

BARNSELEY, DONCASTER AND ROTHERHAM JOINT WASTE BOARD

Venue: Town Hall, Rotherham Date: Monday, 7th October, 2013
Time: 2.00 p.m.

A G E N D A

1. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
2. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
3. Apologies for absence
4. Declarations of Interest
5. Minutes of the previous meeting held on 14th June, 2013 (copy attached) (Pages 1 - 6)
6. Matters Arising
To discuss matters arising from the previous minutes, which are not included elsewhere on the agenda.
7. BDR Manager's Report (copy attached) (Pages 7 - 11)
 - Governance
 - Project Delivery
 - Technical
 - Health and Safety
 - Legal
 - Financial
 - Communications
 - Resources
8. BDR Risk Status (report attached) (Page 12)
9. Rotherham Investment and Development Office - 15 October 2013 Event - Press Release (copy attached) (Pages 13 - 14)
10. Exclusion of the Press and Public

The following item is likely to be considered in the absence of the press and

public as being exempt under Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended, March 2006 – information relates to finance and business affairs)

11. BDR PFI Budget Update 2013/14 (report attached) (Page 15)

12. Date, time and venue for the next meeting

To consider the following arrangements and pattern for meetings to be held during 2013/14:-

Steering Committee : Tuesday 26th November, 2013

Joint Waste Board : Friday 13th December, 2013

Steering Committee : Tuesday in February, 2014

Joint Waste Board : Friday in March, 2014

Steering Committee : Tuesday in May, 2014

Joint Waste Board : Friday in June, 2014

Joint Waste Board meetings are held at the Town Hall, Rotherham.

BARNSELY, DONCASTER AND ROTHERHAM JOINT WASTE BOARD
14th June, 2013

Present:- Councillor R. Miller (Barnsley MBC); Councillor B. Mordue (Doncaster MBC) and Councillor R. S. Russell (Rotherham MBC).

Beth Clarke	BDR Joint Waste Project Manager
David Burton	Rotherham MBC
Gill Gillies	Doncaster MBC
Ian Gledhill	Rotherham MBC
Jonathan Baggaley	Rotherham MBC
Matthew Bell	Barnsley MBC
Peter Dale	Barnsley MBC
Steve Noble	DEFRA

Apologies for absence were received from Councillors C. Mills (Doncaster MBC), S. Ali (Rotherham MBC), Sharon Howard, Tracy Holmes (Rotherham MBC) and Dr. Ann Gosse (Barnsley MBC)

K1. APPOINTMENT OF CHAIRMAN FOR THE MUNICIPAL YEAR 2013/2014.

Resolved:- That Councillor Chris Mills of Doncaster Metropolitan Borough Council be appointed Chairman of the Barnsley, Doncaster and Rotherham Joint Waste Board for the 2013/2014 Municipal Year.

K1. APPOINTMENT OF VICE-CHAIRMAN FOR THE MUNICIPAL YEAR 2013/2014.

Resolved:- That Councillor Roy Miller of Barnsley Metropolitan Borough Council be appointed Vice-Chairman of the Barnsley, Doncaster and Rotherham Joint Waste Board for the 2013/2014 Municipal Year.

(Councillor R. Miller in the Chair)

K1. DECLARATIONS OF INTEREST.

There were no declarations of interest made at this meeting.

K1. MINUTES OF THE PREVIOUS MEETING HELD ON 15TH MARCH, 2013.

Consideration was given to minutes of the previous meeting of the Barnsley, Doncaster and Rotherham Joint Waste Board, held on 15th March, 2013.

Resolved:- That the minutes of the previous meeting be approved as a correct record for signature by the Chairman.

K1. MATTERS ARISING.

There were no matters arising to report.

K1. AUTHORISED REPRESENTATIVES.

It was noted that Councillor. B. Mordue was attending this meeting on behalf of Doncaster Metropolitan Borough Council representative, Councillor C. Mills.

K1. IAA2 REPORT.

