



Gareth Owens LL.B Barrister/Bargyfreithiwr
Head of Legal and Democratic Services
Pennaeth Gwasanaethau Cyfreithiol a
Democratiaid

To: Councillors: Aaron Shotton, Kevin Jones, Dave Cowans,
Michael Priestley, David Smith, Eryl Williams, John Wynn
Jones, William Gareth Roberts, Alex Aldridge
and R.G. Parry

DS/CO

24 July 2012

Ceri Owen

01352 702350

ceri.owen@flintshire.gov.uk

Dear Sir / Madam

A meeting of the **NORTH WALES RESIDUAL WASTE JOINT COMMITTEE** will be held in the **COUNCIL CHAMBER, RUSSELL HOUSE, CHURTON ROAD, RHYL, LL18 3DP** on **WEDNESDAY, 1 AUGUST 2012** at **10.30a.m.** to consider the following items.

Yours faithfully

Democracy & Governance Manager

AGENDA

1. **APOLOGIES**
2. **DECLARATION OF INTEREST**
3. **ELECTION OF CHAIR AND VICE-CHAIR**

County Hall, Mold. CH7 6NR
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

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

4. **APPROVAL OF PREVIOUS MINUTES**

5. **MATTERS ARISING FROM PREVIOUS MEETING**

6. **PROGRESS REPORT (SO REPORT)**

7. **RIR – RISK STATUS UPDATE (SP REPORT)**

8. **COMMUNICATIONS UPDATE (VERBAL UPDATE AT MEETING)**

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

The following item is considered to be exempt by virtue of Paragraph(s) 14 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

9. **REFINED ISDS EVALUATION REPORT (SP REPORT ACCOMPANIED BY
A PRESENTATION BY THE PROJECT TEAM AND ALSO EXTERNAL
ADVISORS**

10. **ANY OTHER BUSINESS**

NWRWTP

North Wales Residual Waste Treatment Project

NORTH WALES RESIDUAL WASTE JOINT COMMITTEE

Minutes of the meeting of the Joint Committee held in the Council Chamber,
Bodlondeb, Conwy on Friday, 16 March 2012 at 10.30 am

PRESENT

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

ALSO PRESENT

Conwy County Borough Council
Andrew Kirkham and Sian Harland

Denbighshire County Council
Steve Parker

Gwynedd County Council
Dilwyn Williams

Flintshire County Council
Colin Everett, Kerry Feather, Louise Pedreschi

Isle of Anglesey County Council
Meirion Edwards

North Wales Residual Waste Treatment Partnership
Stephen Penny, Steffan Owen and Karen Powell

Local Partnerships
Hazel Nickless

AMEC
Jonathan Bebb and Ian Cromie

Grant Thornton UK
Saeefar Rehman

11. APOLOGIES

Apologies for absence were received from Carl Longland (Flintshire County Council) and Hugh Roberts (Local Partnerships).

12. MINUTES

The minutes of the meeting of the North Wales Residual Waste Treatment Project held on 27 January 2012 were submitted for approval.

RESOLVED-

That the minutes of the meeting of the North Wales Residual Waste Treatment Project held on 27 January 2012 be approved as a correct record.

13. MATTERS ARISING

In relation to Minute No. 5 (Progress Report), Members were advised that the Notice of Motion, which raised concerns at any proposal for a residual waste treatment plant being sited on Deeside, put forward on the agenda of the Flintshire County Council Meeting on 31 January 2012 had been withdrawn.

14. CHAIRMAN'S ANNOUNCEMENT

The Chairman announced that he had been approached by the BBC with regard to the Welsh Government's agenda on waste. In turn the Chairman had given the reporter the contact number for Jasper Roberts, Head of Waste Policy Division in the Welsh Government.

15. DECLARATIONS OF INTEREST

None.

16. PROGRESS REPORT

The Project Manager presented the progress report and stated that the project was progressing within budget and the final expenditure for 2010/11 was £889,133 with a profiled spend for this financial year of £994,821.

In relation to the press coverage Flintshire County Council had received, it was noted that the petition against a site in Deeside had over 6,000 signatures, which included signatories from neighbouring areas. Once the final stage of the bidding process had commenced, Flintshire would enter into a deeper debate with concerned residents.

RESOLVED-

That the content of the report be noted.

17. RISK REGISTER REPORT – RISK STATUS UPDATE

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

The Register would be updated once the Joint Committee had made its decision on whether the scheme would be rail/road based.

RESOLVED-

That the content of the report be noted.

18. COMMUNICATION UPDATE

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

It was noted that with regard to publicising the decision on the rail/road aspect of the scheme, the Project Team considered that it would be prudent not to release a press release due to the forthcoming Local Government Elections. However, it was the view of the Project Board that the Project Team should answer any press enquiries relating to the rail/road decision, with a wider announcement in July 2012. Members were advised that a response to the decision would be circulated to all Members of the Committee to enable them to respond generically to any press enquiries.

A Member suggested that archived photographs of the previous steel works, which was situated on the site at Deeside, could be used to illustrate that the area had always been an industrial site, despite the view that it was now greenfield.

The Chief Executive of Flintshire County Council advised that there had been positive discussion at the meeting with Connah's Quay Town Council with regard to the scheme.

RESOLVED-

(a) That the Communications Update report be noted.

(b) That the intended approach to publicise the rail/road decision be adopted.

19. NEW WASTE HIERARCHY GUIDANCE

The Project Director presented a report on the new Waste Hierarchy Guidance from the Welsh Government (WG).

The term 'Waste Hierarchy' had been used to define a rank order of priority for the management of waste, with final disposal to landfill being at the bottom of the Waste Hierarchy.

In January 2012, the WG published a new document called "Guidance on Applying the Waste Hierarchy", which provided further detail on how the Waste Hierarchy should be applied in Wales. In particular, there was guidance on where different residual waste treatment technologies lie within the Waste Hierarchy.

Members were requested to note that the published waste hierarchy set out that following the prevention of residual waste, that one of the best environmentally performing technologies to treat this material would be in the form of high efficiency Energy from Waste (EfW) with Incinerator Bottom Ash recovery/recycling. Other forms of waste treatment, such as mechanical biological treatment and mechanical heat treatment were shown to be less desirable.

RESOLVED-

That the content of the report be noted.

EXEMPT ITEMS: LOCAL GOVERNMENT ACT 1972, SECTION 100A AND SCHEDULE 12A (ACCESS TO INFORMATION)

RESOLVED-

That the Public and Press be excluded from the meeting under the provisions of Section 100A of the above Act during consideration of the following item as it involves the likely disclosure of exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A to the Act and that in all the relevant circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

20. OUTCOME OF ROAD – RAIL ASSESSMENT

The Project Director reminded Members that the Joint Committee had consistently expressed their desire to explore the option of utilising rail for transporting waste, as part of any future solution of the ongoing procurement process.

Members were therefore presented with a report, that set out the key findings from the assessment, which was carried out on both road and rail solution submissions made by participants in the procurement process.

Presentations on the Environmental, Technical, Financial and Legal aspects of a road/rail solution were given to the Joint Committee.

The risks associated with the road/rail solution were discussed at length and the following issues were highlighted:-

- Planning consent for rail waste transfer sites
- Timescales for bidders and the Project Team to progress discussions with Network Rail and others for a road/rail solution; it was suggested that a time limit of 6 months was reasonable
- Mitigation of risks
- Costs of a rail/road solution
- Best Practical Environmental Option as a planning consideration
- Bulking of waste
- Public consultation outcome
- Environmental benefits of road only vs Road/Rail

RESOLVED-

- (a) That the combined road/rail option should form the basis of solutions being developed for the NWRWTP because:-
- The costs for rail are less than the affordability target and well below the “Base Case” for the Reference Solution in the approved Outline Business Case.
 - Rail has better environmental performance than a road based solution for the regional project as a whole.
 - The bidders are directed to include within their bids solutions for waste bulking and road transportation to railhead points that seeks to minimise travel by all partner authorities waste collection service vehicles.
 - Achievement of planning consent at the key facility remains a significant risk to the project. The selection of rail with its improved environmental performance will assist in reducing planning risk as it will be easier to demonstrate that the Best Practicable Environmental Option is being proposed.
- (b) That the appropriate consents and agreements from the statutory undertakers and other parties are to be secured where practicable within 6 months (by 27 September) for the Joint Committee to be assured of the logistical feasibility of the rail option within the project timetable, on the assumption that the combined road/rail option will continue to be financially viable in the final bids. A road only option as outlined in paragraphs 3.48 and 3.49 of the report is held as the reserve option should the preferred road/rail option prove not to be feasible.

