

## **BARNSELEY, DONCASTER AND ROTHERHAM JOINT WASTE BOARD**

**Venue: Town Hall, Moorgate  
Street, Rotherham S60  
2TH**

**Date: Friday, 11th December, 2015**

**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 12th June 2015 (Pages 1 - 6)
6. Matters Arising  
To discuss matters arising from the previous minutes, which are not included elsewhere on the agenda.
7. BDR Joint Waste Board - Annual Audit - Year Ended 31st March, 2015 (Pages 7 - 17)
8. BDR Manager's Report (Pages 18 - 28)
9. Risk Register (Pages 29 - 31)
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 2015/16 (Page 32)
12. Date, time and venue for the next meeting

To consider the following arrangements and pattern for meetings to be held during 2016:-

Steering Committee : Tuesday in March, 2016  
Joint Waste Board : Friday in March, 2016

Steering Committee : Tuesday in September, 2016  
Joint Waste Board : Friday in September, 2016

Steering Committee : Tuesday in November, 2016  
Joint Waste Board : Friday in December, 2016

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

**BARNESLEY, DONCASTER AND ROTHERHAM JOINT WASTE BOARD**  
**Friday, 12th June, 2015**

Present:- Councillor R. Miller and Councillor K. Sims (in the Chair); Councillors E. Hoddinott and B. Mordue.

Also in attendance were P. Castle (Barnsley MBC), L. Garnett (Doncaster MBC), L. Richardson (Doncaster MBC), I. Gledhill (Rotherham MBC), D. Burton (Rotherham MBC), B. Baxter (BDR Manager) and J. Busby (DEFRA).

There were no apologies for absence.

**1. DECLARATIONS OF INTEREST.**

No Declarations of Interest were made.

**2. MINUTES FROM THE JOINT WASTE BOARD MEMBERS MEETING HELD 20TH MARCH, 2015 AND MATTERS ARISING.**

The minutes from the previous Barnsley, Doncaster and Rotherham Joint Waste Board meeting held on 20<sup>th</sup> March, 2015, were noted. None of the Elected Members in attendance at this meeting attended the last meeting so the minutes could not be agreed for accuracy or content.

Agreed: - That the minutes of the previous meeting be noted.

**3. JOINT WASTE BOARD.**

The Barnsley, Doncaster and Rotherham Joint Waste Board discussed arrangements for the 2015/2016 Municipal Year, as set out in the submitted report. This included arrangements for Chairperson and Vice-Chairperson of the Joint Waste Board and the delegations relating to the BDR Waste PFI Contract, the 'Principal Contract' of the Inter-Authority Agreement (IAA2).

In accordance with IAA2, a BDR Steering Committee had been established and empowered to make day-to-day decisions required for the management and administration of the Principal Contract. However, the Local Government Act (1972) did not allow the delegation of powers to be exercised jointly by a committee of officers. Delegations could be made to one officer who would be known as the 'Authorised BDR Steering Committee Member'.

The Barnsley, Doncaster and Rotherham Steering Committee's structure during the 2015/2016 Municipal Year would be: -

- Barnsley Representative – the Service Director, Environment and Transport (or their named representative) – the 'Authorised BDR Steering Committee Member';

- Doncaster Representative – the Assistant Director Environment (or their named representative);
- Rotherham Representative – the Director of Streetpride (or their named representative).

Discussion followed and the following points were made: -

- Councillor E. Hoddinott asked what arrangements were in place to ensure that there was a record of delegated decisions, and how this was overseen. - The BDR Manager explained that records were kept and relevant decisions were made at individual Council level.
- It was agreed that a training programme would be created for the new Elected Members on the BDR Joint Waste Board.

Agreed: - (1) That Councillor K. Sims be the Chairperson of the Barnsley, Doncaster and Rotherham Joint Waste Board for the 2015/2016 Municipal Year.

(2) That the BDR Joint Waste Board's thanks be recorded to the outgoing Chair, Councillor R. Miller, for the way in which he had performed the role of Chair

(3) That Councillor S. Holland be the Vice-Chairperson of the Barnsley, Doncaster and Rotherham Joint Waste Board for the 2015/2016 Municipal Year.

(4) That, 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 be delegated by the BDR Joint Waste Board to the Authorised BDR Steering Committee Member.

