



Anwen Jones Solicitor/Cyfreithiwr
 Interim Head of Legal and Democratic Services
 Pennaeth Dros Dro Gwasanaethau Cyfreithiol a Democraidd

To: Councillors: Nancy Matthews, N. Phillips, Michael Priestly,
 Eryl Williams, Arwel Pierce, W. G. Roberts, Sharon Frobisher,
 Meirion Hughes and Alex Aldridge

CS/NG

19 January, 2012

Nicola Gittins

01352 702345

nicola.gittins@flintshire.gov.uk

Dear Sir / Madam

A meeting of the **NORTH WALES RESIDUAL WASTE JOINT COMMITTEE** will be held in the **ALYN & DEESIDE ROOM, COUNTY HALL, MOLD, CH7 6NA** on **FRIDAY, 27 JANUARY 2012 at 10.30a.m.** to consider the following items.

Yours faithfully

Democracy & Governance Manager

AGENDA

1. **APOLOGIES**
2. **DECLARATIONS OF INTEREST**
3. **ELECTION OF CHAIRMAN AND VICE CHAIRMAN TO THE JOINT COMMITTEE**
4. **APPROVAL OF PREVIOUS MINUTES**

County Hall, Mold. CH7 6NA
 Tel. 01352 702400 DX 708591 Mold 4
www.flintshire.gov.uk
 Neuadd y Sir, Yr Wyddgrug. CH7 6NR
 Ffôn 01352 702400 DX 708591 Mold 4
www.siryfflint.gov.uk

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 Mae'r Cyngor yn croesawau gohebiaeth yn y Cymraeg neu'r Saesneg

5. **MATTERS ARISING FROM PREVIOUS MEETING**
6. **PROGRESS REPORT (SO REPORT)**
7. **RIR – RISK STATUS UPDATE (SP REPORT)**
8. **COMMUNICATIONS UPDATE AND PRESENTATION BY THE PROJECT
MANAGER (SO REPORT)**
9. **ANY OTHER BUSINESS**



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**Minutes of the meeting of the North Wales Residual Waste Joint Committee
held in the Arfon Chamber, Arfon Area Office, Penrallt, Caernarfon on
Thursday, 6 October 2011 at 10.30am**

Present – Councillor Eryl Williams (Chair) – Denbighshire County Council
Councillor Mike Priestley – Conwy County Borough Council
Councillor Nancy Mathews – Flintshire County Council
Councillor Neville Phillips – Flintshire County Council
Councillor Arwel Pierce – Gwynedd Council
Councillor W.J. Chorlton – Isle of Anglesey County Council
Councillor Sharon Frobisher – Denbighshire County Council

Also Present

Flintshire County Council

Mr Carl Longland, Ms Louise Pedreschi

Conwy County Borough Council

Mr Andy Wilkinson

Gwynedd Council

Mr Dilwyn Williams and Mr Gwyn Parry Williams

Isle of Anglesey County Council

Mr Meirion Edwards

North Wales Residual Waste Treatment Partnership

Mr Stephen Penny

Apologies: Councillor Meirion Hughes (Conwy County Borough Council), Mrs Kerry Feather and Colin Everett (Flintshire County Council) and Steffan Owen (North Wales Residual Waste Treatment Project), Commissioner Alex Aldridge (Isle of Anglesey County Council)

1. APPROVAL OF PREVIOUS MINUTES

The minutes of the meeting held on 3 June 2011 were submitted.

RESOLVED that the minutes be received and approved as an accurate record.

2. PROGRESS REPORT

The Project Director presented the progress report and stated that the project was progressing well. A dialogue has been continuing with the three participants on legal, financial and technical matters. The consultation process has progressed with various sessions held across the partnership area for stakeholders and the public to discuss the project. The actual spend for this financial year up to 19 August 2011 is £312,096 and the profiled spend for this financial year up to 31 July 2011 is £405,087 which is under profile by £92,991.

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



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- ID 32 – Option developed on second site that is capable of acceptance by Joint Committee. To be discussed as an exempt item at the end of the meeting.
- ID 61 – Individual sessions held between Amec and the individual authorities to go through waste flow models in detail. A technical group session held to agree waste flow forecast.
- ID 78 – The second Inter Authority Agreement (IAA) to commence once ISDS solutions are known, and the likely contract structures are more certain. Some preliminary discussions and development work to be carried out during November 2011.
- ID 85 – Hoping that Environment Agency Wales would meet the three participants to discuss technical issues arising from proposals.

With regard to Appendix 1 of the report, outlining the procurement timetable and in particular the reference to the decision on road/rail, a member was of the opinion that the decision regarding this matter should be dealt with by the relevant authorities and not by the joint committee. In response, the Project Director was of the opinion that the joint committee had the appropriate delegated authority to make such decisions as set out within the agreed Inter Authority Agreement. but that it may prove beneficial for the Joint Committee members to canvas opinion within their relevant authorities.

RESOLVED to note the report.

3. RIR – RISK STATUS UPDATE

The Project Director presented a Risk Register 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 are in place.

A risk had been identified in relation to PS 12 (Planning and Permitting). The recent issue of the draft Collections, Infrastructure and Markets Sector Plan by the Welsh Government has led to uncertainty as to the status of the existing Regional Waste Plan. This plan may be given reduced weight in determination of a planning application for waste facilities if uncertainty remains over its status. The project team and the North Wales regional waste planning team are engaging with the Welsh Government on this issue to ensure that the final issued version of Collections, Infrastructure and Markets Sector Plan does not leave a planning policy vacuum. The risk remains until the final Collections, Infrastructure and Markets Sector Plan is published (anticipated November 2011).

He noted that there is a change to existing risk F2 (finance) this period (procurement delays lead to increased procurement costs due to extended procurement process). This is due to request from participants and extension to the ISDS timetable given, approximately 5 months.

RESOLVED to note the updated risk register for the project.

4. COMMUNICATIONS UPDATE

The Project Director updated the members with regard to the communication matters concerning the NWRWTP.

The consultation exercise has been on going since the member sessions were held



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in June 2011. A full report on the results of the consultation process will follow in due course but it was felt that an early indication of the results would be of benefit to this joint committee and he informed the members of the activities that have taken place.

The two member sessions held in June were a success, in particular the aspect of the members of partner authorities meeting together.

The drop in sessions were advertised in the local press/media through an advert in all the local press across the five authorities, together with a series of press releases. They were also advertised on the project website. As expected the turnout was low as the project was still at an early stage. He gave a brief summary of the discussions held in these sessions.

Regarding the community group sessions, although they were not well attended, the overall feedback was very positive with a significant proportion of attendees supportive of the project.

He noted that face to face briefings were given to some of the local press during July 2011 in order to advertise the consultation process and three press releases were issued during August and September advertising the drop in sessions and the closing date for consultation responses. Regarding the consultation questionnaire, he referred to the graphs and that the number of consultation responses received thus far is 305.

A meeting has been arranged by the Project Team with technical and communication advisors on 21 October 2011 to plan communication and engagement going forward for the following 12 months. This will be submitted to the joint committee for approval once it is finalised.

RESOLVED to note the content of the update report.

5. EXCLUSION OF PRESS AND PUBLIC

RESOLVED to exclude the press and public from the meeting during the discussion on the following items because of the likely disclosure of exempt information as defined in paragraph 14, Part 4, Schedule 12A of the Local Government Act 1972. This paragraph applies because disclosure of the sensitive and commercially privileged information contained in the reports could result in breaches of confidentiality and potentially undermine the procurement process.

6. DISCUSSION WITH ANGLESEY ALUMINIUM REGARDING SECURING A PORTION OF THE SITE FOR THE PROJECT

The Project Director gave a detailed report on the discussions held with Anglesey Aluminium and the landowner regarding securing a portion of the site for the project. He reported that the site in question will now not be made available to the Partnership and that participant(s) continue to seek appropriate alternative sites.

RESOLVED to note the report.

7. WASTE FLOW MODEL UPDATE

The Project Director gave an update on the Waste Flow Model and particularly the Guaranteed Minimum Tonnages that the Partnership would be minded to offer as part of the commercial discussions with participants.



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RESOLVED to note the report.



AGENDA ITEM NUMBER 6

NORTH WALES RESIDUAL WASTE TREATMENT PROJECT PROGRESS REPORT

NORTH WALES RESIDUAL WASTE JOINT COMMITTEE

Date : 27 January 2012

Period: 28 September 2011 to 18 January 2012

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

Overall Project Status	
Amber	<p>Dialogue has continued with the three bidders on legal, financial and some technical matters.</p> <p>A public meeting opposing incineration as an option at Deeside was organised by and held at Connah's Quay Town Council at the end of November. A petition was launched at the meeting, and the local press in Flintshire reported in early January (9th) that over 5,000 residents had signed the petition at that time.</p>

Budget status	
Green	<p>Actual spend for this financial year up to 30/09/11 is £626,339.</p> <p>Profiled spend for this financial year up to 30/09/11 is £663,214. (Under profile by £36,875).</p>

Status	Meaning
Green	There are no problems; all is progressing well and to plan
Amber	There are some minor/ less significant problems. Action is



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	needed in some areas but other parts are progressing satisfactory
Red	There are significant problems and urgent and decisive action is needed.

PROJECT UPDATE – Activities due for completion 28th September 2011 to 19th January 2012 (and highlighted longer term actions).

ID	Activity	RAG status	Comments	Forecast	Actual
32	Option developed on second site that is capable of acceptance by Joint Committee	Amber	Letter received from AAM's agents informing the Partnership that their Preferred Bidder has noted that they require the part of the site that the NWRWTP had signed Heads of Terms for. The land therefore will now no longer be available to the NWRWTP.	May 2011	Complete October 2011
72	ISDS solutions to be submitted by participants	Amber	Following feedback from bidders and advisors, date adjusted from 20 Jan 2012 to 27 Jan 2012.	27 January 2012	
73	Assessment of ISDS submissions	Amber	Key information provided to Finance, Technical and Legal Officers prior to developing recommendations to Project Board and Joint Committee	February 2012	
74	Participants informed of partnership's decisions on road / road-rail, and invited to submit refinements to their ISDS submissions in the light of decision	Amber		Mid March 2012	
75	Submission of Refined ISDS by	Amber		April 2012	



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	participants				
76	Refined ISDS submissions evaluated	Amber		May / June 2012	
78	The second IAA (IAA2) to be commenced	Green	This to commence once ISDS solutions are known (and the likely contract structures are more certain). Some preliminary discussions and development work to be carried out during summer 2011.	November 2011	
80	Project Team and Lead Legal Officer to meet with Estates to discuss any inconsistencies in the title information	Green	Meeting held, inconsistencies resolved, although some points remain outstanding	4 October 2011	Complete
81	Additional period given for consultation responses	Green	Two weeks added to allow for last minute / late responses in the interest of including as many responses as possible	7 October 2011	Complete
82	Full analysis of consultation responses	Green	See item 7 on the agenda	October 2011	
83	Report back to public and respondents with results of consultation	Green	See item 7 on the agenda	TBC	
84	Communication and engagement plan for next 12 months	Green	Plan agreed. Preparation commencing for significant steps.	21 October 2011	
85	Meet Environment Agency Wales to discuss technical issues arising from proposals	Green	Revised method of liaising with the EA adopted. Now in place.	November 2011	Complete



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86	Further dialogue sessions prior to ISDS submissions	Green	See overall summary above	December 2011	Complete
87	Financial and technical teams to be consulted on the road / rail assessment result prior to Project Board and Joint Committee	Green	Lead Finance and technical officers to discuss with relevant groups the most appropriate method of consulting with partner authorities. Road / rail assessment paper attached in appendix 1 below.	February 2012	
90	Road / Rail assessment results to be presented to Project Board and Joint Committee	Green	Project Team have prepared guidance for Joint Committee Members in order to assist them canvass their fellow Members prior to the decision (at Joint Committee meeting 16 March 2012)	February / March 2012	
91	Seek legal advice following letters received about the presence of one of the bidders in the procurement process	Green	Legal advice sought and letters were replied to, however further response has been received, to FCC's procurement unit to address new points raised in the response and re-affirm legal advice.	February 2012	
92	Prepare press release and process for informing the public of road / rail decision	Green	When road / rail decision is made, the public and stakeholders will need to be informed of the decision	Mid / late March 2012	
93	Prepare comprehensive information pack for Members and public to be used when it is appropriate to discuss	Green	Early draft received. Project Team currently reviewing and amending.	June 2012	



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	technology and site proposals				
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KEY RISKS – See item 6 on this agenda.



