Audit Committee	28 September 2009
Principal Overview and Scrutiny Committee	5 October 2009
Cabinet	13 October 2009
Partnerships Overview and Scrutiny Committee	21 October 2009
Audit Committee	26 October 2009
Council	29 October 2009
Principal Overview and Scrutiny Committee	2 November 2009
Cabinet	10 November 2009
Partnerships Overview and Scrutiny Committee	2 December 2009
Council	3 December 2010
Principal Overview and Scrutiny Committee	7 December 2009
Cabinet	8 December 2009
Principal Overview and Scrutiny Committee	4 January 2010
Cabinet	12 January 2010
Partnerships Overview and Scrutiny Committee	20 January 2010
Cabinet	9 February 2010
Audit Committee	22 February 2010
Council	25 February 2010
Partnerships Overview and Scrutiny Committee	3 March 2010
Cabinet	9 March 2010
Cabinet	13 April 2010
Partnerships Overview and Scrutiny Committee	21 April 2010
Cabinet	11 May 2010
Council	20 May 2010
Audit Committee	24 May 2010
Partnerships Overview and Scrutiny Committee	26 May 2010

Denbighshire

Committee	Date
Cabinet	8 September 2009
Environment & Regeneration Scrutiny Committee	17 September 2009
Full Council	22 September 2009
Cabinet	29 September 2009
Environment & Regeneration Scrutiny Committee	15 October 2009
Cabinet	26 October 2009
Environment & Regeneration Scrutiny Committee	12 November 2009
Cabinet	24 November 2009
Full Council	1 December 2009
Environment & Regeneration Scrutiny Committee	10 December 2009
Cabinet	15 December 2009
Cabinet	12 January 2010
Full Council	19 January 2010
Environment & Regeneration Scrutiny Committee	21 January 2010
Cabinet	26 January 2010
Full Council	9 February 2010
Cabinet	16 February 2010
Environment & Regeneration Scrutiny Committee	18 February 2010
Full Council	23 February 2010
Environment & Regeneration Scrutiny Committee	18 March 2010
Cabinet	30 March 2010
Full Council	13 April 2010
Environment & Regeneration Scrutiny Committee	15 April 2010
Cabinet	27 April 2010
Environment & Regeneration Scrutiny Committee	13 May 2010
Cabinet	25 May 2010

## Flintshire

Committee	Date
County Council	15 September 2009
Executive	16 September 2009
Environment and Regeneration Overview and Scrutiny Committee	23 September 2009
Audit Committee	28 September 2009
County Council	30 September 2009
Executive	6 October 2009
Environment and Regeneration Overview and Scrutiny Committee	21 October 2009
County Council	27 October 2009
Executive	27 October 2009
Executive	17 November 2009
County Council	24 November 2009
Environment and Regeneration Overview and Scrutiny Committee	2 December 2009
Executive	8 December 2009
Audit Committee	16 December 2009
County Council	16 December 2009
Executive	5 January 2010
Environment and Regeneration Overview and Scrutiny Committee	13 January 2010
Executive	19 January 2010
Executive	26 January 2010
Executive	16 February 2010
County Council	17 February 2010
Environment and Regeneration Overview and Scrutiny Committee	24 February 2010
County Council	2 March 2010
Audit Committee	3 March 2010
Executive	9 March 2010
Environment and Regeneration Overview and Scrutiny Committee	24 March 2010
Executive	30 March 2010
Executive	20 April 2010
County Council	27 April 2010
Environment and Regeneration Overview and Scrutiny Committee	5 May 2010

**AGENDA ITEM NUMBER 9**

**REPORT TO :**            **NORTH WALES RESIDUAL WASTE JOINT COMMITTEE**

**DATE :**                 **17 SEPTEMBER 2009**

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

**SUBJECT :**             **OUTLINE BUSINESS CASE POSITIONS PAPER**

**1.00 PURPOSE OF REPORT**

1.01 To update the Joint Committee of the initial positions that will need to be considered and adopted as part of the development of the Outline Business Case (OBC).

**2.00 BACKGROUND**

2.01 The development of the OBC will require the partner authorities to define the overall scope of the contract (which elements are included and which are not), and the particular aspects are summarised below.

**3.00 CONSIDERATIONS**

3.01 On the assumption that waste cannot be delivered directly to any residual waste treatment facility(s), waste should therefore be collected by each authority and delivered to a location(s) within their area for transfer to the waste treatment facility(s). A key aspect of the OBC is defining if these reception and transfer stations are included as part of the overall contract to be developed and operated by the successful contractor as well as the final treatment facilities or not.

3.02 The partnership will identify and secure waste treatment sites, the costs of which will be shared equally between the partnership's members and will make any existing sites in their ownership available to the partnership. Single site and multi site options will be considered as part of the development of the OBC.

3.03 The OBC will need to agree how the contract will address commercial waste.

3.04 The OBC will also consider how later than programmed delivery of any facilities will be dealt with and how any penalties will enforced against the contractor.

3.05 The current market demands a guaranteed minimum tonnage of wastes into any facility, and a maximum tonnage is set through a combination of factors such plant capacity and the contractor's ability to seek alternative disposal arrangements. The OBC will seek to identify likely tonnage profiles for each

partner authority and the mechanisms for managing over or under performance against this profile.

### **RECOMMENDATIONS**

4.01 Note the report.

### **5.00 FINANCIAL IMPLICATIONS**

5.01 Financial implications will be considered as part of the OBC

### **6.00 ANTI POVERTY IMPACT**

6.01 None

### **7.00 ENVIRONMENTAL IMPACT**

7.01 None

### **8.00 EQUALITIES IMPACT**

8.01 None

### **9.00 PERSONNEL IMPLICATIONS**

9.01 None

### **10.00 CONSULTATION REQUIRED**

10.01 None

### **11.00 CONSULTATION UNDERTAKEN**

11.01 None

### **12.00 APPENDICES**

12.01 None

### **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985** **BACKGROUND DOCUMENTS**

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