(5) That the Authorised BDR Steering Committee Member may delegate certain decisions to the BDR Manager.

(6) That the BDR Manager may delegate any decisions delegated to them to a member of the Joint Waste Team if the right to delegate is granted by the Authorised BDR Steering Committee Member.

(7) That the Barnsley Metropolitan Borough Council's Representative on the BDR Steering Committee (Mr. Paul Castle) be the Authorised BDR Steering Committee Member for the 2015/2016 Municipal Year.

#### **4. BDR MANAGER'S ANNUAL REPORT.**

Beth Baxter, BDR Manager, presented her annual report to the BDR Joint Waste Board.

The report covered: -

- Governance arrangements, including Elected Member membership;
- Project delivery at the Bolton Road and Ferrybridge sites, including the percentage completed against key milestones, the target completion dates and actual completion dates (where relevant) for the key milestones;
- An update on Grange Lane transfer station;
- Snagging and defect resolution work at Bolton Road;
- A2A (formally Ecodeco) - Readiness testing at Bolton Road for mechanical biological treatment;
- Jones Celtic Bio Energy – installations, construction and communications with the contractor with their monthly report being more detailed;
- Recruitment was underway and specialist vacancies had been advertised in all local and specialist media. A recruitment event had taken place at Wath Library for general roles for the new facility. More than 800 people had attended this event. Early recruitment had been necessary to ensure that there was sufficient time for adequate training and sufficient depth of understanding prior to the plant becoming operational;
- Plant developments and planning permissions were outlined in respect of the Ferrybridge and Grange Lane site;
- Health and safety report: - there had been 2 RIDDOR issues, 4 minor issues, and one incident had taken place over the past year;
- Following fire incidents at other facilities, the BDR Fire Strategy was reviewed and improvements made following lessons learned;
- A redacted version of the Project Agreement had been uploaded onto the BDR website;
- The operational management costs for 2014/2015 were within budget;
- The 2015/2016 budget forecast was agreed and would be the same as 2014/2015;
- Communications.

Discussion followed and covered: -

- Councillor Sims requested that the information relating to the fire strategy included that it 'complied for insurance purposes';
- The cricket pavilion had been a condition of the planning consent;
- Councillor Hoddinott asked for an update on whether recruitment had been from within the local community. - Beth Baxter confirmed that of the 40 Operatives on site, 35 had been recruited from the local area and 5 were specialist staff from Shanks;
- Councillor Hoddinott asked for an update on what analysis had been undertaken on the contents of black bins. - Beth Baxter confirmed that a series of compositional analysis had been undertaken and ways of increasing recycling were also being explored.

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Councillor Miller thanked Beth Baxter and the Communications Team for the work they had completed on publicising the BDR Joint Waste Project.

Agreed: - That the report be noted.

**5. COMMISSIONING UPDATE.**

Beth Baxter, BDR Manager, provided a verbal update on the commissioning process of the BDR Joint Waste Project.

- Testing: -
  - Many tests were on a rolling 28-day period;
  - Some tests were only required once;
  - The dry recycling target was proving challenging and could cause the 1<sup>st</sup> July target date to be missed.

Councillor Hoddinott asked about the start date and whether there had been any communications about a possible delay? - Beth explained that it was programmed to be 1<sup>st</sup> July and it was hoped to still achieve this. There would be no noticeable change for residents from commissioning to full service as the plant was currently working above capacity.

Agreed: - That the update be received.

**6. BDR PFI BUDGET 2014-2015/2015-2016.**

Beth Baxter introduced the Operational Management Budget report that outlined the 2014/2015 BDR Waste Partnership operational management budget, and presented the 2015/2016 budget for approval.

The 2014/2015 operational management budget had been set at £370,984, which was subsequently approved by each Council.

The BDR Manager was responsible for the day-to-day management of resources and reported expenditure and projected outturns to the BDR Steering Committee each month.

The 2014/2015 budget had outturned with an under-spend of £140,761.

The BDR Waste Partnership would comply with all audit requirements and make records available for public inspection in all three local authority areas between 8<sup>th</sup> – 15<sup>th</sup> June, 2015.

The 2015/2016 budget had been set at £370, 984 and was within prudential levels to allow for potential issues during the commissioning and operational phase of the project.