18. ANY OTHER BUSINESS

None.



AGENDA ITEM NUMBER 6

NORTH WALES RESIDUAL WASTE TREATMENT PROJECT PROGRESS REPORT

NORTH WALES RESIDUAL WASTE JOINT COMMITTEE

Date : 1st August 2012

Period: 7th March 2012 to 23rd July 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	Revised ISDS bids evaluated. Challenge sessions held with legal, financial and technical groups, and final evaluation completed – see item 9 on agenda.

Budget status	
Green	Expenditure for Quarter 1 of 2012/13 (April – June) was £228,460. Budget for the same period was £217,106. This equates to £11,354 over budget for the period.

Status	Meaning
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



NWRWTP

North Wales Residual Waste Treatment Project

Red

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

PROJECT UPDATE – Activities due for completion 7th March 2012 to 23rd July 2012 (and highlighted longer term actions).

ID	Activity	RAG status	Comments	Forecast	Actual
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	Complete
75	Submission of Refined ISDS by participants	Amber		April 2012	Complete
76	Refined ISDS submissions evaluated	Amber	See item 8 on the agenda	May / June 2012	Complete
78	The second IAA (IAA2) to be commenced	Green	This to commence once CFT evaluated and likely preferred bidder is known (and the likely contract structure is more certain).	Spring 2013	
83	Report back to public and respondents with results of consultation	Green	This to be done later in project timetable following discussion at the Joint Committee in January 2012	Autumn 2012	
91	Seek legal advice following letters received about the presence of one of the bidders in the procurement process	Green	Awaiting outcome of ISDS Evaluation if bidder in question proceeds in the procurement process.	August 2012	
92	Prepare press release and	Green	Decision publicised in Flintshire local	late March 2012	Complete



NWRWTP

North Wales Residual Waste Treatment Project

	process for informing the public of road / rail decision		press		
93	Prepare comprehensive information pack for Members and public to be used when it is appropriate to discuss technology and site proposals	Green	See item 8 on the agenda.	Autumn 2012	
94	Prepare and schedule necessary events / meetings / drop in sessions regarding announcement (see 97 below)	Green	See item 8 on agenda.	Autumn 2012	
95	Pre CFT Documents drafting	Green	Project team and advisors to draft CFT documentation	November 2012	
96	Post ISDS dialogue sessions with remaining two participants	Green	Sessions organised for August onwards.	August to October 2012	
97	De-brief unsuccessful bidder	Green	Scheduled for August.	August 2012	
98	Draft readiness to close dialogue report	Green	Project team draft report for PB & JC relating to readiness to close dialogue	Sep 2012	
99	Project team session to review project risk register ready for submission to WG as part of WG readiness to close dialogue review	Green		Oct / Nov 2012	

KEY RISKS – See item 7 on this agenda.



NWRWTP

North Wales Residual Waste Treatment Project

AGENDA ITEM NO: 7

REPORT TO: NWRWTP JOINT COMMITTEE

DATE: 1 AUGUST 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 is one new risk identified this reporting period. Following the decision of Joint Committee at its meeting in March 2012 a new project delivery risk was identified - PD21 (Network Rail approvals are not secured to allow delivery of a rail based transport solution). It was agreed that a review of progress would be made in September to October 2012 to see if key Network rail approvals had been secured.
- 3.2. There have been some changes to other existing risks in this reporting period to reflect the progress being made in the procurement process. These are :-
 - Finance F5 (bid prices being outside of the affordability envelope) where the risks have been reduced to reflect the current competitive pricing being offered to the Partnership,
 - Project delivery PD4 (Potential bidders do not bid due to the prescriptive requirements) where risks have been reduced to reflect the fact that 3 fully comprehensive ISDS submissions have been received.
 - Project delivery PD5 (Potential bidders do not bid as volumes of waste are too small). As above where risks have been reduced to reflect the fact that 3 fully comprehensive ISDS submissions have been received based on Partnerships waste flow model.



- Procurement Strategy P13 (Technological solutions offered are not commissionable within Landfill Allowance Scheme (LAS) infraction timescales. Risk reduced to reflect latest LAS positions as set out within the Partnership ISDS waste flow model and to reflect the projected service commencement dates that protect partner authority from LAS liabilities.

3.3. The Top 9 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



NWRWTP

North Wales Residual Waste Treatment Project

LOCAL GOVERNMENT ACCESS TO INFORMATION ACT 1985

Background Documents:

None

Contact Officer: Stephen Penny NWRWTP



Appendix 1 Top (Red) risks and issues

IDENTIFYING THE RISK or ISSUE						MANAGING THE RISK or ISSUE										Additional explanatory notes
ID	Risk / Issue (i.e.: Threat to the Project)	Consequence	Current Assessment			How the risk will be managed and controlled				Residual risk after management			Impln Date	Review Date	Closure Date	
			Impact	L'hood	Overall	Already in Place	Who is Managing	Not in Place (Proposed)	Who will Manage	Impact	L'hood	Overall				
Policy & regulatory Risk – Change in WG objectives / regulations																
PO1	WG changes financial support available for residual waste treatment projects due to WG affordability / budgetary constraints in the current economic climate	Residual waste treatment projects become less affordable for partnership and each partner authority	5	4	20	Project Team to monitor WG positions in terms of budget availability and lobby at ministerial level if there are indications that proposed funding is to be reduced	PD				5	3	15	Ongoing	Feb-12	
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.	PD				4	3	12	Ongoing	Feb-12	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. WG has now published guidance on the Waste Hierarchy. This is viewed by the project team as helpful and will enable the Partnership to demonstrate how any solution that comes forward ranks in the waste hierarchy.
PO4	Change in legislation or guidance either at European, National or Regional/Local level	Could require revisit of preferred solution, possible termination of project, excessive LAS compliance costs	4	5	20	Keep in close contact with WG to ensure potential policy changes that may impact on the project are identified early.	PD	Lobby WG and liaise with WLGA on this issue.		PD	4	3	12	Ongoing	May-12	WG have now clarified the position on use of IBA (Bottom ash) so the likelihood of policy change in relation to this has reduced. The Project team will review the now published (July 2012) Collections and Infrastructure plan to see how affects overall risks.
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	Ongoing	May-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.