Further to Minute No. D8 (Delegation of Powers) of the Barnsley, Doncaster and Rotherham Joint Waste Board held on 29th June, 2012, consideration was given to the report presented by the Legal Adviser to this Board, which noted the delegations under the Second Inter-Authority Agreement (IAA2) for the Barnsley, Doncaster and Rotherham Joint Waste Board for the Municipal Year, 2013-2014. This committee had been created pursuant to Section 101(5) of the Local Government Act, 1972.

The report outlined proposals for how the Joint Waste Board would be delegated to the Barnsley, Doncaster and Rotherham Joint Waste Steering Committee, which would be empowered to make day-to-day decisions relating to the Principal Contract. However, the provisions of the Local Government Act, 1972 did not allow for the delegation of powers to be exercised jointly by a committee of officers.

The proposed scheme of delegations for the Barnsley, Doncaster and Rotherham Councils' Joint Waste Project for the 2013-2014 Municipal Year were suggested. The roles would rotate to avoid a conflict of interest so that no Authority was holding more than one of the three key roles: -

- Authorised Barnsley, Doncaster and Rotherham Steering Committee member (Chairperson of that Body): -

Rotherham Metropolitan Borough Council for the 2013-2014 Municipal Year;

- This Officer would subsequently delegate certain functions to the Barnsley, Doncaster and Rotherham Manager in order to deal with the day-to-day functions of the Principal Contract.

- The membership of the Steering Committee would be: -
 - Barnsley Representative: - The Assistant Director, Highways, Engineering and Waste Management and Neighbourhoods. In their absence, the Group Manager, Waste Services;
 - Doncaster Representative: - The Assistant Director, Environment. In their absence, the Head of Service for Environmental Protection;
 - Rotherham Representative: - The Director of Streetpride. In their absence, the Waste Strategy Manager.

Resolved: - (1) With the exception of the decisions reserved to the Authorities for a unanimous decision under IAA2 all other decisions in respect of the Principal Contract are delegated by the Joint Waste Board to the Authorised Barnsley, Doncaster and Rotherham Steering Committee Member.

(2) The Authorised Barnsley, Doncaster and Rotherham Steering Committee Member may elect to delegate certain decisions to the Barnsley, Doncaster and Rotherham Manager.

(3) The Barnsley, Doncaster and Rotherham Manager may delegate any decisions delegated to her to a member of the Joint Waste Team (if the right to delegate is granted by the Authorised Barnsley, Doncaster and Rotherham Steering Committee Member).

(4) The Joint Waste Board noted that Rotherham Metropolitan Borough Council's representative on the Barnsley, Doncaster and Rotherham Steering Committee would be the Authorised Barnsley, Doncaster and Rotherham Steering Committee Member for the Municipal Year, 2013/14.

K1. BARNSELY, DONCASTER AND ROTHERHAM MANAGER'S ANNUAL REPORT.

Consideration was given to the submitted annual report of the Barnsley, Doncaster and Rotherham Manager. The information contained within the report included: -

- Background to the project;
- Governance;
- Resources;
- Training;
- Project delivery;
- Technical;
- Audit;

- Legal;
- Communications;
- Health and Safety;
- Risk Register;
- Other, including the Barnsley, Doncaster and Rotherham Joint Waste Project being nominated for a Partnership Award, 2013.

Since publication of the report an update was available in relation to section 6.3.4 'Bolton Road Construction'. The Planning Consent had been referred to the Planning Casework Unit on 16th May, 2013, due to the Green Belt issue. No call-in had taken place, so the decision had been upheld and was now subject to Judicial Review.

Since publication of the report, in relation to section 10.1 'Health and Safety' two injuries that were reportable to the Health and Safety Executive had occurred. In relation to Section 10.2 an incident of ocre water had occurred resulting from a blockage and subsequent stagnation of water. The Environment Agency had been involved and had ruled that there were no issues of concern.

Discussion ensued on the nomination of the Barnsley, Doncaster and Rotherham Joint Waste Project for a Partnership Award. The Project did not win this category, although feedback had suggested that it was very close and the standard of entries had been exceptionally high. The Barnsley, Doncaster and Rotherham Joint Waste Board Elected Members thanked the Officers involved for their hard work.