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Appendix 1 – Road / Rail assessment approach

The Partnership's approach to finalising its requirements in relation to road or road-rail.

The Partnership has informed Participants of its intention to assess information contained within Participant's ISDS submissions to enable the Partnership to finalise its requirements and determine if the Road or Rail-Road Option is to be the basis for developing Participants' solutions for the subsequent refined ISDS submissions and evaluation and de-selection process.

It is important to note that at this stage, no Participant, and no solution specific to a Participant, will be assessed on a submission-specific basis and no Participants will be de-selected at this stage. The purpose of this stage is to extract relevant information from each Participant's submission in order to allow the Partnership to make a high level strategic decision as to the principal mode of transport required for the delivery of the Project.

As previously stated, the decision on the Road or Rail-Road Option is programmed to be made at a Joint Committee meeting programmed to be held 16 March 2012. The Partnership does not intend to provide any feed back on the content of individual participant's ISDS submissions before refined ISDS submission in accordance with the published ITCD.

The following sets out the headline summary of factors to be considered in the Road or Rail-Road Option assessment for Joint Committee's consideration:

Overall Approach

The Partnership will be carrying out an assessment based on ISDS Road and Rail-Road submissions from Participants. The Partnership's external advisors will assess key aspects of the Participant's ISDS submissions. Information will be extracted from these submissions, anonymised (such that the source of any information cannot be traced to a particular Participant's ISDS submission/ proposed solution) and the following parameters assessed:

Cost

To identify the cost differential (if any) between rail and road options. To be presented as anonymised total costs showing range of costs for each "basket" of solutions (Road or Rail-Road) and median. To illustrate how these relate to the Partnership's overall affordability envelope, as approved. Any differentials between Road and Rail-Road in terms of proportion of costs subject to indexation, capital requirements, pass through and market testing arrangements. Note that a meeting with finance officers from all five partner authorities is programmed for the 29th February 2012 to brief them on the financial aspects and to seek their feedback.



Environmental

Identification of differential (if any) between Road and Rail-Road Options¹

- WRATE assessment- range and median
- Road miles avoided – range and median
- Local highways impact (e.g. differential in numbers of vehicle movements at key facility)
- Job creation

Deliverability

Identification of differential (if any) between Road and Rail-Road Options in terms of:

- Availability / deliverability of sites (and contingency arrangements) to support Road and Rail-Road Options-based solutions
- Any uncertainties arising from differing statutory interfaces (eg network rail)
- Programme length and any identified uncertainties that could impact on the programme

Commercial Legal Risks

- Differential in third party/ subcontracting arrangements
- Contract structure differentials
- Differentials to risk allocation within the Contract

Additional Information

Additional information will also be provided to the Joint Committee in terms of outcomes of the relevant aspects of the consultation exercise that will have completed prior to the Joint Committee's meeting:

Presentation of Key findings

The key findings will be summarised in a qualitative manner as set out below:-

¹ A meeting will be scheduled with the five partner authority technical officers to seek their feedback on the outcome of the technical aspects of the road-rail assessment.



Figure 1 Rail solutions (as a basket of solutions) compared to the base comparator (Road based basket of solutions)

Cost and Affordability	Environmental	Deliverability	Commercial Legal Risks
etc	e.g ↑	etc	etc

Figure 2 For each of the main parameters the following qualitative indication of performance will be used:-

Key :

↑↑	↑	↑/↓	↓	↓↓	0
Clear, strong positive position in comparison to base	Overall position likely to be positive in comparison to base	Overall position mixed (i.e. both positive and negative) in comparison to base	Overall position likely to be negative in comparison to base	Clear, strong negative position in comparison to base	Effectively staying the same in comparison to base



Table 1

Relevant areas of ISDS submissions that will be used to provide the key information

Note: others areas of the submissions may be reviewed as required.

Relevant ISDS submission area		Used for assessment ?	Feeds into
A1 - Works Delivery (MS 1)			
	A1.4 - Facility development, Mobilisation and Commissioning Arrangements	Yes	Deliverability (Impact on programme)
	A1.5 - Site and Planning Deliverability	yes	Deliverability
A3 - Environmental and Sustainability (MS 3)			
	A3.1 Sustainability WRATE	yes	Environmental
	A3.2 Sustainability (excl. Employment)	yes	Environmental
	A3.4 Employment in Partnership Area	yes	Environmental
A4 - Service Management (MS 4)			
	A4.4 - Transport Solution	yes	Environmental
	A4.7 - Contingency Planning	Yes	Deliverability
B1 - Financial Quality			
	B1.1 Financial Robustness	yes (just check for robustness of capital and opex assumptions)	used only as a check only to ensure cost information reliable
C1 - Legal/Contractual			
	C1.1 - Contract Structure, JV, Subcontractors	yes	Legal/Contractual
	C1.2 - Contract Security Package	yes	Legal/Contractual
	C1.3 - Project Agreement (SOPC4)	yes	Legal/Contractual
	C1.5 - Insurance	yes	Legal/Contractual



D1 - Whole Life Cost and Affordability			
	D1.1 Whole Life Cost	yes	Cost and Affordability
	D1.2 Affordability	yes	Cost and Affordability
	D1.3 Sensitivity Testing under Different Assumptions	yes	Cost and Affordability

Legal Assessment

The principal legal evaluation will be carried out by way of a comparative exercise between the mark-up submissions for the Project Agreement for both the Road Option and Rail-Road Option, assuming the Road Option to be the base position.

Participants have been provided with a revised version of the commentary table from Appendix 3 of the ITCD. This has an additional column at the end of the table which requests Participants to identify whether the issue/comment raised in the Project Agreement mark-up is relevant to both submissions, or specific only to one mark-up. This will enable a quicker analysis of issues specific to the Rail-Road Option and will assist in identifying any additional risks or other adverse contractual positions for the Partnership should it elect to proceed with the Rail-Road Option.

The legal evaluation will also consider the security package and the contractual structure, and an analysis of any differences on offer between the 2 submissions.

Technical Assessment

The technical assessment will comprise a comparative review of the Road-Rail option(s) submitted by an individual bidder against the Road Option(s) submitted by that bidder. Both the Road solution and the Road-Rail solution will be assessed against the environmental and deliverability criteria, listed above. AMEC's technical specialists will be tasked with assessing the submissions using their professional judgement. A summary assessment report will be drafted that identifies the relative merits of each solution against each of the identified criteria. The report will not identify bidders by name but factually compare the Road and Road-Rail solutions received

Financial Assessment

- Information that the finance team will have derived from the bidders' submissions and presented on an anonymised basis will be as follows:
 - Average cost of a road solution



- Average cost of rail solution
- Sensitivity results for the road solution
- Sensitivity results for rail solution

2. Commentary and Analysis

Commentary and analysis of the information extracted from the bidders' submissions with accompanying graphs will be provided. To aid Member understanding of the comparability of the Road/Rail cost analysis we will also provide the following benchmarks:

- Base Case
- Affordability Target
- Affordability Preference
- Most expensive bid at ISOS stage

3. Calculation of the average cost of the solutions and analysis of the sensitivity results

The average cost of both the road and the rail solutions will be a simple average of the 3 bids received for each offering. Where one of the bids is significantly different to the other two and would result in a skew of the average either positive or negative then the average may need to be adjusted to ignore the outlier. In such an event additional narrative will be provided with regards to the affordability positions in particular where the outlier represents the most expensive bid. Therefore the following information will also be provided:

- Are bids within affordability target?
- Are bids below the base case cost?

With regards to Sensitivity Analysis and results graphical representation of the Standard Deviation for each sensitivity for each solution with a commentary will be included.



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AGENDA ITEM NO: 7

REPORT TO: NWRWTP JOINT COMMITTEE

DATE: 27 JANUARY 2012

REPORT BY: PROJECT DIRECTOR

SUBJECT: RISK REGISTER REPORT

1. PURPOSE OF REPORT

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

2. BACKGROUND

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

3. CONSIDERATIONS

- 3.1. There are no new risks identified this reporting period.
- 3.2. The following changes have been made to existing risks
 - The recent issue of the draft Collections, Infrastructure and Markets Sector Plan (CIM) by WG has led to uncertainty as to the status of the existing Regional Waste Plan (RWP). The risk commentary has been modified to reflect the fact that the Project team understand that the Collections, Infrastructure and Markets Sector Plan (CIM) has now been delayed until early in 2012 to allow further WG planning team input.
 - CO4 (Pressure from lobby groups/public against the preferred solution and location) has been amended to reflect the fact that National campaigners' engaging with local community councils and local communities in attempt to build opposition to potential solutions and therefore the likely hood level has been increased from 3 to 4.
 - F13 (WG funding). WG has indicated that in the event that any solution that may involve energy recovery fails to achieve (or later loses) R1 energy efficiency status may be at risk of losing WG financial support. All Participants have confirmed that their solutions would meet R1 in their ISOS submissions (they all assumed electricity production only at that point). However if solutions are configured for combined heat and power (CHP) and then any potential heat "customers" such as an industrial manufacturer were in the longer term to fall away there may be a risk that



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the solution would not meet R1 at that point. The technical team are looking at this issue to see how likely it is that a solution could fall below R1 and if so under what circumstances. Risk level not changed at this point.

- 3.3. The Top 8 risks (after controls have been put in place) are shown in appendix 1.
- 3.4. The changes this period are shown in appendix 2.
- 3.5. The risk register will continue to be reviewed by the Project Director and reported to the Joint Committee at future meetings.

4. RECOMMENDATIONS

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

5. FINANCIAL IMPLICATIONS

- 5.1. Not applicable

6. ANTI-POVERTY IMPACT

- 6.1. None

7. ENVIRONMENTAL IMPACT

- 7.1. Not applicable

8. EQUALITIES IMPACT

- 8.1. Not applicable

9. PERSONNEL IMPLICATIONS

- 9.1. Not applicable

10. CONSULTATION REQUIRED

- 10.1. Not applicable

11. CONSULTATION UNDERTAKEN

- 11.1. Not applicable



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LOCAL GOVERNMENT ACCESS TO INFORMATION ACT 1985

Background Documents:

None

Contact Officer: Stephen Penny NWRWTP



Appendix 1 Top (Red) risks and issues

ID	Risk / Issue (i.e.: Threat to the Project)	Consequence	Current Assessment			How the risk will be managed and controlled		Residual Risk			Additional explanatory notes
			Impact	L'hood	Overall	Already in Place	Not in Place (Proposed)	Impact	L'hood	Overall	
Policy & regulatory Risk – Change in WG objectives / regulations											
PO2	WG Environmental policy and objectives change	Project is now inappropriate	4	5	20	Keep in close contact with WG to ensure potential policy changes that may impact on the project are identified early. The Project team have developed and submitted a partnership consultation response (approved by the PB and Joint Committee) highlighting the potential impact of such a target on the project and to ensure WG addresses how any such target is related to potential household numbers of population growth rates that authorities may be subject to in future.		4	4	16	WG have indicated in the final Municipal Sector Plan (MSP) that they may adopt a waste minimisation target for MSW with a negative growth rate (reduction) of -1.2% pa. The WG MSP does not take any account of individual or partner authority HH or population growth rates. The Partnership has however received guidance from WG that the Partnership is free to make its own assessments about future waste arisings and as a result planning risk is now moderated.
Communication & stakeholders – failure to proactively engage with key stake holders leading to delays and lack of public support for the proposed solution.											
CO4	Pressure from lobby groups/public against the preferred solution and location.	Alternative solution/site has to be sought, increased project development costs, delays to project delivery programme, excessive LAS costs, impact on Partner Councils reputation	4	5	20	Communication and Engagement Strategy drafted and agreed in draft form by Communication Officer group. To be "live" document and therefore updated when necessary.	Alternative site work will continue during early stages of procurement process.	4	4	16	National campaigners' engaging with local community councils and local communities in attempt to build opposition to potential solutions.
ID	Risk / Issue (i.e.: Threat to the Project)	Consequence	Current Assessment			How the risk will be managed and controlled		Residual Risk			Additional explanatory notes
			Impact	L'hood	Overall	Already in Place	Not in Place (Proposed)	Impact	L'hood	Overall	
Planning and permitting -ability to secure successful planning and permitting outcome for solution											
PS5	Suitable sites are not in council ownership to support development of the solution	Project delayed whilst suitable sites are secured	5	3	15	Project team are identifying sites that could be suitable for location of both the waste transfer stations and residual waste treatment facility(s)	Complete negotiations with land owners of (further) additional sites identified as potentially suitable for location of facilities with the aim of securing options/ heads of terms for sites.	5	3	15	

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

ID	Risk / Issue (i.e.: Threat to the Project)	Consequence	Current Assessment			How the risk will be managed and controlled		Residual Risk			Additional explanatory notes
			Impact	L'hood	Overall	Already in Place	Not in Place (Proposed)	Impact	L'hood	Overall	
Finance & Affordability											
F15	Partner authorities fail to make financial plans to support additional recycling and composting services to meet "front end" increased recycling levels that are required	Failure to meet WG "front end" recycling and composting targets with increased residual waste arisings as a result.	4	4	16	Partner authorities to develop long term funding plans to support enhanced front end recycling and composting services.	Partner Authorities	4	3	12	WG are encouraging authorities in Wales to enter into a "change programme" where WG will offer assistance to Las to work together and improve "front end" recycling and collections services.
Procurement Strategy and Process											
P13	Technological solutions offered are not commissionable within LAS infraction timescales	LA's face infraction fines for additional landfill above allowance	4	4	16	OBC modelling has shown that each partner authority can meet LAS allowances if they increase "front end" recycling and composting" and the project is delivered to timetable. Any underperformance in this "front end" recycling and composting are outside the scope of this project and any subsequent LAS liabilities will lie with the individual partner authorities. See also risk W1	Procurement process to ensure that is delivered in a timely manner with the risk of late delivery of the residual waste treatment service minimised.	4	3	12	
Planning and permitting -ability to secure successful planning and permitting outcome for solution											
PS14	The recent issue of the draft Collections, Infrastructure and Markets Sector Plan (CIM) by WG has led to uncertainty as to the status of the existing Regional Waste Plan (RWP). Thus the RWP may be given reduced weight in determination of a planning application for waste facilities. A policy vacuum may therefore exist if this is not addressed by WG.	Unsuccessful planning application	4	4	16	Project team and north wales regional waste planning team engaging with WG on this issue to ensure that the final issued version of Collections, Infrastructure and Markets Sector Plan (CIM) does not leave a planning "policy vacuum". Regional Planning team and WG planning teams engaged with WG Waste Policy section to seek required amendments to draft CIM		4	3	12	WG's published draft Collections, Infrastructure and Markets Sector Plan (CIM) indicates that RWP's will be replaced but with no indication as to timetable for replacement. The Project team understand that the CIM's publication is now delayed until early 2012.
Performance											
PE1	Market/outlet is not available for outputs from the facility(s)	Increased project operational costs, increase in demand for landfill void	4	4	16	Ensure market deliverability demonstrated as part of procurement evaluation process.		4	3	12	



Appendix 2 Headline Changes this Period

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				Residual risk			Impln Date	Review Date
			Impact	L'hood	Overall	Already in Place	Who is Managin g	Not in Place (Proposed)	Who will Manage	Impa ct	L'ho od	Over all		
F13	WG financial support evaporates	Project potentially unaffordable	5	3	15	Assurances already received from WG that funding is available for the project as has been agreed previously for project Gwyrdd. OBC funding award letter defines the conditions for payment of funding- this is consistent with the Partnership's expectations.	PD		PD	5	2	10	Ongoing	Dec-11
PS14	The recent issue of the draft Collections, Infrastructure and Markets Sector Plan (CIM) by WG has led to uncertainty as to the status of the existing Regional Waste Plan (RWP). Thus the RWP may be given reduced weight in determination of a planning application for waste facilities. A policy vaccum may therefore exist if this is not addressed by WG.	Unsuccessfull planning application	4	4	16	Project team and north wales regional waste planning team engaging with WG on this issue to ensure that the final issued version of Collections, Infrastructure and Markets Sector Plan (CIM) does not leave a planning "policy vacuum". Regional Planing team and WG planing teams engaged with WG Waste Policy section to seek required ammendments to draft CIM			PD	4	3	12	Ongoing	Sep-11
CO4	Pressure from lobby groups/public against the preferred solution and location.	Alternative solution/site has to be sought, increased project development costs, delays to project delivery programme, excessive LAS costs, impact on Partner Councils reputation	4	5	20	Communication and Engagement Strategy drafted and agreed in draft form by Communication Officer group. To be "live" document and therefore updated when necessary.	PM	Alternative site work will continue during early stages of procurement process.	PD	4	4	16	Ongoing	Sep-11



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North Wales Residual Waste Treatment Project

AGENDA ITEM NO: 8

REPORT TO: **NWRWTP JOINT COMMITTEE**

DATE: **27 JANUARY 2012**

REPORT BY: **PROJECT MANAGER**

SUBJECT: **COMMUNICATIONS UPDATE**

1. PURPOSE OF REPORT

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

2. BACKGROUND

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

3. CONSIDERATIONS

- 3.1. The Project Manager met with Amec and Sauce Consultancy to plan communication and engagement going forward for the next 12 months. Key to the discussion was the requirement to become more proactive as the project develops. A communication plan is now being drawn up, below is a summary of what was discussed -

3.2. November 2011 – June 2012 (ISDS de-selection)

- Continue media relations with a view to increasing neutral-to-positive coverage (at least regionally), and step up direct communications with key contacts.
- Continue to position the need case in relation to landfill as the medium term alternative preferred by green groups.
- Continue to position the economic benefits of the proposals in terms of investment, jobs, training, a “reason for rail” and wider business benefits/opportunities.

Media relations

Hold a further press briefing to report back on the consultation exercise and outcomes of the rail decision.

Issue press releases on a range of topics such as consultation outcomes, road / rail decision and some wider aspects such as “what’s in your bin



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(once you've got to 70% recycling) and carbon footprint of landfill – “the alternative”.

Provide a platform for Welsh Government representatives to describe the need and context.

Community and stakeholder relations

Issue newsletters to key stakeholders and those individuals and organisations who have subscribed/left details at an event:

- First issue: consultation and rail
- Second issue: landfill footprint and “what's in your bin”

Establish draft terms of reference, agendas and programme for (a) community liaison group(s) with bidders, including general descriptions of proposals (e.g. the “envelope” description in terms of scale and stack height maximums, tonnage maximums/ranges, jobs, community fund investment, etc.

Proactively propose meetings with FoE, CPRW, Chamber of Commerce, other key groups.

3.3. Call for Final Tenders (CFT) to Preferred Bidder (PB)

Ensure clear disclosure over technology and site option(s), setting out need, context, benefits and environmental improvement over alternatives (including fuel preparation options and landfill).

A major focus on inward investment/business benefits (including potentially rail etc).

Media relations

Major media launch with leaders and chief executives setting out the benefits to their local communities across the five partner authorities.

"Ask us a question" piece in local press where the public can submit questions and we answer them (a double page spread, agreed in advance).

Press releases covering issues such as:-

- Shortlisted bidders, technology FAQs, site details
- Investment and community benefits
- Business and training partnerships
- Environmental benefits
- Further positioning around landfill as “the alternative”
- Cost of energy, value of heat



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Press visits to reference facilities pre-agreed with bidders, ie. a neutral facility.

Major focus on reduction / re-use / recycling / activities being carried out by the Partners to reach WG targets.

- Human interest stories focused on "we're nearly at 60%, and look at what's left in our bin"
- Human interest built around range of "typical" households – family of four, young commuting couple, older person etc

Community and stakeholder relations

Further drop-ins and outreach to all relevant local groups active near the site(s) plus drop-ins in each partner authority area;

Hold a further, follow-up members workshop (all-day event) covering:

- The process, technology, site, rail option
- Benefits – "what this means for you and your voters"
- Planning and permitting process in detail
- Mythbuster session on health impacts and emissions
- Detail on what's left in the bin, environmental footprint comparison, and what residents think

Establish a community liaison group (CLG) for the site(s):-

- Visits for community representatives drawn from CLG to reference facilities (separate to press visits, but to the same facilities).
- Consultation exercise around remaining areas of flexibility agreed with bidders, drawn up with input from the CLG, with time for the CLG to reflect and respond to the outputs; feedback to bidders.

3.4. Public Meeting at Connah's Quay Town Council

A public meeting was organised by and held at Connah's Quay Town Council on 22 November 2011. The purpose of the meeting was to "discuss the project and its effect on the local environment". The meeting was addressed by anti incineration campaigners from Merthyr Tydfil, and a petition was launched.

The Project Team was not invited to the meeting and did not seek to attend, as it was felt that attending would not be beneficial to the Project.

It is thought that around 90-100 people attended the meeting, with the main thrust of the meeting being how to oppose the project most effectively.



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North Wales Residual Waste Treatment Project

Since the meeting, the Flintshire local press has noted that the petition has received over 5,000 signatures (see appendix 1) and that a Flintshire County Council Member is intending on submitting a Notice of Motion to Flintshire County Council opposing the project. The Notice of Motion has now been submitted, and will be discussed at the next meeting of the full Council on 31 January 2012.

3.5. Consultation Process Results

An early indication of the results of the consultation process was reported to this Joint Committee on 6 October 2011. The results of the consultation questionnaire and the telephone survey have been submitted to Data Unit Wales for analysis, and the report in Appendix 2 shows the results of the consultation process. The results of the telephone survey are still currently being analysed by Data Unit Wales, however a report with the results (including any differences between the telephone survey and the consultation process results) will be put forward on the day of the Joint Committee meeting.

4. **RECOMMENDATIONS**

- 4.1. To note the content of this update report.
- 4.2. Provide feedback to the Project Team on the first draft of the Consultation Response Report (Appendix 2).

5. **FINANCIAL IMPLICATIONS**

- 5.1. Not applicable.

6. **ANTI-POVERTY IMPACT**

- 6.1. Not applicable.

7. **ENVIRONMENTAL IMPACT**

- 7.1. Not applicable.

8. **EQUALITIES IMPACT**

- 8.1. Not applicable.

9. **PERSONNEL IMPLICATIONS**

- 9.1. Not applicable.

10. **CONSULTATION REQUIRED**

- 10.1. See above.

11. **CONSULTATION UNDERTAKEN**



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11.1. Not applicable.

LOCAL GOVERNMENT ACCESS TO INFORMATION ACT 1985

Background Documents:

None

Contact Officer: Steffan Owen NWRWTP

Residents sign up to oppose plans to build incinerator

A PETITION to stop an incinerator being built on Deeside has gathered more than 5,000 signatures so far.

Residents fear a massive waste treatment facility will be built on their doorstep after the Welsh Government agreed to fund the North Wales Residual Waste Treatment Project (NWRWT).

No decision has been made on the type of technology or a site to deal with residual waste from Flintshire, Denbighshire, Anglesey, Gwynedd and Conwy.