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

IDENTIFYING THE RISK or ISSUE						MANAGING THE RISK or ISSUE										Additional explanatory notes
ID	Risk / Issue (i.e.: Threat to the Project)	Consequence	Current Assessment			How the risk will be managed and controlled				Residual risk after management			Impln Date	Review Date	Closure Date	
			Impact	L'hood	Overall	Already in Place	Who is Managing	Not in Place (Proposed)	Who will Manage	Impact	L'hood	Overall				
Communication & stakeholders – failure to proactively engage with key stake holders leading to delays and lack of public support for the proposed solution.																
CO4	Pressure from lobby groups/public against the preferred solution and location.	Alternative solution/site has to be sought, increased project development costs, delays to project delivery programme, excessive LAS costs, 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	May-12		National campaigners' engaging with local community councils and local communities in attempt to build opposition to potential solutions.
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 have identified sites that could be suitable for location of both the waste transfer stations and residual waste treatment facility(s)	PD	Continue to monitor potentially suitable new sites for the location of facilities .	PD	5	3	15	Ongoing	May-12		
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 ammendments to draft CIM	PD		PD	4	3	12	Ongoing	May-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.
Wastes																
W3	Composition of waste is different from that anticipated (poor data, policy changes, changes in collection practices)	Performance is below required level, excessive LAS compliance costs	3	5	15	Waste composition to be monitored during procurement and data shared at Competitive Dialogue to inform solution. All Wales Waste composition analysis has been carried out by WG through WRAP study has provided a good data set. Performance of technology solution will be tested and understood as part of the procurement process to identify the ability of each solution to process wastes with changed composition.			PD	3	4	12	Ongoing	May-12		
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.			PD	4	3	12	Ongoing	May-12		



Appendix 2 Headline Changes this Period

IDENTIFYING THE RISK or ISSUE			MANAGING THE RISK or ISSUE											Additional explanatory notes			
ID	Risk / Issue (i.e.: Threat to the Project)	Consequence	Current Assessment			How the risk will be managed and controlled				Residual risk			Impln Date		Review Date	Closur e Date	
			Impact	L'hood	Overall	Already in Place	Who is Managin g	Not in Place (Proposed)	Who will Manage	Impa ct	L'ho od	Ove rall					
Finance & Affordability																	
F5	The bid prices are outside of the affordability envelope	Delay to project programme, excessive LAS compliance costs, excessive costs associated with securing and implementing an alternative solution	4	4	16	Advisors have utilised current market pricing and liaising with WG / Local Partnerships in relation to projected cuts in future and sensible assumptions to be made. A range of sensitivity tests carried out as part of the OBC process to ensure range of costs understood	PD	High market interest encouraged by active market engagement. Procurement process is to be run under competitive dialogue enabling the partnership to seek to drive down costs of the solution. ISOS solutions below affordability envelope.	PD	4	1	4	Ongoing	Feb-12			Bid positions received at ISDS well within approved affordability envelope
Project Delivery																	
PD4	Potential bidders do not bid due to the prescriptive requirements	Reduced Competition on bid process	4	3	12	Procurement is to be "Technology Neutral"	PD	Ensure appropriate design of procurement process.	PD	4	1	4	Ongoing	Feb-12			3 participants submitted full ISDS submissions so strong market interest and competiitiion demonstrated.
PD5	Potential bidders do not bid as volumes of waste are too small	Reduced Competition on bid process	4	3	12	Good level of market interest demonstrated.			PD	4	1	4	Ongoing	Feb-12			3 participants submitted full ISDS submissions so strong market interest and competiitiion demonstrated.
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	Partner authorities	Procurement process to ensure that is dlievred ina timely manner with the risk of late delivery of the residual waste treatemtn service minimised.	PD	4	2	8	Ongoing	Feb-12			Updated waste flow modelling demosntrates that potential comissioning dates will not lead to significant LAS exposure to parnter authorities.

Environmental Services: NWRWTP

Risk and Issues Register

A list of the threats to the success of the project and the action being taken to address these.

This document is only valid on the day it was produced and dated

Revisions etc.,

Revision Date	Version	Summary of Changes	Distributed
			Y/ N
17.02.09	V2.0	All risks scored. Removed (R5, P4) Revised (T2, T3)	
20.05.09	V3.0	T4 Split into two risks (A and B). Proposed actions updated by SP. Some implimentation dates and allocation of responsibilites completed. S5 WRAP Composition survey noted by NC	
27.07.09	v4.0	New PS2 and PS3 ralating to stakeholder management and planning risk. S9 now renumbered as PS1)	
1.9.09	v4.1	New R7 and T8 added	
14.10.09	v4.1	Re working	N
11.11.09	v4.2	Re working following risk workshop of 5th November 2009. A number of additional risk identified.	N
20.02.10	v4.3	Risks PS13 and W4 added	Y
13.04.10	v4.4	Updates to reflect recent actions commenced to control certain risks. Risks updated:- JW1, PD2, PD3, P2, P13, T18	Y
24/05/10	v4.5	updated risk PS5 to reflect increased risk of not securing a site for the location of one of the Waste tranfer stations	Y
15/08/10	v4.6	No update required to in relation to v4.5 - text colour changes changed from red to black to reflect these are not new actions since last report.	Y

15/09/10	v4.7	risks PD13,PD14 & PD 17 Closed as now complete. Risk PS11 closed as is duplicate of risk CO4. Actions relating to PD15 updated. Proposed actions moved to in place for some risks.	Y
14/10/10	v4.8	W2 risk level and decription changed to reflect discussion held at project board meetings of September 2010.	Y
09/11/10	v4.9	PO1 ammended to reflect increased risks relating to WAG funding availability, New risk F14 relating to WAG FBC, F15 re avaliability of funding to support "front end" recycling services. W1 ammended to relect risk of partner authoriteis not increasing front end recycling levels.	Y
14/02/11	v4.10	New PD 20 relating to Participants seeking control of sites.	y
22/02/11	v4.11	PD 20 ammended and PO2 due to issue of additional WAG guidance	y
	v4.12	Minor updates on progress	y
	v4.13	Minor updates on progress	y
15/09/11	v4.14	New PS12, F2 ammended to refelct ISDS extension request. Other minor updates.	Y
14/11/11	v14.15	Ammended PS12 CO4	Y
07/12/11	v4.16	Ammended F13	Y
09/02/12	v4.17	Ammended PO2	Y
01/03/12	v4.18	Minor changes	y
01/04/12	v4.19	Updated to reflect stage of procurement process	y
30/05/12	v4.20	No changes this period	y

Approvals

This document requires the following approvals.

Name	Signature	Title	Date of Issue	Version
Stephen Penny				
Stephen Penny				
Stephen Penny				
Stephen Penny				

Stephen Penny				
Stephen Penny				
Stephen Penny				
Stephen Penny				
Stephen Penny				
Stephen Penny				
Stephen Penny				

Distribution

This document has been distributed to:

Name	Title	Date of Issue	Version
all members of project board			
All lead project officers			

Author: **S. Penny**

Version: see version number above

Revision No. see version number above

Status **live**

PROJECT GOAL & OBJECTIVES

Goal	To procure a long term waste management contract to treat the residual waste fines from the five Councils within the Partnership that will allow the Council to be compliant with the WAG National Waste Strategy.
Objectives and Assumptions	1. LAS Compliance: To procure waste treatment capacity and/or infrastructure in a timely manner that ensures the Authoritys' long term LAS requirements are achieved.
	2. To maximise resource recovery from the treatment of the delivered residual waste.
	3. Funding: To employ the most appropriate funding approach for the procurement project.
	4. Delivery Management: To implement an effective project management regime, as reconginsied by OGC etc, with good governance, explicit resource planning, appropriate use of advisors and active risk minimisation.
	5. External Stakeholders: To consult and aknowledge the perceptions of external stakeholders (WAG, PUK, Public, etc) to shape and influence the project for the benefit of developing of the project.
	6. Internal Stakeholders: To ensure that internal stakeholders are continuely aware of progress and impacts of the future impacts of waste management and to maintain their support for the project over its term.
	7. Value: To maintain market interest through thorough engagement of suppliers and the provision (by the Partnership) of an adequate suitable site(s).
	8. A single common gate fee from the point of receipt for all Partner Authorities.