Resolved: - That the Barnsley, Doncaster and Rotherham Manager's annual report be received and the information noted.

K1. RISK REGISTER.

The Barnsley, Doncaster and Rotherham Joint Waste Board considered the updated Waste PFI transition phase risk register.

It was noted that the risks in relation to business continuity resulting from 'permitting delay' and 'permitting failure' had now been closed off.

There were no issues to report based on the risk status report as at 29th May, 2013.

Resolved:- That the updated information on the risk register be received.

K1. AUDIT SUMMARY REPORT.

Further to Minute No. D35 (Audit Action Plan) of the Barnsley, Doncaster and Rotherham Joint Waste Board held on 15th March, 2013, consideration was given to the report presented by the Barnsley,

Doncaster and Rotherham Manager in relation to the strategic-level governance review of the Waste Management PFI Contract between the three Local Authorities and 3SE. A rating of adequate of assurance was given in relation to the internal control framework, meaning that a sufficient framework of key controls existed, which was likely to result in objectives being achieved, but that the control framework could also be stronger.

The Barnsley, Doncaster and Rotherham Manager reported on the on-going progress in relation to this rating.

There were three actions outstanding in relation to open risks: -

- Contract Manuals – resources had been increased to complete production of contract manuals within the timescales available;
- Terms of Reference – the terms of contract would be merged into a terms of reference specific for each group;
- Rotherham's Finance Systems were being updated and Barnsley, Doncaster and Rotherham procedures were being implemented to comply with the new systems.

Resolved: - That the progress towards the recommendations of the Waste Management PFI Contract Review Audit Report, 2013, be noted.

K1. EXCLUSION OF THE PRESS AND THE PUBLIC.

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 as amended (information relating to the financial/business affairs of any person (including the Joint Committee)).

K1. BDR PFI BUDGET 2012-2013.

Consideration was given to a report of the Barnsley, Doncaster and Rotherham Manager and presented by the Finance Strategy Manager (Financial Services, Resources Directorate) detailing the 2012/13 annual return of the Operational Management Budget for the Barnsley, Doncaster and Rotherham Waste Partnership and presenting the 2013/14 Budget for approval.

It was noted that the Annual Governance Statement for the Financial Year 2012-2013 was required to be submitted to the Audit Commission.

The outturn position for the 2012-2013 Financial Year was a reported underspend of £198,095. This outturn position would be subject to

scrutiny by BDO LLP, who had been appointed by the Audit Commission, and by Rotherham Metropolitan Borough Council's Internal Audit, as lead Authority. The financial records would be available for public inspection between 24th June, 2013 and 19th July, 2013. Notice of this would be displayed in the three Authorities between 10th June and 23rd June, 2013.

Resolved:- (1) That the report be received and its contents noted.

(2) That the 2012/13 annual return of the Operational Management Budget for the Barnsley, Doncaster and Rotherham Waste Partnership, as now submitted, be approved.

(3) That the 2013/14 Operational Management Budget for the Barnsley, Doncaster and Rotherham Waste Partnership, as now submitted, be approved.

K1. DATE, TIME AND VENUE FOR THE NEXT MEETING: -

Resolved: - That the next meetings of the Barnsley, Doncaster and Rotherham Joint Waste Board take place on: -

- Friday 13th September, 2013, briefing to begin at 1.30 p.m., meeting to start at 1.45 p.m., in the Rotherham Town Hall;
- Friday 13th December, 2013, briefing to begin at 1.30 p.m., meeting to start at 1.45 p.m., in the Rotherham Town Hall.

BDR WASTE PFI**BDR MANAGER UPDATE REPORT 25/9/2013****1.0 Governance**

The BDR Manager and the 3SE Contract Manager will be reporting to the Liaison Committee on the progress of the Contract on 16/10/2013. The Liaison Committee comprises of Board Directors of the Special Purpose Vehicle. Targets for the next phase of the Project will be set at this meeting.