But an outline business case presented by project bosses gave Deeside Industrial Estate as an example of a possible location for an incinerator to handle waste which cannot be recycled.

A campaign led by Connah's Quay Town Council is gathering signatures from those opposed to an incinerator being built on Deeside.

Connah's Quay councillor Bernie Attridge said: "We must have 5,000 or 6,000 signatures already but if we can get to tens of thousands it's going to send a clear message to people."

Cllr Attridge encouraged members of Connah's Quay Town



No decisions have been made on the site

Council at their meeting on Wednesday to help gather more signatures.

"There is a petition going around so if anyone knows any shop owners who can have it in their shop we're trying to get as many people as possible to sign it," he said. "We've had a good response so far. We're having people from Halkyn and the Wirral contacting us and asking for the petitions to be sent for them to sign.

"We did have a consultation event and we're hoping with Christmas over to have some more."

NWRWTP bosses insist that no decisions have been made on the site or the method of waste treatment.

The petition is available to sign online on the Connah's Quay Town Council website.





Appendix 2

January 2012

North Wales Residual Waste Treatment Project (NWRWTP)

Consultation Exercise Summer / Autumn 2011 Results

Introduction

The NWRWTP ran a consultation exercise during summer / autumn 2011 to gain stakeholders and residents views on key aspects of the project to help with key decisions going forward.

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

- Two Member sessions were held (one “west” in Bangor, and one “east” in St Asaph)
- “Drop in” sessions at each of the five partner authorities (where members of the public were able to have an informal discussion about the project)
- Community Group sessions where various community groups etc were invited to attend a meeting to discuss the project and the consultation.
- 2 interest group sessions where environmental / interest groups were invited to discuss the project (1 x east and 1 x west).
- The consultation questionnaire was able to completed on line via the project website.

Following the above activities, the results of the returned questionnaires are summarised below:-

1. General

In total 372 questionnaires were returned, with 3% (11) being through the medium of Welsh.

Chart 1 below gives a breakdown of the source of the questionnaire (e.g. online, returned paper booklet etc), and demonstrates that both paper (returned via pre paid envelope) and online responses were close in terms of number of responses.

Chart 1

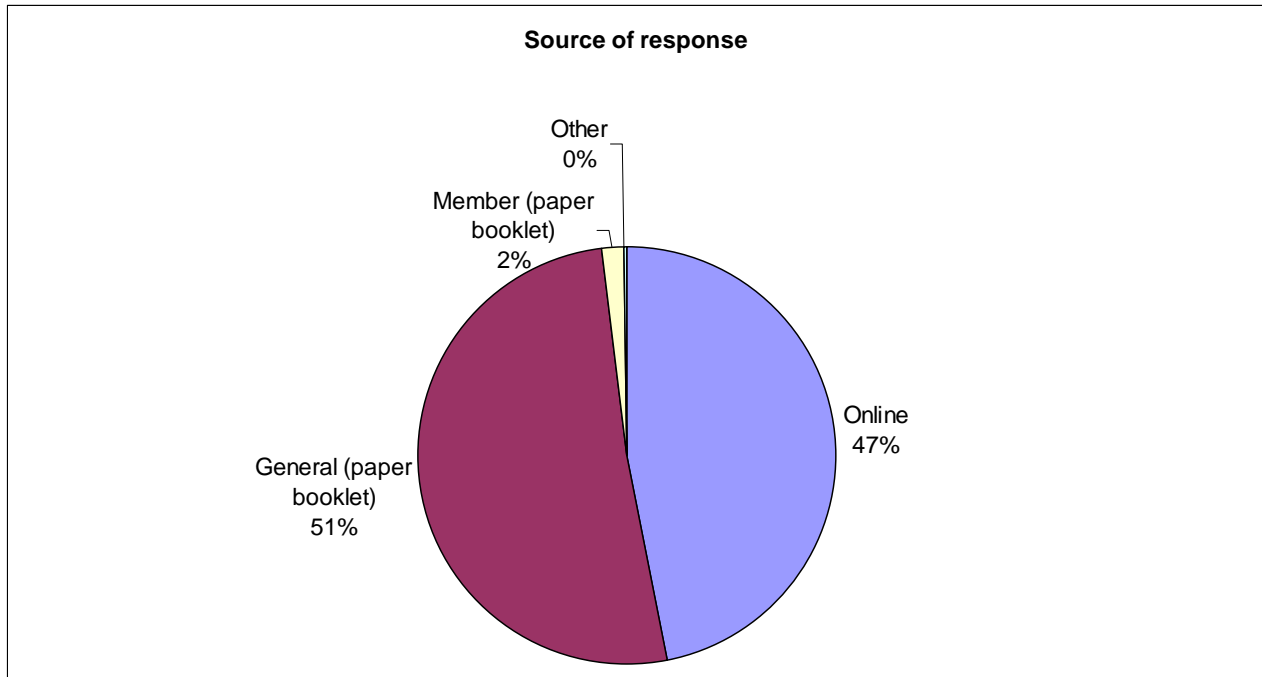


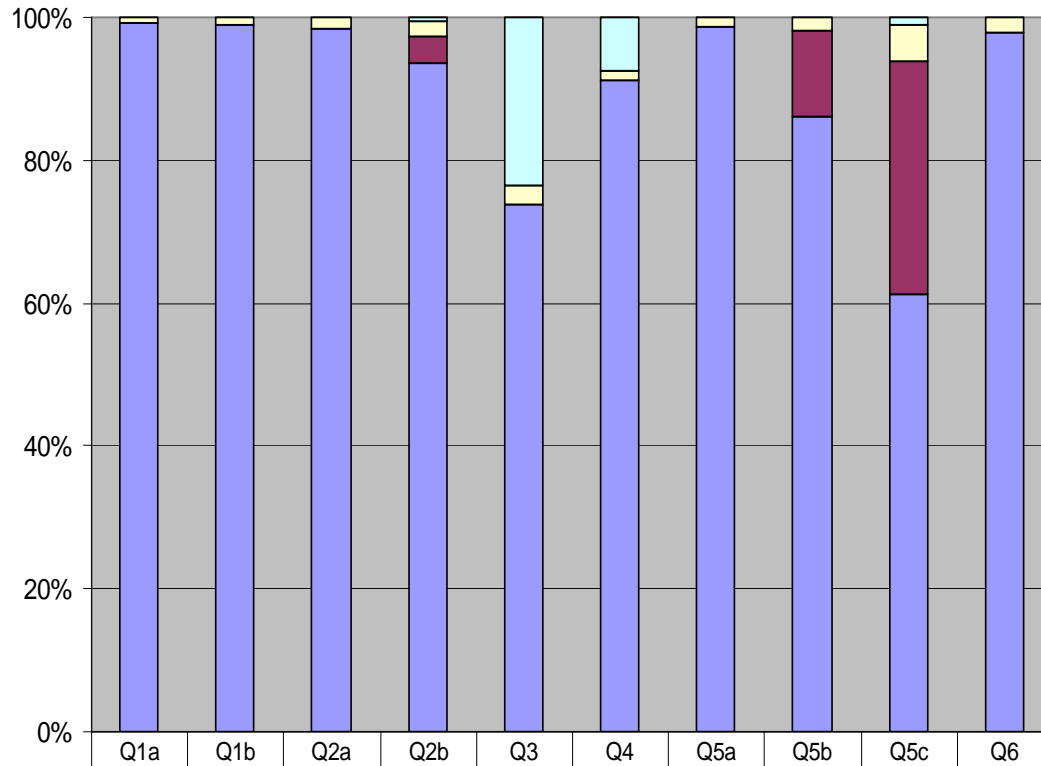
Chart 2 below shows the breakdown by question of the percentage of responses that could not be included in the data for various reasons. It is important to look carefully at the data in chart 2 to ascertain how similar consultations in the future can learn to help make questions clearer and simpler to respond accurately.

All the charts that follow chart 2 below, show the results for the valid data only.

Question 3 had 23.7% (88 responses) of the 372 responses were excluded for 'Excluded' where duplicate responses were provided or question instructions were not adhered to. This question asked respondents to rank 5 potential benefits to the area of a residual waste treatment facility.

Question 5 (c) had 32.5% (121 responses) excluded as the responses were not applicable to the question. This question asked how extensive respondents felt any visitor centre should be (i.e. basic / advanced / other). The invalid responses mainly were those that chose the "other" option but that their "other" option was not applicable to the question. This was the highest percentage of invalid responses of any of the questions.

Chart showing valid responses and breakdown on invalid responses



Q1a) To what extent do you support or oppose a policy of sending virtually no waste to landfill in North Wales? (Options given)

Q1b) Which of the following statements best describes how much you currently recycle? (Options given)

Q2a) Do you support the use of rail if possible as part of the service? (Yes / No)

Q2b) To what extent do you support the use of rail (Options given)

Q3) Benefits to the area:- To what extent should the Partnership be looking for the solution to provide benefits to the local community?
(5 Options given for respondents to rank 1- 5 in order of importance)

Q4) Where the waste will come from:- Which approach do you think the Partnership should take? (Options given)

Q5a) Education and awareness:- Do you think that an information programme/ visitor centre should be provided for schools and communities to learn more about the waste challenge in general and in particular about how waste is managed in North Wales? (Yes / No)

Q5b) If yes, which of the following approaches to education and awareness raising would you like to see? (Options Given)

Q5c) If you would like a visitor centre, how extensive should this be (Options given)?

Q6) How would you like to be kept informed? (Options given)

2. Question 1 – Recycling

This question had two parts, and asked respondents views on minimising landfill, and about how much they currently recycle. It can be clearly seen in the Chart 3 below that there is overwhelming support for minimising landfill as much as possible, with 92.7% either broadly or strongly supporting a policy of sending virtually no waste to landfill.