IDENTIFYING THE RISK or ISSUE			MANAGING THE RISK or ISSUE										Additional explanatory notes			
ID	Risk / Issue (i.e.: Threat to the Project)	Consequence	Current Assessment			How the risk will be managed and controlled								Impln Date	Review Date	Closure 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				
F5	The bid prices are outside of the affordability envelope	Delay to project programme, excessive LAS compliance costs, excessive costs associated with securing and implementing an alternative solution	4	4	16	Advisors have utilised current market pricing and liaising with WG / Local Partnerships in relation to projected costs in future and sensible assumptions to be made. A range of sensitivity tests carried out as part of the OBC process to ensure range of costs understood	PD	High market interest encouraged by active market engagement. Procurement process is to be run under competitive dialogue enabling the partnership to seek to drive down costs of the solution. ISOS solutions below affordability envelope.	PD	4	2	8	Ongoing	May-12		Bid positions received at ISDS well within approved affordability envelope
Project Delivery																
PD4	Potential bidders do not bid due to the prescriptive requirements	Reduced Competition on bid process	4	3	12	Procurement is to be "Technology Neutral"	PD	Ensure appropriate design of procurement process.	PD	4	1	4	Ongoing	May-12		3 participants submitted full ISDS submissions so strong market interest and competition demonstrated.
PD5	Potential bidders do not bid as volumes of waste are too small	Reduced Competition on bid process	4	3	12	Good level of market interest demonstrated.			PD	4	1	4	Ongoing	May-12		3 participants submitted full ISDS submissions so strong market interest and competition demonstrated.
PD21	Network Rail approvals are not secured to allow delivery of a rail based transport solution.	Transport element of Rail based solution becomes undeliverable or partially undeliverable.	3	4	12	Following the decision of Joint Committee at its meeting in March 2012, it was agreed that a review of progress would be made in September 2012 to see if key Network rail approvals had been secured. In the event that little or no progress had been made the Partnership may decide to revert to a road based transport solution.	PD			3	3	9	Sep-12	Sep-12		New risk
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	Partner authorities	Procurement process to ensure that is delivered in a timely manner with the risk of late delivery of the residual waste treatment service minimised.	PD	4	2	8	Ongoing	May-12		Updated waste flow modelling demonstrates that potential commissioning dates will not lead to significant LAS exposure to partner authorities.

IDENTIFYING THE RISK or ISSUE			MANAGING THE RISK or ISSUE										Additional explanatory notes			
ID	Risk / Issue (i.e.: Threat to the Project)	Consequence	Current Assessment			How the risk will be managed and controlled			Residual risk after management			Impin Date	Review Date	Closure Date		
			Impact	Lhood	Overall	Already in Place	Who is Managing	Not in Place (Proposed)	Who will Manage	Impact	Lhood					Overall
Policy & regulatory risk – Change in WG objectives / regulations																
PD1	WG changes financial support available for residual waste treatment projects due to WG affordability / budgetary constraints in the current economic climate	Residual waste treatment projects become less affordable for partnership and each partner authority	5	4	20	Project Team to monitor WG positions in terms of budget availability and lobby at ministerial level if there are indications that proposed funding is to be reduced	PD			5	3	15	Ongoing	Feb-12		
PD2	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.	PD			4	3	12	Ongoing	Feb-12		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 savings and as a result planning risk is now moderate. WG has now published guidance on the Waste Hierarchy. This is viewed by the project team as helpful and will enable the Partnership to demonstrate how any solution that comes forward fits in the waste hierarchy.
PD4	Change in legislation or guidance either at European, National or Regional/Local level	Could require revisit of preferred solution, possible termination of project, excessive LAS compliance costs	4	5	20	Keep in close contact with WG to ensure potential policy changes that may impact on the project are identified early.	PD	Lobby WG and liaise with WGA on this issue.	PD	4	3	12	Ongoing	May-12		WG have now clarified the position on use of IBA (Bottom ash) so the likelihood of policy change in relation to this has reduced. The Project team will review the now published (July 2012) Collections and infrastructure plan to see how affects overall risks.
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 arising 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	Ongoing	May-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 collectors services.
IDENTIFYING THE RISK or ISSUE			MANAGING THE RISK or ISSUE										Additional explanatory notes			
ID	Risk / Issue (i.e.: Threat to the Project)	Consequence	Current Assessment			How the risk will be managed and controlled			Residual risk after management			Impin Date	Review Date	Closure Date		
			Impact	Lhood	Overall	Already in Place	Who is Managing	Not in Place (Proposed)	Who will Manage	Impact	Lhood					Overall
Communication & stakeholders – failure to proactively engage with key stake holders leading to delays and lack of public support for the proposed solution																
CD4	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.	PD	4	4	16	Ongoing	May-12		National campaigners engaging with local community councils and local communities in attempt to build opposition to potential solutions.
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 have identified sites that could be suitable for location of both the waste transfer stations and residual waste treatment facility(WG)	PD			5	3	15	Ongoing	May-12		
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	PD			4	3	12	Ongoing	May-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.
Wastes																
W3	Composition of waste is different from that anticipated (poor data, policy changes, changes in collection practices)	Performance is below required level, excessive LAS compliance costs	3	5	15	Waste composition to be monitored during procurement and data shared at Competitive Dialogue to inform solution. All Wales Waste composition analysis has been carried out by WG through WRAP study has provided a good data set. Performance of technology solution will be tested and understood as part of the procurement process to identify the ability of each solution to process wastes with changed composition.	PD			3	4	12	Ongoing	May-12		
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.	PD			4	3	12	Ongoing	May-12		

1
2
3
4
5
6
7
8
9

IDENTIFYING THE RISK or ISSUE						MANAGING THE RISK or ISSUE										Additional explanatory notes	
ID	Risk / Issue (i.e.: Threat to the Project)	Consequence	Current Assessment			How the risk will be managed and controlled					Residual risk after management			Impln Date	Review Date		Closure Date
			Impact	L'hood	Overall	Already in Place	Who is Managing	Not in Place (Proposed)	Who will Manage	Impact	L'hood	Overall					
Policy & regulatory Risk – Change in WG objectives / regulations																	
PO1	WG changes financial support available for residual waste treatment projects due to WG affordability / budgetary constraints in the current economic climate	Residual waste treatment projects become less affordable for partnership and each partner authority	5	4	20	Project Team to monitor WG positions in terms of budget availability and lobby at ministerial level if there are indications that proposed funding is to be reduced	PD					5	3	15	Ongoing	May-12	
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.	PD					4	3	12	Ongoing	May-12	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. WG has now published guidance on the Waste Hierarchy. This is viewed by the project team as helpful and will enable the Partnership to demonstrate how any solution that comes forward ranks in the waste hierarchy.
PO4	Change in legislation or guidance either at European, National or Regional/Local level	Could require revisit of preferred solution, possible termination of project, excessive LAS compliance costs	4	5	20	Keep in close contact with WG to ensure potential policy changes that may impact on the project are identified early.	PD	Lobby WG and liaise with WLGAs on this issue.			PD	4	3	12	Ongoing	May-12	WG have now clarified the position on use of IBA (Bottom ash) so the likelihood of policy change in relation to this has reduced. The Project team will review the now published (July 2012) Collections and infrastructure plan to see how affects overall risks.
PO5	WG fail to provide clarity within their strategic objectives	Delay and loss of stakeholder support	3	4	12	Keep in close contact with WG to ensure potential policy changes that may impact on the project are identified early.	PD					3	3	9	Ongoing	May-12	
Strategy risk – change in any participating council's waste strategy or technology / solution preference																	
SR 1	A change in any participating council's waste strategy or technology / solution preference by any of the partner authorities		4	4	16	Existing MWMS in place. Impartial options appraisal process carried out to identify reference solution (based on WG national evaluation framework). Multi partner authority officer input to this process. Ongoing communications and information to partner authorities on need for the project, technologies, benefits of adopted approach and a technology neutral procurement process.	PM & partner authorities					4	2	8	Ongoing	May-12	