The first draft of the Contract Manual is currently under review by the wider team.

2.0 Project Delivery**2.1 Bolton Road**

Item	Percentage Complete	Target Completion Date	Actual Completion Date	Comments
Bridge design	100%	24/9/2012	17/8/2012	Bridge construction to adoptable standards for 120 year life
Planning Bolton Road	100%	10/8/2012	9/8/2012	Full planning consent obtained Judicial Review period ended on 9/8/2012 no issues were raised. Detailed design work will require some minor-material amendments to be made to the application. These are due to some slight practical variations in the design of the gatehouse, visitors centre, architectural treatment and ground surface treatment.
Discharge of planning conditions	75%	1/7/2015		The Bolton Road planning consent conditions that require more work to be undertaken are related to drainage, odour management, contamination and noise.

Item	Percentage Complete	Target Completion Date	Actual Completion Date	Comments
Bolton Road permit process	100%	July 2012 in Final Business Case (FBC)	7/01/2013	Permit received from Environment Agency on 5/10/2012. There are 4 pre-operational conditions. <ul style="list-style-type: none"> An odour management plan is to be submitted before the facility becomes operational Background sampling of bio-

				<ul style="list-style-type: none"> aerosols must be undertaken Further information on noise abatement must be submitted Evidence of the technical competence of the Site Manager must be supplied <p>Judicial Review Period ended on 6/1/2013; the permit is now deemed satisfactory as Shanks have not raised any issues.</p>
Site possession Shanks	100%			Shanks Contractor onsite. Construction, Design and Management advisor has checked Method Statements and Quality Systems, enabling works underway.
Mobilisation for Enabling Works	100%	15/10/2012	13/8/12	Shanks Contractor (Birse) have mobilised plant for main works on site. Shanks and Birse leased office space at Patrick Tobin Business Park, Wath. The Independent Certifier has commenced his review of the design and build.
Enabling works Bolton Road	100%	23/12/2012		All consents in place for working on the access road. Culvert in place, backfilling complete
Mobilisation for Construction Bolton Road	100%	12/12/12	7/12/2013	3SE construction sub-contractor Birse mobilised for the construction of the main facility. Excavation works commenced. The EA are consulting on the discharge of dewatering effluent from site.
Power on to permanent works	25%	26/8/2014		Way leaves in place
Buildings complete excluding planting	14%	29/9/2014		Slab pours in progress, reception pit floor now complete. Haul roads on site are being constructed along with drainage and cable ductwork. Cabin office block has been relocated to allow access to visitors centre and workshop footprints.
Roads and weighbridge complete	1%	01/10/2014		
Intelligent Transfer Station (ITS) Commissioning	0%	7/4/2015		
ITS Acceptance Tests	0%	20/5/2015		
Anaerobic Digestion (AD) Commissioning	0%	12/5/2015		
Animal By-	0%	12/5/2015		

Products Regulations (ABPR) Compliance				
AD Acceptance Tests	0%	16/6/2016		
Progress towards Service Commencement	6%	1/7/2015		

2.2 Ferrybridge

Ferrybridge permitting process	1005	July 2012 in FBC		Permit issued 30/11/2012 SSE confirmed this as a satisfactory permit. Judicial Review period ended on 1/3/2013 with no challenges received.
Enabling works Ferrybridge	95%	17/12/2012		Cricket Pavilion completed, new car parking area completed, work on access underway outstanding work on tank but this will not effect the main works commencing
Main Works Hot Commissioning	0%	12/10/2014		
Operational Testing	0%	5/4/2015		
Facility Operational	0%	5/4/2015		

3.0 Technical

3.1 Bolton Road

Shanks have submitted a planning application to re-profile an area of green belt adjacent to the anaerobic digestion (AD) facility. This will allow for further screening of the facility, the landscaping will include an area of biodiversity. The details are being developed in conjunction with RMBC Landscape Design and Biodiversity Officers to ensure the integrity of Brookfield Park is maintained. Shanks have also agreed to maintain the wider park area for a period of 5 years.