Chart 3

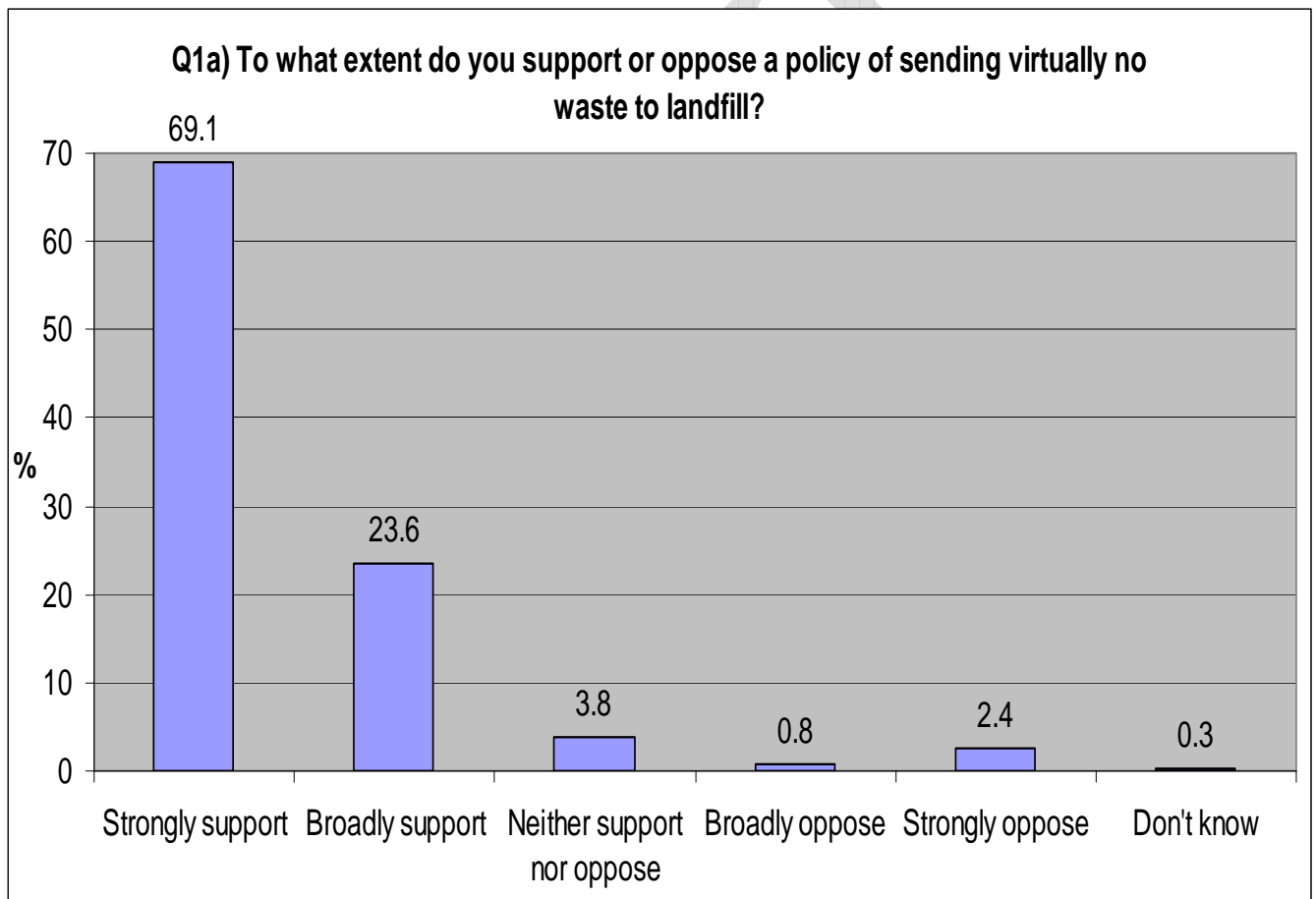
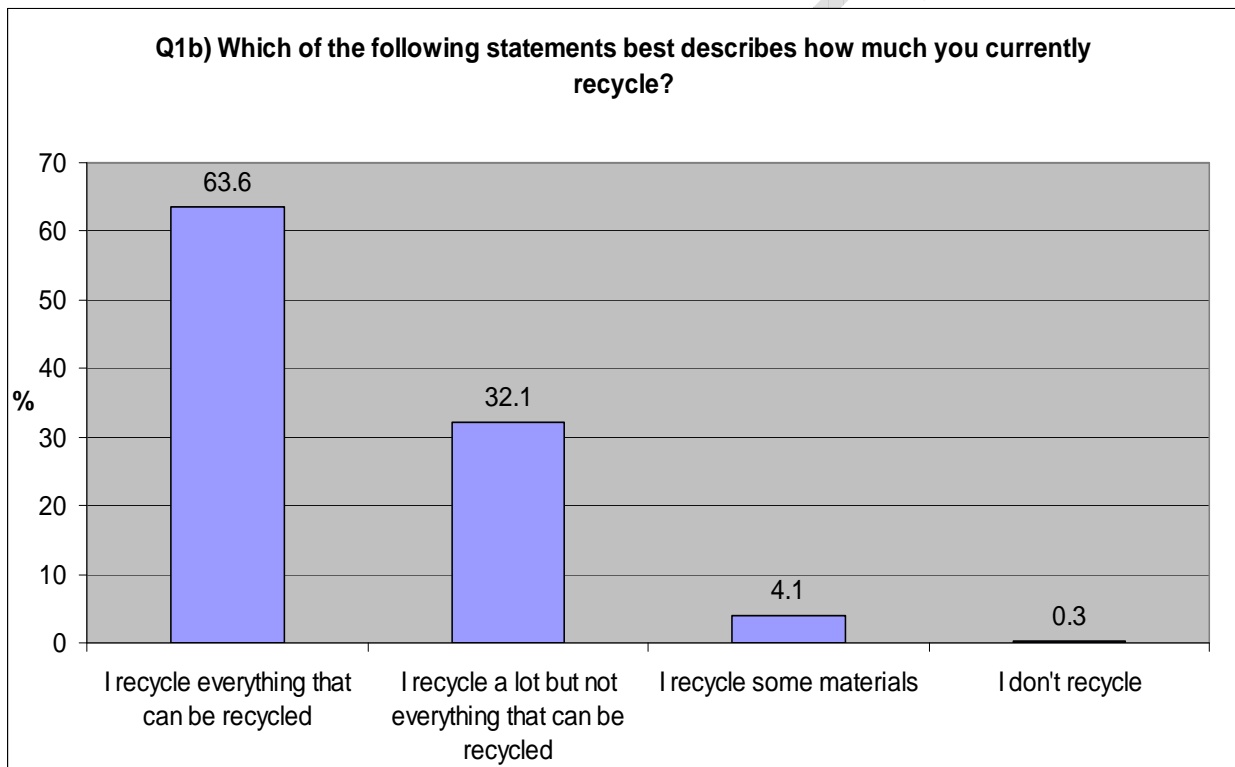


Chart 4 below shows that nearly two thirds (63.6%) of respondents believe that they recycle everything in their household.

Chart 4



3. Question 2 – Transporting the waste / rail

Question two was in two parts, with the first part asking if respondents would support the use of rail to transport the waste. The second part asked how strongly they felt – would they support rail if it was more expensive?

Chart 5 below clearly shows overwhelming support for the use of rail in principle (96.2%).

Chart 6 gives a breakdown of the extent respondents support the use of rail, with 65% of respondents supportive of spending at least slightly more on a rail transport system.

Chart 5

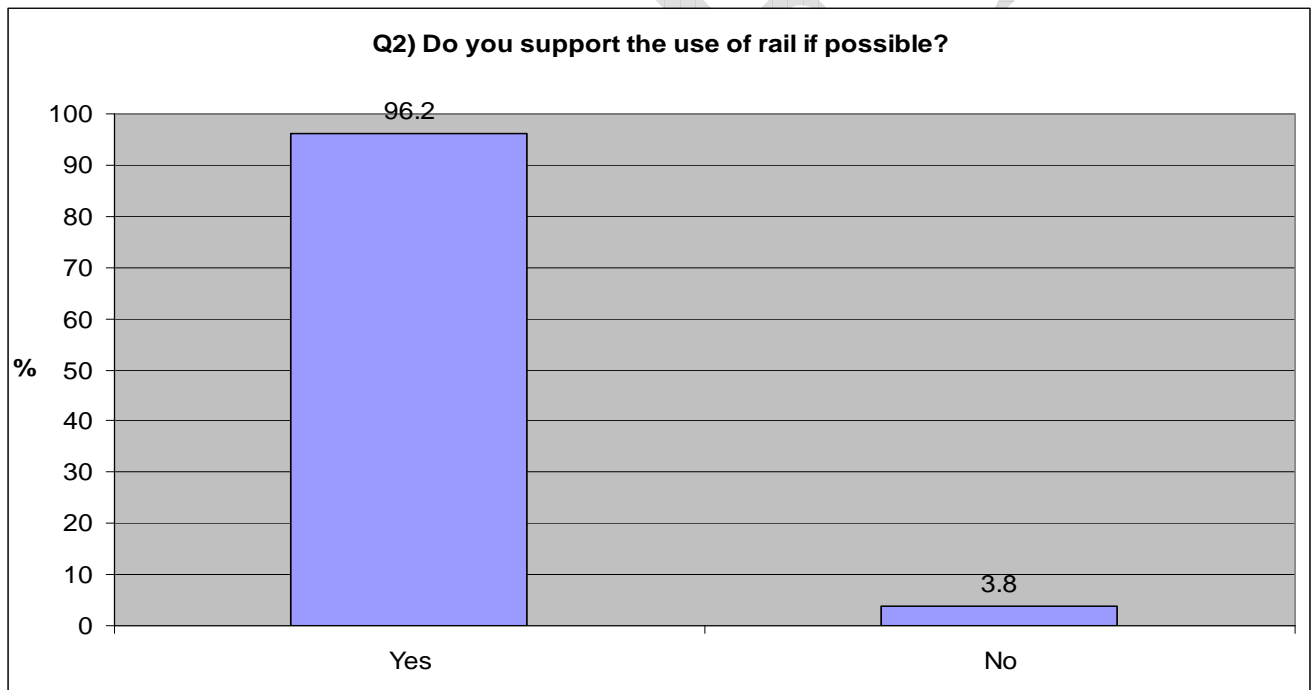
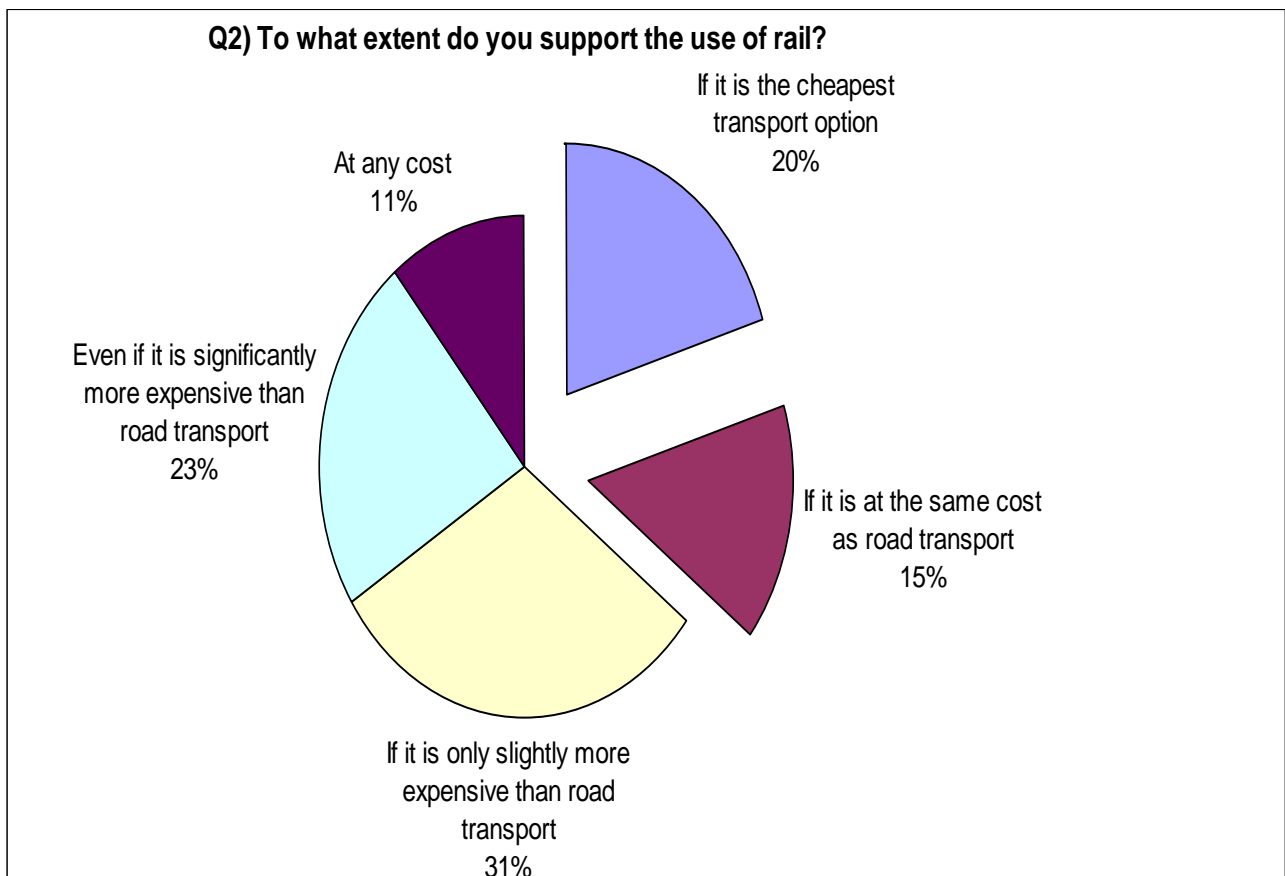


Chart 6



4. Question 3 – Benefits to the area

This question asked respondents to rank 5 potential benefits to the area of residual waste treatment facility in order of importance. Charts 7 – 11 below show the rankings chosen for each potential benefit.