Political

1

2

3

AP1	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. OBC Approvals process mapped out for each partner authority. Offer of support from project team and advisors in approvals processes. IAA sets out governance arrangements and reserved matters.	PM			3	2	6	ongoing	May-12		
AP2	Decision on award of contract is multi authority	Selection of Contractor is delayed due to multi-Authority Involvement (Cabinet Process)	4	3	12			Project Champions (technical officers) from participating Authorities shall be involved in evaluating the bids	PD	4	2	8	July - Aug 2011	May-12		
AP4	Lack of Council political support within one or more of the Partner Authorities.	Delays to project, increase in costs, loss of competitive pressure, threat to VFM, possible procurement challenge, or total abortion of the project	4	3	12	IAA sets our governance arrangements. Provision of briefings and information to partner authorities - offered proactively by project team and advisors. Ongoing communication and engagement on key project parameters.	Lead chief Executive, Project Board members (lead Officers for each partner authority)			4	2	8	Ongoing	May-12		
AP5	Change in priorities in a Council	Major funding issues	4	3	12	OBC has identified affordability of project and benefits of the reference solution in terms of costs management.	Lead chief Executive, Project Board members (lead Officers for each partner authority)			4	2	8	Ongoing	May-12		
AP6	Local Government re-organisation	Confusion and uncertainty	4	4	16	To be managed if and when prospect occurs during the project period	TBC			4	2	8	Ongoing	May-12		
Joint Working – one or more partners exiting the partnership																
JW1	One of the Partner LA's withdraw during procurement process	New OJEU notice has to be placed	5	2	10	IAA 1 signed by partner authorities that shows clear consequences of Authorities leaving the process during and after procurement phase.	MO			5	1	5	Ongoing	May-12		
Finance & Affordability																
F1	Lack of Budget profile leads to unexpected surplus	Surplus is absorbed and re-application required	3	2	6	Finance Officer to be appointed to the team. Payments based on milestones. PD has updated project budget profile. PD to monitor and manage	PD			3	1	3	Ongoing	May-12		
F2	Procurement delays lead to increased procurement costs (due to extended procurement process)	LA's seek additional funding or withdraw	1	2	2	Affordability envelope has been agreed that includes delay to the project	PD	Manage procurement delays by appropriate design of procurement process.	PD	3	3	9	Jan-10	May-12		Due to request from participant and extension to the ISDS timetable given (approx 5 months). Timetable will still be within 12 month delay sensitivity produced for OBC.
F3	Commodity and construction prices increase significantly during procurement and construction phases	Increased project costs and possible exceedance of affordability envelope	4	5	20	Advisors have utilised current market pricing and liaising with WG / Local Partnerships in relation to projected costs in future and sensible assumptions to be made. A range of sensitivity tests carried out as part of the OBC process to ensure range of costs understood	PD			4	2	8	Ongoing	May-12		
F4	Long term interest rates volatility beyond current anticipated levels	Increased project costs and effective impact on affordability envelope	3	5	15	OBC includes a number of sensitivities to be modelled to inform affordability profile	PD			3	3	9	Ongoing	May-12		

F5	The bid prices are outside of the affordability envelope	Delay to project programme, excessive LAS compliance costs, excessive costs associated with securing and implementing an alternative solution	4	4	16	Advisors have utilised current market pricing and liaising with WG / Local Partnerships in relation to projected costs in future and sensible assumptions to be made. A range of sensitivity tests carried out as part of the OBC process to ensure range of costs understood	PD	High market interest encouraged by active market engagement. Procurement process is to be run under competitive dialogue enabling the partnership to seek to drive down costs of the solution. ISOS solutions below affordability envelope.	PD	4	2	8	Ongoing	May-12	Bid positions received at ISDS well within approved affordability envelope
F6	Preferred solution is not bankable	Delay to project programme, excessive LAS compliance costs, excessive costs associated with securing and implementing an alternative solution	5	3	15			Procurement process was designed to ensure that only those solutions capable of delivery (e.g. including bankability) are capable of being awarded the contract	PD	5	2	10	Ongoing	May-12	Solutions based on proven technology from proven technology providers.
F7	Inappropriate funding structure adopted	Failure, delay, and cost	4	3	12			Procurement process to be designed to ensure that only those solutions capable of delivery (e.g. including finance structure) are capable of being awarded the contract	PD	4	2	8	Ongoing	May-12	Appropriate funding structures proposed by all 3 bidders at ISDS.
F8	Inadequate due diligence where a non project finance structure is adopted	Increase in procurement cost and transfer of risk to Authority	3	3	9			Ensure that adequate advice is taken from WG, Local Partnerships and advisors so that risk of prudential borrowing or other finance route are well understood by the partner authorities.	PD	3	2	6	Ongoing	May-12	
F9	Foreign exchange rate changes adversely	Affordability compromised	4	3	12	Advisors have made prudent assumptions (checked with Local Partnerships and WG) and carried out sensitivity analysis as part of OBC development	PD			4	2	8	Ongoing	May-12	
F10	Financial assumption incorrect	Re-procurement and reduced level of service	5	3	15	Advisors have made prudent assumptions (checked with Local Partnerships and WG) and carried out sensitivity analysis as part of OBC development	PD			4	2	8	Ongoing	May-12	
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 Gwyrd. OBC funding award letter defines the conditions for payment of funding- this is consistent with the Partnership's expectations.	PD			5	2	10	Ongoing	May-12	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 the WG financial support. 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.
F14	WG seeks unachievable levels of VFM at Final Business case review stage and approval process due to financial constraints	WG funding support is less than anticipated making the project potentially unaffordable	5	3	15	OBC funding award letter defines the conditions for payment of funding- this is consistent with the Partnership's expectations.	PD	Lobby WG and liaise with WLGA on this issue.	PD	5	2	10	Ongoing	May-12	
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	Ongoing	May-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.
Advisers – change in key personnel															

AD 1	Key advisor personnel team leave or are no longer available to support the project	Delays and lack of familiarity with the project by any replacement advisory staff.	3	3	9	Advisor's project directors to keep an overview of the advisor work. Capacity of teams providing advice tested during appointment of the advisors. Ongoing monitoring of advisor situation to ensure adequate advisor cover an knowledge often project .	PD		3	2	6	Ongoing	May-12		
Project Delivery															
PD1	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 WG, WPPQ and Local Partnerships.	PD		4	1	4	Ongoing	May-12	3 participants submitted full ISDS submissions so strong market interest and competition demonstrated.	
PD2	Potential bidders do not bid due to the Risks being passed to the Contractor	Reduced Competition on bid process	4	3	12	A risk allocation workshop was held 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	The Project Agreement will conform to standard from of contract as provided by WG / Local Partnerships. Any derogations / changes from this standard position will be agreed with WG/ Local Partnerships before implementation to ensure acceptable transfer of risks.	PD	4	2	8	Ongoing	May-12	3 participants submitted full ISDS submissions so strong market interest and competition demonstrated.
PD 3	Potential bidders do not bid due to lack of cohesiveness of the Partnership	Reduced Competition on bid process	4	3	12	IAA signed & Governance Arrangements for procurement period defined in OBC/ IAA.	PD	IAA signed by all partner authorities.	PD	4	2	8	Ongoing	May-12	3 participants submitted full ISDS submissions so strong market interest and competition demonstrated.
PD4	Potential bidders do not bid due to the prescriptive requirements	Reduced Competition on bid process	4	3	12	Procurement is to be "Technology Neutral"	PD	Ensure appropriate design of procurement process.	PD	4	1	4	Ongoing	May-12	3 participants submitted full ISDS submissions so strong market interest and competition demonstrated.
PD5	Potential bidders do not bid as volumes of waste are too small	Reduced Competition on bid process	4	3	12	Good level of market interest demonstrated.			PD	4	1	4	Ongoing	May-12	3 participants submitted full ISDS submissions so strong market interest and competition demonstrated.
PD6	Too many bidders come forward and difficult to de-select to suitable shortlist	Delays to procurement programme, increased development phase costs	3	3	9	Procurement process designed and resourced to allow a number of bidders to be assessed.	PD			3	1	3	Ongoing	May-12	Maximum of 8 bidders to be invited to ISOS stage, 3 participants taken through to ISDS stage. 2 to CFT stage
PD7	The Preferred Bidder drops out or fails to reach a satisfactory commercial/financial close	Programme delay, increased development phase costs, excessive LAS penalties, loss of competitive pressure and possible increase in overall solution costs	5	2	10			Procurement process designed to ensure ability and /or appetite for contract closure is understood pre preferred bidder appointment. No major issues to be allowed to remain unresolved prior to preferred bidder.	PD	5	1	5	Ongoing	May-12	
PD8	One of the two final bidders drops out	Threat to VFM, price escalation, possible exceedance of affordability envelope, delay to procurement programme	4	3	12			Procurement process designed to ensure ability and /or appetite for contract closure is understood pre final tender appointment. Will seek agreement with all bidders at this stage in relation to major issues.	PD	4	2	8	Ongoing	May-12	
PD9	Utility connections may not be available for the solution	Possible threat to affordability, delay to programme	3	3	9			Technical advisors to be tasked to ensure ability to secure utility connections is understood early in the procurement process.	PD	3	2	6	Ongoing	May-12	
PD10	Construction contractor goes into liquidation/receivership during construction phase	Delay to commencement of waste processing, excessive LAS costs, replacement constructor required - increased capital costs	3	3	9	Bidders to demonstrate financial position as part of PCQ and also re-checked at key stages during procurement process			PD	3	2	6	Ongoing	May-12	