Agreed: - That the report be received and its content noted.

**7. RISK REGISTER.**

Beth Baxter, BDR Manager, presented the BDR PFI Waste Project's Risk Register. It was within the JCAD format, as this was consistent with Rotherham's recording mechanism. Risks were assessed by probability and impact and graded 1-5.

One area had been rated red. This was compliance within the waste PFI transition phase. This related to noise issues and the potential for odours to come from the site. Acceptance tests were not quite hitting the desired levels yet and could lead to date slippage.

Councillor Sims asked that future Risk Register reports have a cover report to provide commentary on the issues to put them into context.

Agreed: - That the report be received and its content noted.

**8. ANY OTHER BUSINESS:-****Bolton-on-Dearne – noise: -**

Beth Baxter, BDR Manager, reported that seven complaints about noise had been received from the arc of streets immediately in the vicinity of the Bolton-on-Dearne site; actual noise levels were higher than anticipated in the noise models. Two separate noise surveys had been completed and a third was expected in the next 2-3 weeks. A noise baffle had been commissioned and monitoring would continue.

The BDR Manager was contacting residents on a weekly basis. John Healey MP was also aware of the actions being taken and communications with residents.

Councillor Miller understood all of the works that were underway to address the issues and was pleased by how quickly the matter had been responded to.

Councillor Hoddinott asked about the expected timescales for when residents could expect a difference? Beth explained that there would be a small improvement by the day after the meeting and a larger improvement by the middle of the following week. The situation would be monitored and the Communications Team was involved with disseminating the message.

Paul Castle asked how would residents get to find out on a regular basis what was going on? - Beth would continue to telephone them every Friday afternoon to say what was happening, as she had been doing over the last 6-7 weeks.

**BDR Joint Waste Board Meeting frequency: -**

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Councillor Miller raised an issue in relation to the approaching commissioning stage. A lot of responsibility had been delegated to Officers meaning there was less need to meet regularly. Meeting twice a year at June and December should be sufficient with the caveat to call a special meeting within reasonable notice if required.

Councillor Hoddinott was concerned that this may be too infrequent, but would support the proposal provided regular briefing updates were provided, along with training for Elected Members who were new to the BDR JWB.

Agreed: - That these items be noted.

**9. DATE, TIME AND VENUE FOR THE NEXT MEETINGS: -**

Agreed: - That the 2015/2016 BDR Joint Waste Board Meetings take place on: -

- Friday 11<sup>th</sup> December, 2015 – 1.30 p.m. side meeting /2.00 pm full meeting;
- Friday 10<sup>th</sup> June, 2016 – 1.30 p.m. side meeting /2.00 pm full meeting (to be agreed at the December meeting).



10 OCT 2015

ISSUES ARISING REPORT FOR  
Barnsley, Doncaster and Rotherham Joint Waste  
Board  
Audit for the year ended 31 March 2015

## Introduction

The following matters have been raised to draw items to the attention of Barnsley, Doncaster and Rotherham Joint Waste Board. These matters came to the attention of BDO LLP during the audit of the annual return for the year ended 31 March 2015.

The audit of the annual return may not disclose all shortcomings of the systems as some matters may not have come to the attention of the auditor. For this reason, the matters raised may not be the only ones that exist.

The matters listed below are explained in further detail on the page(s) that follow;

- Approval of Accounts
  - Minutes
  - External auditor's report not minuted
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The following issue(s) have been raised to assist the body. The body is recommended to take action on the following issue(s) to ensure that the body acts within its statutory and regulatory framework.

### Approval of Accounts

#### *What is the issue?*

The minute which approved the annual return, minute 37, does not formally adopt the annual return and the answers to the Annual Governance statement.

#### *Why has this issue been raised?*

This approval is required to be minuted and the failure of the board to minute its resolution to adopt the accounts could be seen as a potential breach of regulation 13, paragraph 3a of the Accounts and Audit (England) Regulations 2011 which states that the accounting statements shall be approved "as soon as reasonably practicable and in any event before 30 June immediately following the end of a year."

#### *What do we recommend you do?*

The board in future should ensure the approval of the annual return and accounts is specifically listed on the agenda. The board should review the annual return and the governance statement and resolve to adopt both and this decision is minuted accordingly.