Chart 7

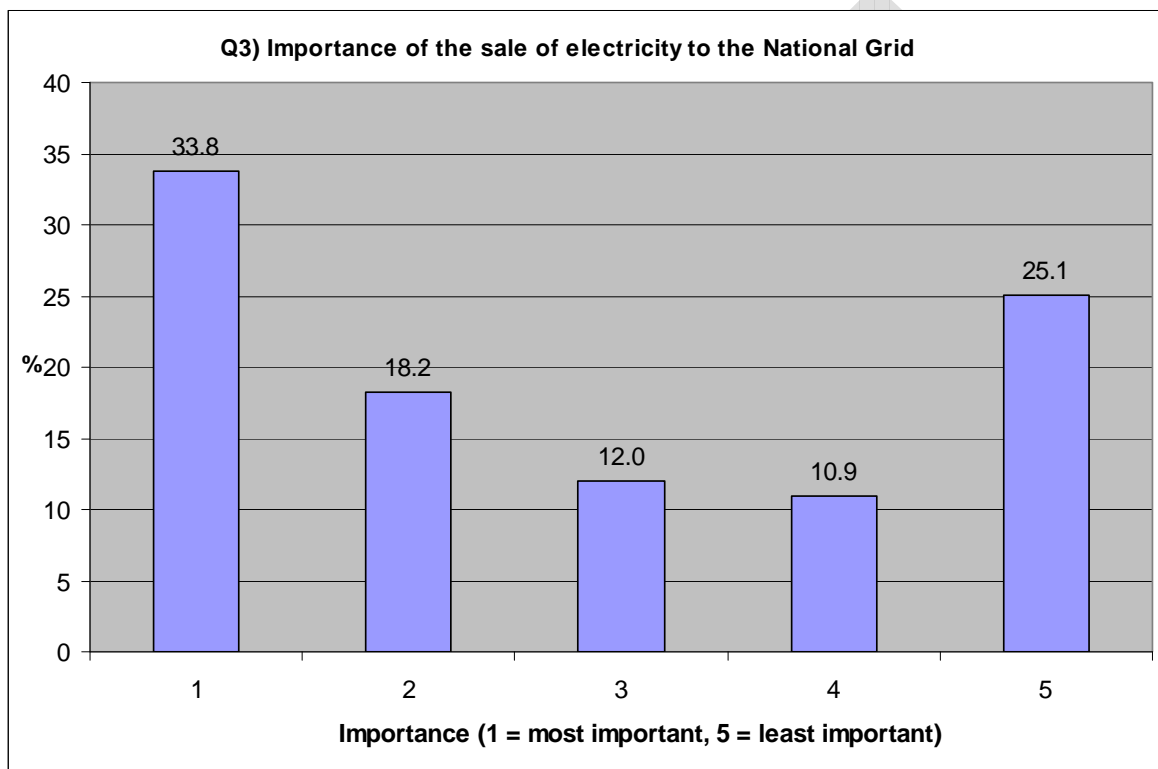
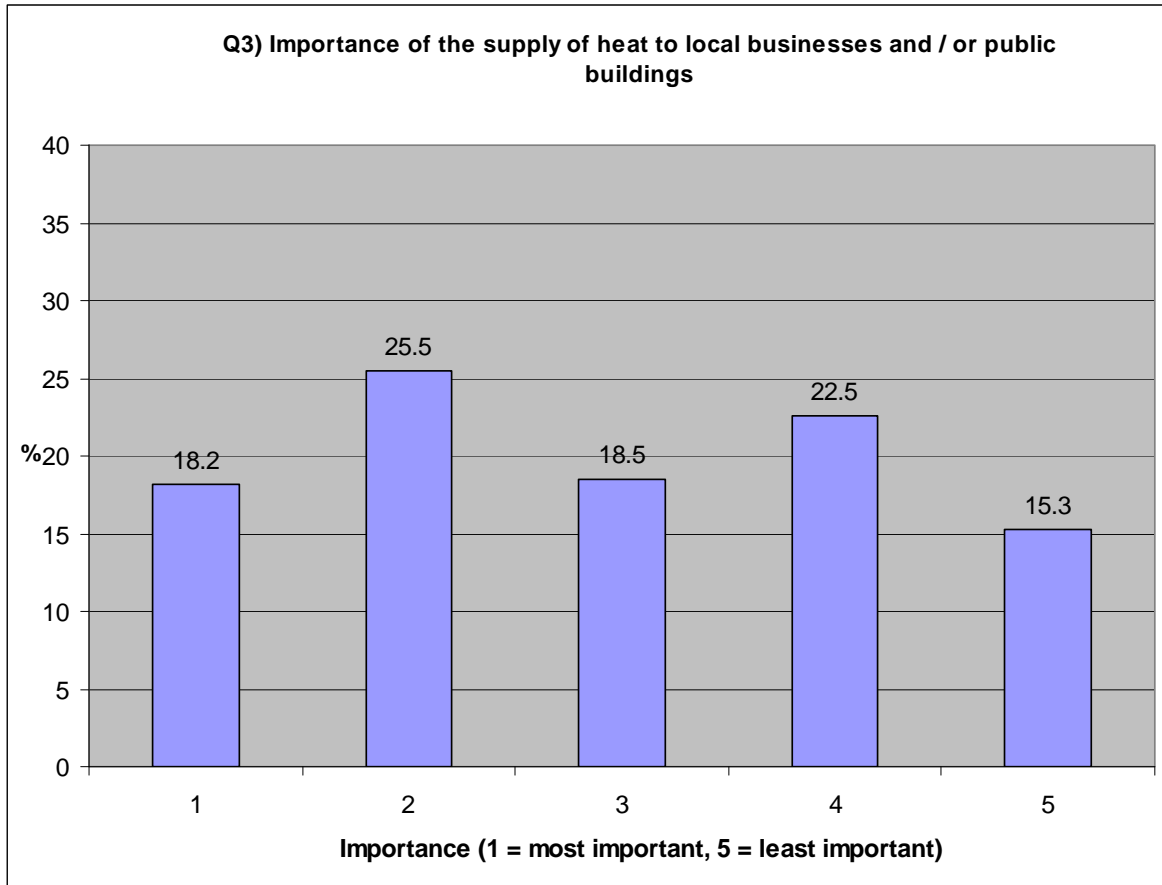


Chart 8



DK

Chart 9

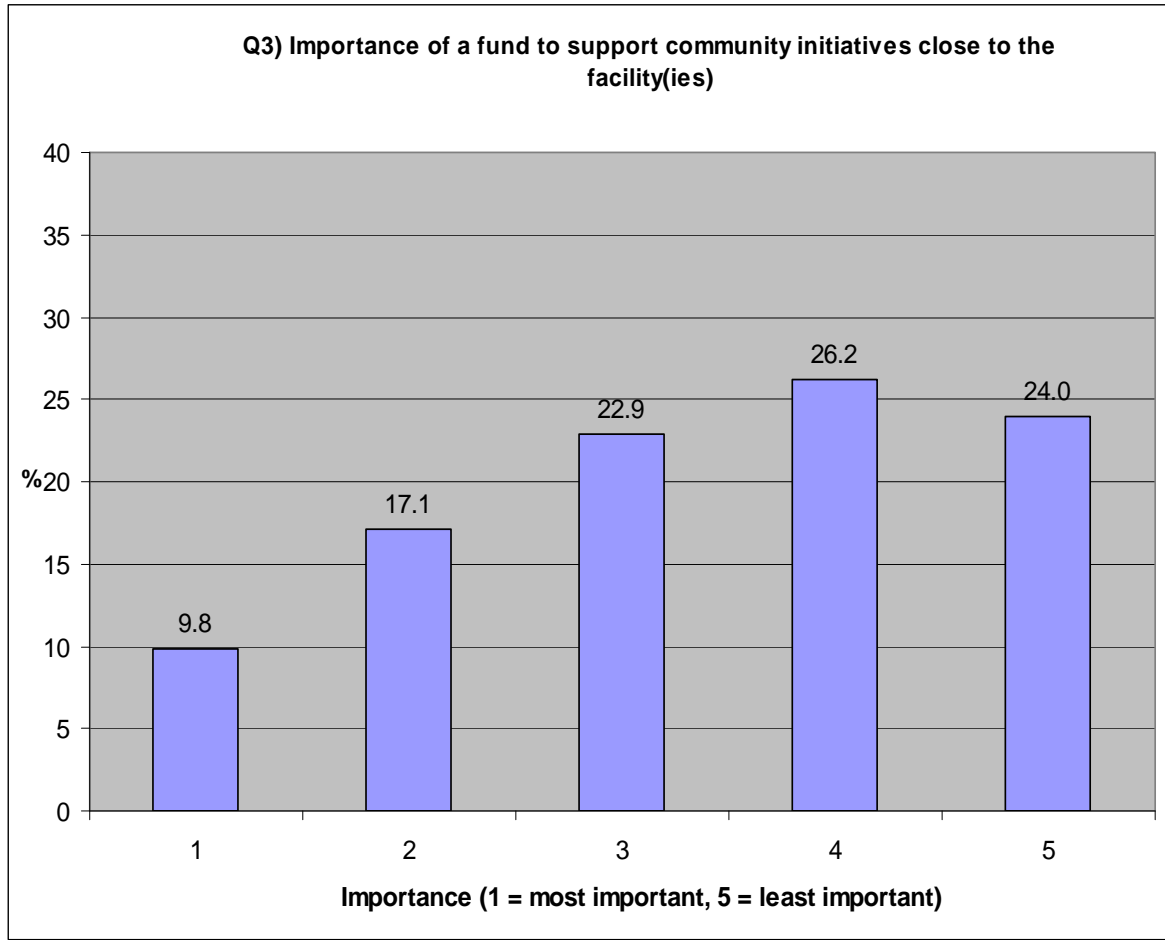


Chart 10

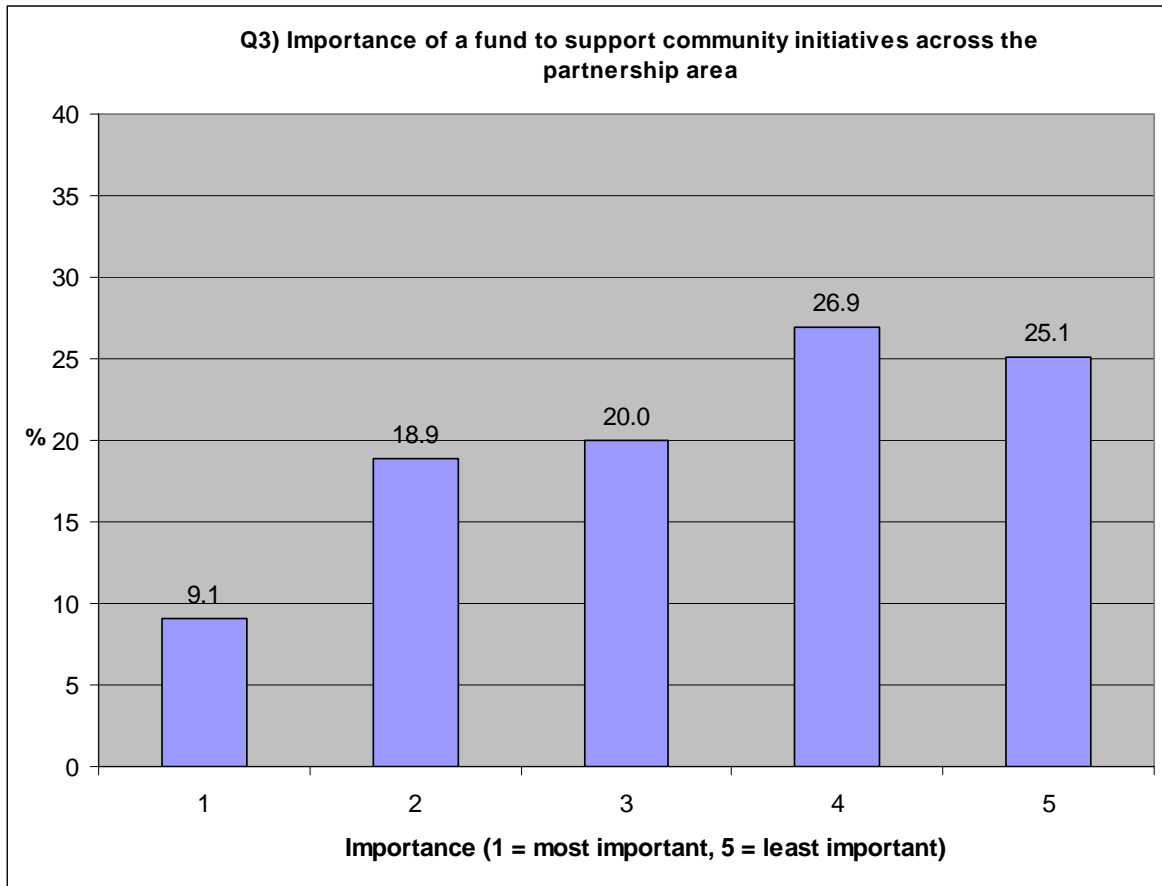


Chart 11



Chart 12 below collates charts 7 – 11 above into one chart. It is apparent that there is none of the options that stands out as a clear choice of respondents, and that there is no clear consensus, however the bars for priority 1 (the highest priority) show that the sale of electricity to the grid and training and apprenticeships for local people were chosen as the top priority most often, and both community fund options chosen as the top priority least often.