PD11	Insufficient project resource (numbers and knowledge/experience of staff/project team)	Delays to projects, increased development costs to 'repair' project, reduced market interest and consequent loss of competitive pressure VFM	3	3	9	PD and PM in post	Authorities to nominate appropriate individuals and to backfill their posts. Input required from key officers in Partner Authorities. PD has produced an estimated resource input schedule to assist Partner authorities in resource management	Individual Partner Authorities	3	2	6	Ongoing	May-12	
PD12	Negotiations on contract are protracted beyond planned programme	Contractor has opportunity to re-bid, price escalation, loss of VFM, affordability threatened, project delay, possible excessive LAS costs.	3	4	12		Procurement process will be clearly defined. Clear partner positions to be articulated to the bidders at all stages.	PD	3	2	6	Ongoing	May-12	Negotiation positions on key aspects of the project are pre agreed by Project Board to allow Dialogue team to get on with negotiations in a time efficient manner.
PD15	Inadequate project management discipline	Possible delay to project programme, LAS compliance costs incurred, delivery management objectives not met, internal stakeholders complain	2	2	4	PD and PM now in post. PD to check that adequate PM controls in place. Internal audit to be engaged prior to Procurement. 1st gateway review completed - project amber green. Recommendations made and taken on board by project team.	Further WG gateway review prior to ISDS. PD to take on board any recommendations.	PD	2	1	2	Ongoing	May-12	
PD16	Facilities not commissioned on time	Possible delay to project programme, LAS compliance costs incurred.	3	3	9	Procurement process designed to ensure sites are identified and understood in terms of planning deliverability. Preliminary site investigate works to be carried out on reference sites. Procurement process to test bidders delivery timetables.		PD	2	2	4	Ongoing	May-12	
PD18	Only one acceptable bidder comes forward	Delay to project, increased cost of going back to market, increased bid prices, failure to secure VFM, excessive LAS compliance costs	4	2	8	PD has commenced market engagement. Good feedback and high level of interest already expressed by a number of potential bidders.	Ensure consistency of message to market.	PD	4	1	4	Ongoing	May-12	10 companies submited EOI. 10 submitted PQQ responses. with 8 pre-qualifying. 3 participants invited to ISDS stage. 2 to be invited to CFT
PD19	There is no market interest due to limited capacity within the industry	Delay to project programme, excessive LAS compliance costs, excessive costs associated with inflation and need to revisit market to secure an acceptable solution. Partnership reputation damaged.	5	2	10	Good level of market interest demonstrated.		PD	5	1	5	Ongoing	May-12	Low risk - however risk cannot be closed until PB appointed
PD20	Participants are concerned that one or more other Participants have gained a commercial advantage by gaining control of a site that may be required to deliver their solution	Participants withdraw from the procurement process	4	3	12	Partnership issue clear instruction to participants in relation to sites. Procurement team to enforce sanctions that may apply against participants that breach these instructions. The PD has received verbal assurances from a rail undertaker that their newly required option on the site in question will not be used solely to give one or more participants a competitive advantage in securing access to a rail head.	Written confirmation gained for the alternative site operator that has secured an option of the site to ensure that all Participants can achieve equal access to the site if required (agreement to a non-exclusive engagement with all participants if required).	PD	4	2	8	Ongoing	May-12	

PD21	Network Rail approvals are not secured to allow delivery of a rail based transport solution.	Transport element of Rail based solution becomes undeliverable or partially undeliverable.	3	4	12	Following the decision of Joint Committee at its meeting in March 2012, it was agreed that a review of progress would be made in September / October 2012 to see if key Network rail approvals had been secured. In the event that little or no progress had been made the Partnership may decide to revert to a road based transport solution.	PD			3	3	9	Sep-12	Sep-12	
PD22	Communication & stakeholders – failure to proactively engage with key stake holders leading to delays and lack of public support for the proposed solution.														
CO1	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	3	9	Communication Officer Group established, with a media protocol agreed to ensure consistency of message.	PM		PM	3	2	6	Ongoing	May-12	
CO2	Risk of challenge to planning approvals if opportunity not given to stakeholders to input to the development of the evaluation framework that will underpin the procurement and subsequent facility planning approvals process.	Risk of an successful planning application or judicial review against planning consent and therefore inability to deliver the project as procured.	4	3	12	Consultation sessions with members of the 5 authorities and external stakeholder held during July - Sep 2010 to get input into the evaluation framework.	PM		PM	4	2	8	Jul-10	May-12	Evaluation framework completed before ITPD issued. Risk can not therefore be further mitigated. However, risk of successful challenge although very low still remains. Therefore risk cannot be closed.
CO3	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 an successful planning application or judicial review against planning consent and therefore inability to deliver the project as procured.	4	3	12	"Drop in" sessions held in the area of the Reference Site. Contact made with key businesses around Reference Site.	PM	Further engagement work around reference site (and other reference sites if identified) at key stages of project.	PM	4	2	8	Ongoing	May-12	
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.	PM	4	4	16	Ongoing	May-12	National campaigners' engaging with local community councils and local communities in attempt to build opposition to potential solutions.
Timescales															
T5	Key Activities not identified in Project Plan	Potential for project to be delayed due to lack of resource or dependability issues	3	2	6	Local Partnerships experts to scrutinise Project documentation	PD		PD	3	1	3	Ongoing	May-12	
Procurement Strategy and Process															
P10	Differing funding proposals from bidders leads to extended procurement period	Delays to service commencement	2	2	4	Different funding proposals to be considered as part of Evaluation Framework	PD		PD	2	2	4	Ongoing	May-12	
P12	Solution offered is not technically viable	landfill diversion not obtained, LA's incur infraction penalties	5	3	15	LAS infraction fine passed to contractor. Technical viability scored within Evaluation Framework	PD		PD	5	1	5	Ongoing	May-12	All 3 ISOS submissions taken through to ISDS stage clearly meet partnership's landfill diversion requirements.