Shanks will be submitting some section 73 amendments to the AD plant. The Environment Agency requested that the leachate tanks for the facility should be sited above ground rather than underground. The control room for the AD Plant is to become an integral part of the facility and this will change the roof profile; the overall size of the facility will not be increased by these changes.

Jones Celtic Bio-Energy (JCBE) the AD contractor is now on site and have commenced piling. The complexities of having two Construction Design and Management (CDM) sites, is being managed by Turner and Townsend and the BDR CDMC Advisor is liaising closely with the contractors to ensure good operating practices.

The Joint Waste Team is undertaking an analysis of how to maximise the benefits of the facility.

3.2 Ferrybridge

The build on Ferrybridge is progressing according to plan; progress on site can be viewed on the following link <http://www.intervalfilms.com/sse>.

3.3 Health and Safety

Incident Type	Brief Description	Investigation ongoing/complete	Report (Yes/No)	Issued
RIDDOR	Fractured foot (at site of previous injury)	Complete	Yes	
RIDDOR	Concussion	Complete	Yes	
Minor	Dust in eye	Complete	n/a	
Minor	Cut to finger while dressing HDPE lining	Complete	n/a	

SSE carried out a Health and Safety audit of the Bolton Road site and found it to be satisfactory with only minor comments made

4.0 Legal

The Legal team are reviewing the Inter Authority Agreement to ensure it fully aligns with the operational aspects of the contract.

5.0 Financial

The operational management costs are projected to be within budget for 2013/14.

The Joint Waste Team is currently working on systems to ensure the apportionment of costs is in line with the requirements of the Inter Authority Agreement (IAA2).

The Audit Commission have completed their audit of the BDR Annual Return year ending 31/3/2013 and the notice of conclusion of the audit will be displayed across all 3 LA's for 14 days from 30/9/2013.

6.0 Communications

The Community Liaison Group paid a visit to the site on the 9/9/2013. The visit went well and all who attended were impressed by the progress that has been made.

SSE the Solid Recovered Fuel (SRF) Offtakers launched a free internet portal on 19/9/2013; the aim of the portal is to create a platform for SSE to post contract opportunities and increase visibility of its procurement process. Local businesses will be able to view and bid for opportunities in a simple process and even register to receive alerts if suitable contracts are posted.

The initiative is part of SSE's commitment to promote local procurement and source goods, works and services from small to medium enterprise organisations in the areas in which it operates.

BDR are supporting this initiative and are organising a local event in conjunction with Local Business Development and Procurement Officers across the three Councils On 15/10/13. Rotherham's Investment and Development Officer (RIDO), is leading on the co-ordination of this event alongside Barnsley and Doncaster Development Officer, the details of this are currently being finalised. This event will be advertised in line with RIDO's approval process, although BDR Manager and Communications Team have had sight of all information and adverts,

Birse Civils are taking part in the national Open Doors weekend as part of their Considerate Constructors scheme on 27/9/13. All schools in Barnsley, Doncaster and Rotherham Council areas received emails about the event from the Communications team via the appropriate School Contact Officers in their authorities. Registrations to take part in the event have been received from Barnsley College - 32 places in total and Boston Spa College - 17 places in total as well as 1 private individual. Pupils who registered an interest will get the opportunity to take a look behind the scenes of the construction site at Bolton Road.

The BDR Project has been shortlisted for the Chartered Institute Waste Management (CIWM) Excellence Award – ERM Energy Recovery.

7.0 Resources

The post of Project Support Officer is currently being recruited to, this is due to the level of work necessary to develop the financial and operational systems required for commissioning and service commencement.