Chart 12

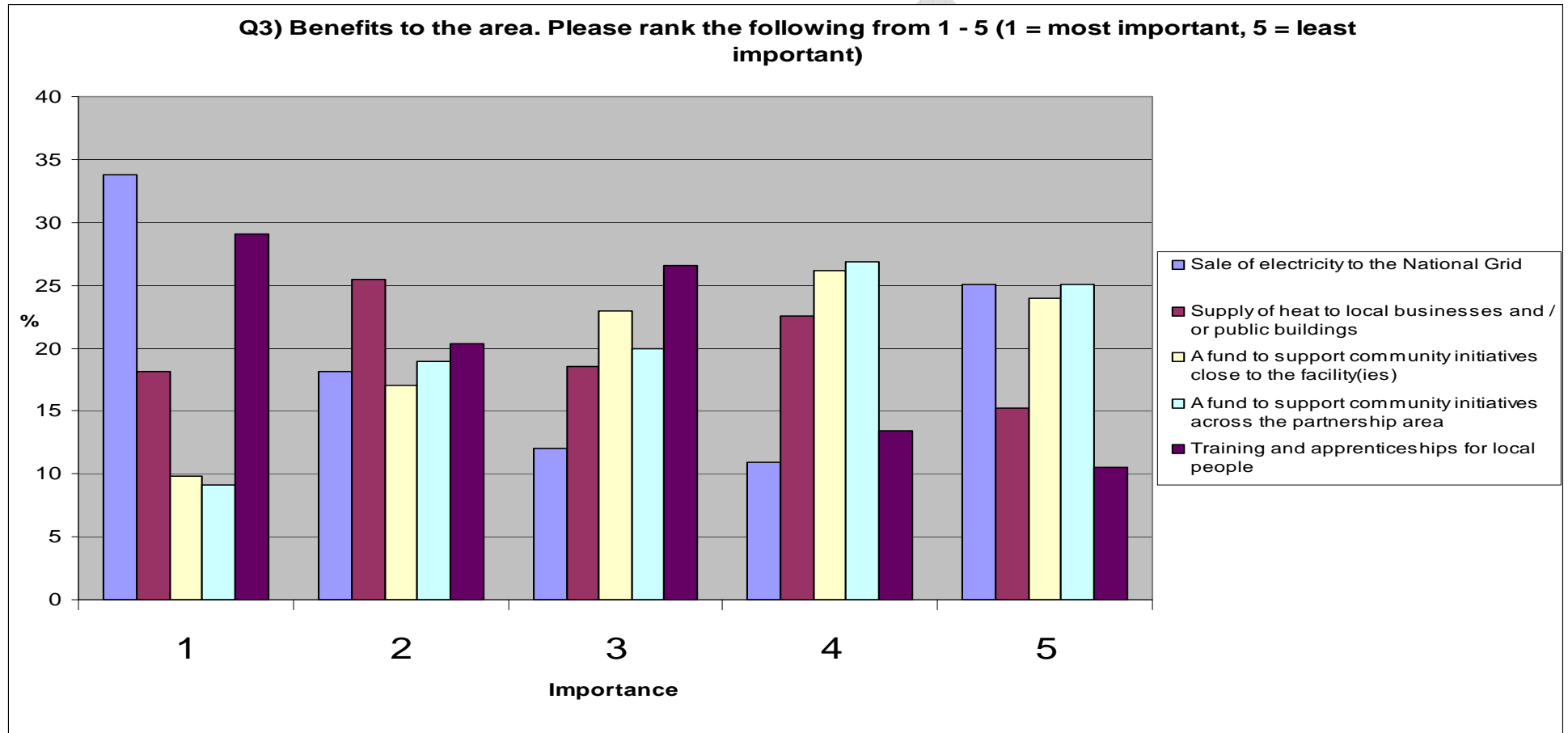
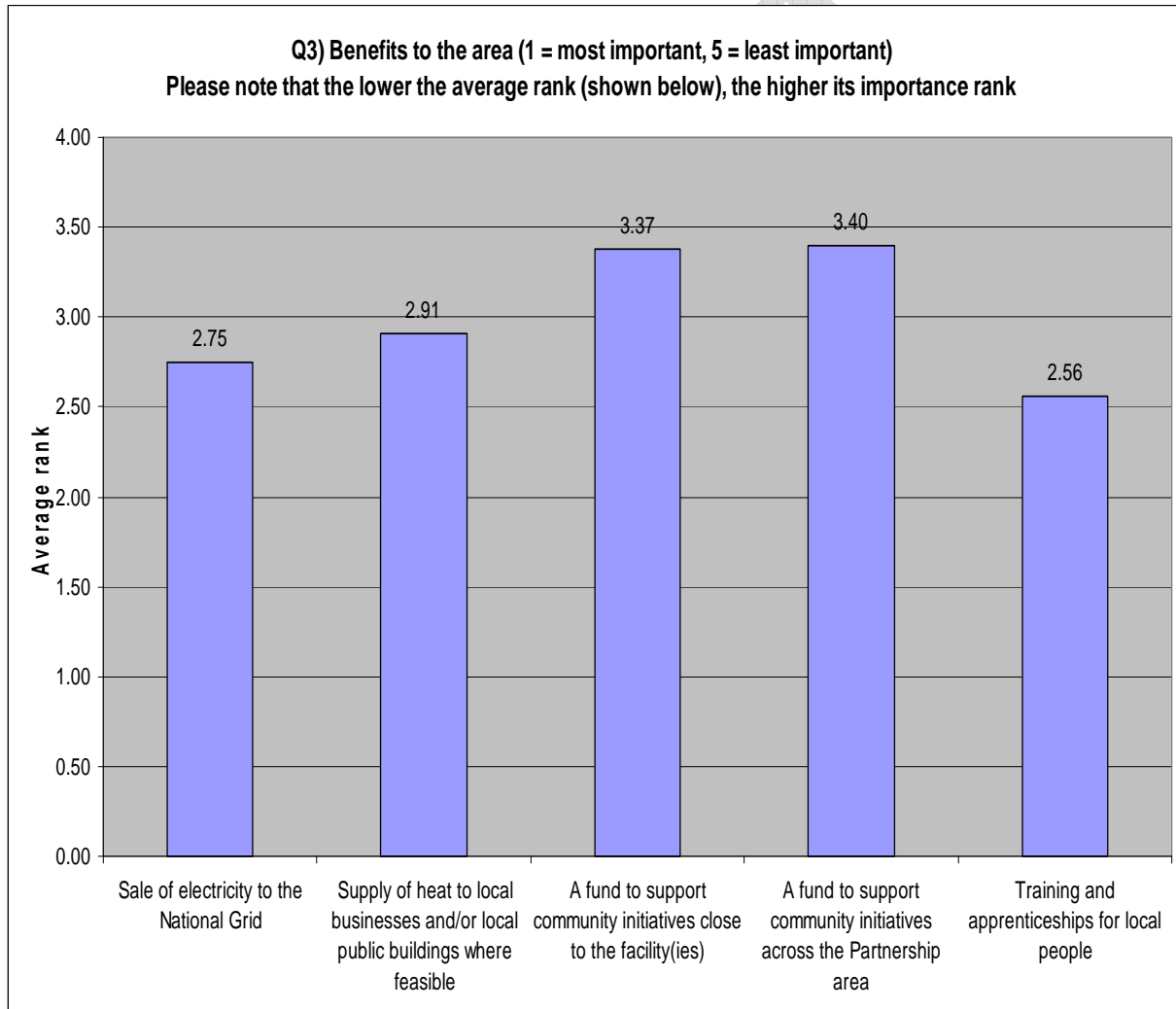


Chart 13 shows the average importance given to each of the benefits. It is important to note in this chart that the lower the average (mean), the higher the importance given, therefore a small bar in the chart indicates a higher importance given on average. This chart shows (possibly more clearly than Chart 12 above) that the option with the highest average importance was training and apprenticeships for local people, closely followed by the sale of electricity. The two community fund options were very close together as the lowest average importance.