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	Partner authorities	Procurement process to ensure that is delivered in a timely manner with the risk of late delivery of the residual waste treatment service minimised.	PD	4	2	8	Ongoing	May-12	Updated waste flow modelling demonstrates that potential commissioning dates will not lead to significant LAS exposure to partner authorities.
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 including mix of appropriate skills (including advisors)	PD		4	2	8	Ongoing	May-12	Technical, finance and legal officers involved in evaluation challenge sessions with advisors	
P15	Bids scored by external consultants	Solution selected does not meet local requirements and is not accepted by LAs	4	3	12	Bid team selected by Project Director including mix of appropriate skills (including officers from partner authorities and specialist external advisors)	PD		4	2	8	Ongoing	May-12	Technical, finance and legal officers involved in evaluation challenge sessions with advisors	
P16	Officer(s) are perceived to have preconceived ideas of the 'best' solution	Lack of trust of bidder selection and solution selected	4	3	12	Agreed scoring criteria and Evaluation Framework. Stakeholder input to evaluation framework. Moderation of scores to ensure consistency of evaluation approach. Input from local partnership's transactor.		PD	4	2	8	Ongoing	May-12		
Scope Change – Material change in the scope of services required															
SC1	Material change in the scope of services required	Delay to procurement process of bidders withdrawn from procurement due to uncertainties	4	3	12	Technical officer input on draft specification and approved as part of OBC by partner authorities	PM		PM	4	2	8	Ongoing	May-12	
Planning and permitting -ability to secure successful planning and permitting outcome for solution															
PS1	Regional Waste Plan is in conflict with potential solutions	Reduced Competition on bid process	4	3	12	Planning and Site Workstream has been set up to assist in reducing site and planning uncertainty and improve prospects for a positive planning outcome for the project. North Wales regional waste planning team now in place.	PD		4	2	8	Ongoing	May-12		
PSS	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 have identified sites that could be suitable for location of both the waste transfer stations and residual waste treatment facility(s)	PD	Continue to monitor potentially suitable new sites for the location of facilities .	PD	5	3	15	Ongoing	May-12	
PS6	There is a delay on obtaining planning permission (identified reference site)	Failure to comply with LAS, increased costs, impact on award of Environmental Permit	3	3	9	Ongoing engagement / consultation with relevant planning authorities and other stakeholders/ statutory consulters. Site assessment and investigate works carried out by partnership.		PD	3	2	6	Ongoing	May-12		
PS7	There is a delay on obtaining planning permission for WTS sites requiring planning	Failure to comply with LAS, increased costs, impact on award of Environmental Permit	4	4	16	Ongoing engagement / consultation with relevant planning authorities and other stakeholders/ statutory consulters. Site assessment and investigate works carried out by partnership.	PD		3	2	6	Ongoing	May-12		

PS8	There is a delay on obtaining planning permission (alternative main reference site solution)	Failure to comply with LAS, increased costs, impact on award of Environmental Permit	4	4	16	Early identification of potentially suitable alternative main site. Ongoing engagement / consultation with relevant planning authorities and other stakeholders/ statutory consultees. Site assessment and investigative works carried out by partnership.			PD	3	3	9	Ongoing	May-12		
PS9	Planning permission has onerous conditions	Sub-optimal solution, performance below required level, increased costs	3	3	9	Ongoing engagement / consultation with relevant planning authorities and other stakeholders/ statutory consultees. Site assessment and investigative works carried out by partnership.			PD	3	2	6	Ongoing	May-12		Risks apply to all sites including those proposed by Contractor, not just Authority sites
PS10	Planning permission not secured even after appeal.	Diversion performance is below required level, excessive LAS penalties, increased costs	5	3	15	Procurement process to identify deliverability risks of contractor proposals, including likelihood of a successful planning outcome.			PD	5	2	10	Ongoing	May-12		Risks apply to all sites including those proposed by Contractor, not just Authority sites
PS12	Environmental Permit not secured in accordance with project programme	Project development costs exceed expectations, delays to project, excessive LAS penalties	4	3	12	Procurement process to identify deliverability risks of contractor proposals, including likelihood of a successful permit application.			PD	4	2	8	Ongoing	May-12		
PS13	Planning application from successful bidder fails to demonstrate Best Practicable Environmental Option (BPEO)	Unsuccessful planning application	4	4	16	To identify BPEO in Life Cycle Assessment (LCA) (Wizard) as part of OBC development, and to ensure supplementary measures employed to deliver sites and evaluation framework for procurement process, thereby supporting delivery of BPEO	A challenge session will be set up pre CFT with the two last remaining participants to test the way they will seek to demonstrate their solutions are BPEO within the planning context.		PD	4	2	8	Ongoing	May-12		
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			PD	4	3	12	Ongoing	May-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.
Sites																
S1	Site conditions are not as anticipated	Delay in project programme, excessive LAS costs, excessive Capex prices, possible threat to affordability	3	3	9	Technical advisors have been tasked to review site constraints			PD	3	2	6	Ongoing	May-12		
S2	Single site not available for residual facility	Re-define the project, delayed, cost, etc	5	3	15	Initial reference solution site already identified. Further site identification work to be carried out prior to and including early stages of procurement process			PD	5	2	10	Ongoing	May-12		
S3	One or more of the sites not available for some residual facilities	Re-define the project, delayed, cost, etc	4	3	12	A number of potential sites already identified.	Additional assessment and potential acquisition work required.		PD	4	2	8	Ongoing	May-12		

S4	One or more of sites not available for some WTS facilities	Disproportionate costs on some partner authorities	4	3	12	A number of potential sites already identified.	PD	Additional assessment and potential acquisition work required.	PD	4	2	8	Ongoing	May-12	
Wastes															
W1	A Council fail to reach recycling targets by not delivering enhanced "front end" recycling and composting services	Potential excessive project costs due to excess residual waste, threat to affordability, possible excessive LAS penalties if facilities under-sized and fines applied by WG to authorities for underperforming against recycling targets.	3	4	12	Initial discussions already held on key payment mechanism and inter authority principles to describe risk and how costs will be assigned amongst the partner authorities for under/over provision of waste tonnages as a result of under/over recycling/composting performance against agreed waste profiles.	PD	Ongoing engagement and communication with partner authorities to understand proposed waste recycling and composting services so that tonnage profiles can be finalised prior to ISDS stage of the procurement process. Partner authorities to develop plans for meeting enhanced recycling and composting services.	PD	3	3	9	Ongoing	May-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. See F15
W2	Waste flow model is inaccurate due to incorrect assumptions	Possible re-bidding resulting in increased project costs, delays to project, possibly excessive LAS compliance costs and increased landfill costs (if waste more than predicted), possible "put or pay" liabilities (if waste less than predicted).	3	4	12	A number of sensitivities are being carried out to test the impact of differing assumptions used can be understood. Ensure that the waste flows can be modified through early stages of procurement (up to ISDS). A range of sensitivities to be modelled and used as a basis for dialogue with bidders.	PD	Tonnage projections to be reviewed pre CFT based on latest data.	PD	3	3	9	Ongoing	May-12	Standard contract has substitute waste provisions so that contractor has duty to seek additional 3rd party waste if Partnership under deliver.
W3	Composition of waste is different from that anticipated (poor data, policy changes, changes in collection practices)	Performance is below required level, excessive LAS compliance costs	3	5	15	Waste composition to be monitored during procurement and data shared at Competitive Dialogue to inform solution. All Wales Waste composition analysis has been carried out by WG through WRAP study has provided a good data set. Performance of technology solution will be tested and understood as part of the procurement process to identify the ability of each solution to process wastes with changed composition.			PD	3	4	12	Ongoing	May-12	
W4	Potential changes in the legal definition of (currently) non-Municipal Solid Wastes such that they become the responsibility of the partnership authorities	Additional wastes may have to be accommodated in solution	3	2	6	Project team to continue monitoring WG and UK Government Policy	PD		PD	3	2	6	Ongoing	May-12	
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.			PD	4	3	12	Ongoing	May-12	
PE2	The selected technology fails to perform to required level (unreliable or poor performance)	Excessive LAS compliance costs, Environment Agency close facility, contractor defaults, need to modify the solution resulting in increased Capex	3	3	9	Ensure technical track record proven, adequate test of contractor operations experience and that contractor proposals are explored in detail and well understood.			PD	3	2	6	Ongoing	May-12	Contractor will have maximum landfill allowance. If more materials are land filled this would be at cost to the contractor. Ultimately lead to contractor default if significant underperformance
Contractor															