Risk Status Report

Risk Ref	Risk Register	Risk Title	Current Risk Rating				Controlled		Control Measures					
			12/12	03/13	06/13	09/13	Rating	Target Date	Not Started	In Progress	Implemented	Total	% Implemented	
WPFIT0001	Waste PFI Transition Phase	Waste volumes change	4	4	4	4	2	02/03/2015	0	4	1	5	20%	
WPFIT0002	Waste PFI Transition Phase	Off site works costs increase	6	6	6	6	4	29/11/2013	0	2	2	4	50%	
WPFIT0007	Waste PFI Transition Phase	Legislative Change	12	12	12	12	9	29/11/2013	0	3	2	5	40%	
WPFIT0008	Waste PFI Transition Phase	Transport Movements	6	6	6	6	4	01/04/2014	2	1	1	4	25%	
WPFIT0009	Waste PFI Transition Phase	Major incident at ITS/AD	8	8	8	8	8	01/07/2015	0	7	0	7	0%	
WPFIT0010	Waste PFI Transition Phase	ITSAD fails commissioning tests	12	12	12	12	8	01/07/2015	1	3	0	4	0%	
WPFIT0011	Waste PFI Transition Phase	Business Continuity - BDR	9	9	9	9	6	29/11/2013	0	3	3	6	50%	
WPFIT0012	Waste PFI Transition Phase	Business Continuity - 3SE	6	6	6	6	6	01/07/2015	0	5	3	8	38%	
WPFIT0013	Waste PFI Transition Phase	Design Changes result in scope creep	8	8	8	8	4	01/07/2015	0	7	0	7	0%	
WPFIT0014	Waste PFI Transition Phase	Construction delay	8	8	8	8	8	02/12/2013	0	2	0	2	0%	
WPFIT0015	Waste PFI Transition Phase	Review of Waste Infrastructure PFI Credits	n/i	n/i	5	5	5	01/07/2015	0	5	0	5	0%	
			11	79	79	84	84	64		3	42	12	57	21%



Date: 1st October, 2013

Job opportunities for local firms

Local businesses will get the chance to express an interest in contracts in Yorkshire with SSE, one of the largest utilities companies in the UK.

SSE has launched a new Open4Business web portal which gives local firms details of contract opportunities available, similar to a scheme used at the London 2012 Olympic Games.

A free event is being held in Rotherham on October 15th for local firms to learn more about how the portal works and the contact opportunities that are available with SSE and local authorities.

The energy giant spends around £200m each year in the North of England and is committed to helping small to medium enterprises in the areas in which it operates. SSE projects in Yorkshire include the new waste treatment facility being built at Manvers for the BDR Waste Partnership with Shanks, and Ferrybridge Multifuel Power Station, in partnership with Wheelabrator Technologies Inc.

The free event on 15th October is being hosted by Rotherham Investment & Development Office (RiDO) – the investment wing of Rotherham Borough Council – through the European Regional Development Fund, and the BDR Waste Partnership are delighted to be able to support this. It will be held at the Holiday Inn Express at Manvers, and businesses wishing to attend should register as soon as possible on the RiDO website at www.rido.org.uk/events/sse-o4b-event.

SSE Chief Executive, Alistair Phillips-Davies, said: “SSE is investing around £4m a day in new energy infrastructure throughout the UK and we want to see real economic and social benefits flow to local businesses and communities as a result.”

RiDO Business Development Manager, Tim O’Connell, added: “We have a number of high quality companies in the Rotherham area, and through this event we’re pleased to be able to help them find potential future business opportunities.”

For more information see www.rido.org.uk or contact Andrew Klinkenberg at RiDO on 01709 254444.

Note to editors: RiDO provides a professional and completely free service, for business start ups, existing Rotherham businesses looking to expand, or inward investors considering an operation in Rotherham. RiDO can help with everything from finding the right sites and premises, finding and training recruits to locating new customers and suppliers.

The event has been funded through the South Yorkshire Sector Growth Enhancement Programme (SYSGEP), which is part financed by the European Regional Development Fund

through the Yorkshire and The Humber ERDF 2007-13 Programme. The project aims to support both inward investors and expanding indigenous businesses to accelerate private sector expansion and increase the competitiveness of the region's business base.

The BDR Waste Partnership secured £77.4m of Private Finance Initiative funding towards a waste treatment facility at Manvers to deal with leftover waste from Barnsley, Doncaster and Rotherham over 25 years. It is due to open in 2015. More information at www.bdronline.co.uk

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