Chart 13

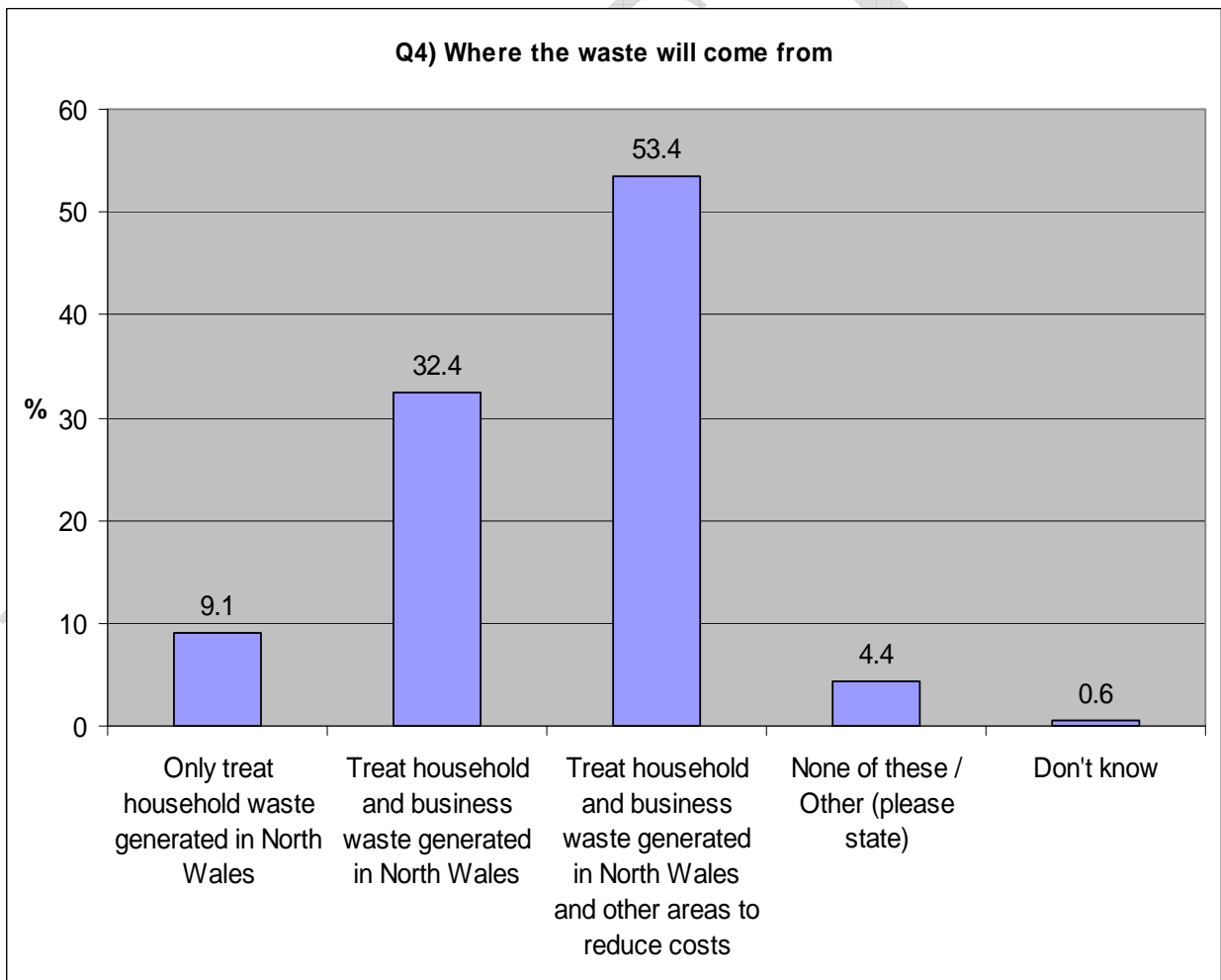


5. Question 4 – Where the waste will come from

Question 4 asked respondents for their preference regarding the source of the waste that will go into the facility. Should the facility only deal with household waste from North Wales or should some business waste from North Wales or even from other areas be treated to help reduce the overall cost.

Chart 14 below shows just over half of the respondents (53.4%) chose the option that the facility should treat some business waste and waste from other areas, and a further 32.4% chose that the facility should treat business waste from North Wales. Only 9.1% chose the option that the facility should only treat household waste from North Wales.

Chart 14

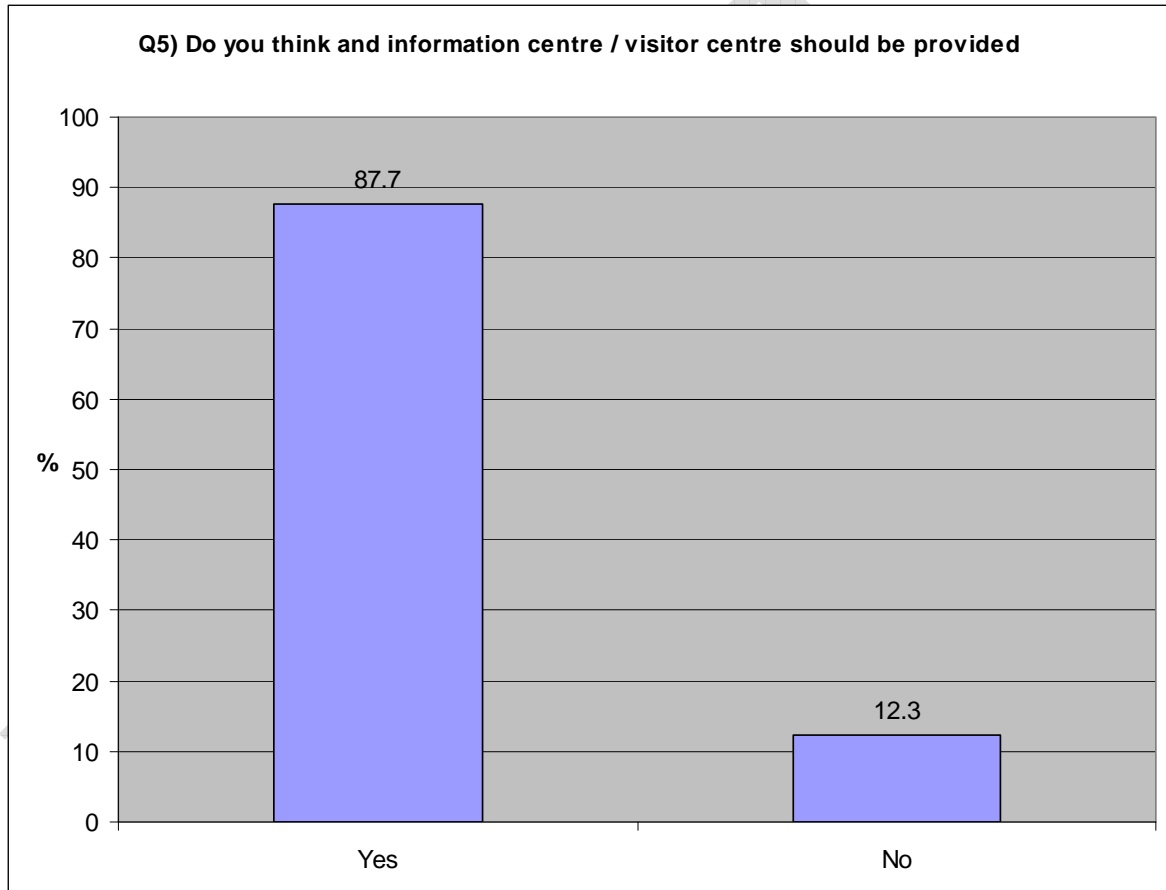


6. Question 5 – Education and awareness

Question 5 was in three parts, and was aimed at ascertaining respondents preferences with regards to education and awareness.

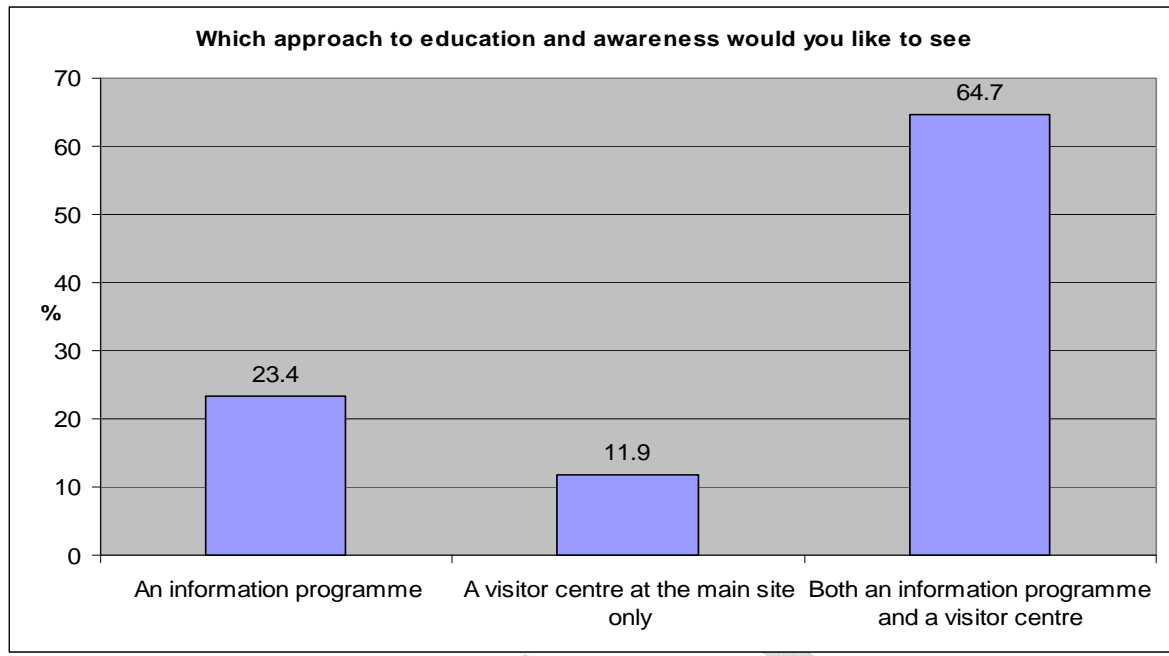
The first part simply asked if respondents supported a visitor centre of some sorts being included. Chart 15 below shows clear support for the provision of a visitor centre, with 87.7% choosing “yes”.

Chart 15



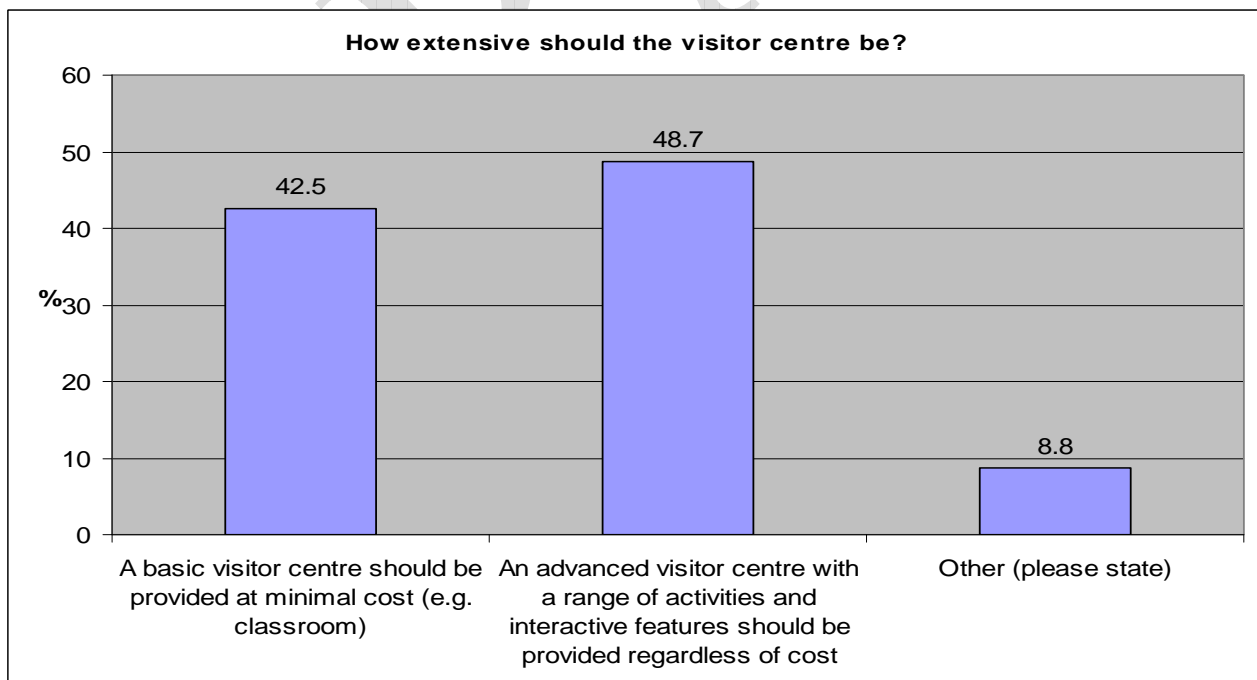
The second part of the question asked if an information programme only should be provided, a visitor centre only, or both. As with the first part of question 5, the results show reasonably clear support for one options – for both an information programme and a visitor to be provided (64.7%) – see chart 16 below.

Chart 16



The final part of question 5 asked respondents how extensive any visitor should be (e.g. basic or advanced but more expensive). Chart 17 below demonstrates that none of the options had clearly more support than another, with 48.7% choosing an advanced visitor centre gaining and 42.5% choosing a basic centre.

Chart 17





7. Question 6 – Keeping in touch

Question 6 asked respondents to choose how they would best like to be kept informed by the project. This was asked to help the project communicate more effectively with stakeholders in future. Chart 18 below shows the results, which show that the two preferred methods are via the project website and local newspapers. One aspect to note is that Council websites were a popular option also, therefore it would seem that more use could be made of individual partner authority websites for communication and engagement purposes.

DRAFT

Chart 18