8

9

C1	Contractor default	Re-procurement and additional costs	5	3	15		Ensure track record of contractor, deliverability of proposal (as at reasonable commercial return to the contractor) understood. Those contractor proposals viewed as potential high risk of non-deliver will be marked accordingly in line with the evaluation framework	PD	5	2	10	Ongoing	May-12		
----	--------------------	-------------------------------------	---	---	----	--	---	----	---	---	----	---------	--------	--	--

Key
 PD Project Director
 PM Project Manager
 MO FCC Monitoring Officer

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		27/07/09
HR2 (ex R2)	Unclear definition of responsibilities of the project team	Tasks not completed. Risks and issues not escalated.	3	2	6	Job Descriptions for key roles		Project structure with outline Job Descriptions included in PID	PD	3	1	3		08/10/09	07/09/09
A1 (EX P9)	Cost of Contract too High	Project Re-tendered	4	4	16			OBC options appraisal leading to identification of reference solution includes financial aspects of solution. 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	4	3	12	Ongoing	Nov-09	10/11/09 (closed as is a duplicate of F13)
A2 (EX R4)	Funding not Provided from Treasury	Project Delayed whilst costs are reduced or Project suspended	4	2	8	OBC planned programme that is designed to meet WAG requirements	PD	FBC (Final Business Case) required when Procurement completed. Need to ensure procured solution is consistent with the objectives of the original OBC.	PD	4	1	4	Ongoing	Nov-09	10/11/09 (closed as is a duplicate of F13)
R1	Outstanding Team appointments	Project team under resourced leading to project slippage	3	3	9	Proposed team requirements specified. Interim Project Director now in role. Project Manager interviews arranged following advertisement for internal secondees.	Individual Partner Authorities	Authorities to nominate appropriate individuals and to backfill their posts. Input required from key officers in Partner Authorities. PD has produced an estimated resource input schedule to assist Partner authorities in resource management	Individual Partner Authorities	3	2	6	Ongoing	Nov-09	10/11/09 (duplicate of PD11)
PS4	Planning Permission not granted at identified Sites	Project delayed whilst suitable sites are secured	5	3	15			Alternative Site(s) to be identified and prioritised in order of suitability. Planning advisor appointed to project team and Planning/ sites workstream to be set up.	PD	4	2	8	Aug /2009 (commence)	Nov-09	10/11/09
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	PD						10/11/09 (duplicate of CO4)
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	10/11/09 (Too specific and covered under general procurement risks)	

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		10/11/2009 (duplicate of PE1)
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		11/11/2009 (Duplicate of PE2)
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		11/11/2009 (Duplicate of W1)
S5	Waste composition analysis not as Enumia / 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.							10/1/09 (Duplicate of W3)
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		10/11/09 (Too specific and covered under W1)
PO3 (ex S8)	WAG waste management targets change	Local Authorities will incur penalties regardless of this project	4	4	16	Project Team in contact with WAG and PUK	PD	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). However NWRWTP has little influence over WAG policy decisions	PD	4	3	12	Ongoing	Nov-09	10/11/09 (duplicate of PO2)
AP3 (ex 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	LP	4	2	8	Commence July 2009, Complete Nov 2009.	Nov-09	10/11/09 (duplicate of AP4)

T8	OBC timeline is delayed if required information in terms of tonnage, future recycling / diversion performance (front end) and service costs are not fully.	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	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.	PM	4	2	8	Apr-10	Nov-09	40282
PD13	Delay in production/a pproval of OBC	Possible delay to project programme, potential loss of WAG funding, LAS compliance costs incurred	4	3	0	Programme in place, tasks allocated and WAG supplied with approvals timeline for partner authorities. Approvals all made in time for submission of OBC to WAG		Partner authorities to ensure that adequate senior management support given to approvals processes	Corporate D	4	0	0	Sep-10	Ongoing	
PD14	Delay in production/a pproval of inter-Authority agreement	Possible delay to project programme, potential loss of WAG funding, LAS compliance costs incurred	3	3	0	Programme in place, tasks allocated and WAG supplied with approvals timeline for partner authorities.		Partner authorities to ensure that adequate senior management support given to approvals processes	Corporate D	3	0	0	Sep-10	Ongoing	
PD17	OBC rejected by WAG (due to omissions, too much competition from other authorities)	Possible delay to project programme, LAS compliance costs incurred.	3	3	9	OBC follows WAG guidance. Regular meetings with WAG and input from PUK transactor.	PD			3	0	0	Sep-10	Ongoing	
PS11	Public opposition to technical solution/planning application including legal challenge	Delays to project delivery programme, excessive LAS penalties, affordability envelope threatened.	4	5	20			Active stakeholder and communications plan.	PM	4	4	16	Sep-10	Ongoing	Closed - this is a duplicate of CO4

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.	PD		PD	3	3	9	Ongoing	Sep-11	40787	CLOSED Duplicate of F2
-----	--	--	---	---	---	--	----	--	----	---	---	---	---------	--------	-------	------------------------

Definition of Risk

Likelihood	High	5 (W)	10 (W)	15 (M)	20 (M)	25 (M)	<div style="display: flex; flex-direction: column; align-items: center; gap: 10px;"> <div style="display: flex; align-items: center; gap: 5px;">M Mitigate</div> <div style="display: flex; align-items: center; gap: 5px;">W Watch</div> <div style="display: flex; align-items: center; gap: 5px;">A Accept</div> </div>
	Medium / High	4 (W)	8 (W)	12 (M)	16 (M)	20 (M)	
	Medium	3 (A)	6 (W)	9 (W)	12 (M)	15 (M)	
	Low / Medium	2 (A)	4 (A)	6 (W)	8 (W)	10 (M)	
	Low	1 (A)	2 (A)	3 (A)	4 (W)	5 (W)	
	Low	Low / Medium	Medium	Medium / High	High		

Impact

Likelihood (probability of occurrence)

5	High	75% to 100%
4	Medium / High	50% to 75%
3	Medium	26% to 49%
2	Low / Medium	11% to 25%
1	Low	< 10%

Impact (affect on outcome)

5	High	Catastrophic
4	Medium / High	Critical
3	Medium	Concerning
2	Low / Medium	Marginal
1	Low	Negligible

FLINTSHIRE COUNTY COUNCIL

EXEMPT INFORMATION SHEET

COMMITTEE: NORTH WALES RESIDUAL WASTE JOINT COMMITTEE

DATE: 1 AUGUST, 2012

AGENDA ITEM NO: 9

REPORT OF: PROJECT DIRECTOR

SUBJECT: REFINED ISDS EVALUATION REPORT (SP REPORT ACCOMPANIED BY A PRESENTATION BY THE PROJECT TEAM AND ALSO EXTERNAL ADVISORS)

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

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

PLEASE TICK APPROPRIATE BOX

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

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

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

REPORT: REFINED ISDS EVALUATION REPORT (SP REPORT
ACCOMPANIED BY A PRESENTATION BY THE
PROJECT TEAM AND ALSO EXTERNAL ADVISORS

AUTHOR: PROJECT DIRECTOR

MEETING AND DATE OF MEETING: NORTH WALES RESIDUAL
WASTE JOINT COMMITTEE – 1 AUGUST, 2012

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

Exemptions applying to the report:

Paragraph 14 – The report would reveal details of proposed bids for the contract, i.e. business details.

Factors in favour of disclosure:

The bids are for a public contract of local significance so there is a strong public interest in the options being proposed.

Prejudice which would result if the information were disclosed:

The contract process is still underway, and the report is extensive in its detail.

My view on the public interest test is as follows:

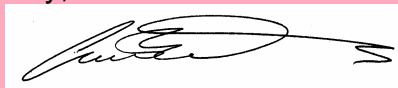
Do not disclose until after contract awarded.

Recommended decision on exemption from disclosure:

See above.

Date: 23 July, 2012

Signed:



Post: Head of Legal and Democratic Services

I accept the recommendation made above.



Proper Officer

Date: 24 July, 2012