Further guidance on this matter can be obtained from the following source(s):

The Accounts and Audit Regulations 2011

### Minutes

#### *What is the issue?*

The body produced printed minutes, which were submitted for audit purposes. The pages were not initialled by the person signing the minutes.

#### *Why has this issue been raised?*

This body submitted minutes for audit purposes which were not maintained in accordance with schedule 12, paragraph 41(2) of the Local Government Act 1972.

#### *What do we recommend you do?*

The body should ensure with immediate effect that if a loose leaf minute book is maintained the loose leaf pages are consecutively numbered and initialled by the person signing the minutes.

Minutes must be maintained in accordance with the Local Government Act 1972. Loose leaf minute books are lawful but the loose leaf pages must be consecutively numbered and each page must be initialled by the person signing the minutes.

Further guidance on this matter can be obtained from the following source(s):

Local Council Administration, 8th Edition, Charles Arnold-Baker, Chapter 7

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**External auditor's report not minuted**

*What is the issue?*

The external auditor's report for the year to 31 March 2015 has not been minuted as considered by the body.

*Why has this issue been raised?*

The body are not acting in accordance with the Audit Commission Act 1998. It is a requirement of the Audit Commission Act 1998, para 11, that all reports and/or recommendations made by the auditors are considered by the body.

*What do we recommend you do?*

The body must ensure all subsequent audit reports are reported to the body and minuted as received. If recommendations are made, an action plan should be drawn up to ensure that the recommendations are carried out.

Further guidance on this matter can be obtained from the following source(s):

Audit Commission Act 1998 - Office of Public Sector Information website  
Local Council Administration, 8th Edition, Charles Arnold-Baker, Chapter 18.15 to 18.18

**No other matters came to our attention.**

For and on behalf of  
BDO LLP

Date: 15 September 2015

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# Small Bodies in England

## Annual return for the financial year ended 31 March 2015

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Small relevant bodies in England with an annual turnover of £6.5 million or less must complete an annual return in accordance with proper practices summarising their annual activities at the end of each financial year.

The annual return on pages 2 to 5 is made up of four sections:

- Sections 1 and 2 are completed by the person nominated by the body.
- Section 3 is completed by the external auditor appointed by the Audit Commission.
- Section 4 is completed by the body's internal audit provider.

Each body must approve this annual return no later than 30 June 2015.

### Completing your annual return

Guidance notes, including a completion checklist, are provided on page 6 and at relevant points in the annual return.

Complete all sections highlighted in red. Do not leave any red box blank. Incomplete or incorrect returns require additional external audit work and may incur additional costs.

Send the annual return, together with your bank reconciliation as at 31 March 2015, an explanation of any significant year on year variances in the accounting statements and any additional information requested, to your external auditor by the due date.

Your external auditor will identify and ask for any additional documents needed for their work. Therefore, unless requested, do not send any original financial records to the external auditor.

Once the auditor has completed their work, certified annual returns will be returned to the body for publication or public display of sections 1, 2 and 3. You must publish or display the annual return, including the external auditor's report, by 30 September 2015.

It should not be necessary for you to contact the external auditor for guidance.

More guidance on completing this annual return is available in the Practitioners' Guides for either local councils or internal drainage boards. These publications may be downloaded from the National Association of Local Councils (NALC) or Society of Local Council Clerks (SLCC) websites ([www.nalc.gov.uk](http://www.nalc.gov.uk) or [www.slcc.co.uk](http://www.slcc.co.uk)) or from the members area of the Association of Drainage Authorities website ([www.ada.org.uk](http://www.ada.org.uk)).

## Section 1 – Accounting statements 2014/15 for:

Enter name of reporting body here:

BARNESLEY, DONCASTER and  
ROTHERHAM JOINT WASTE BOARD

	Year ending		Notes and guidance
	31 March 2014 £	31 March 2015 £	
1 Balances brought forward	0	0	Total balances and reserves at the beginning of the year as recorded in the body's financial records. Value must agree to Box 7 of previous year.
2 (+) Income from local taxation and/or levy	230,033	230,223	Total amount of local tax and/or levy received or receivable in the year including funding from a sponsoring body.
3 (+) Total other receipts	0	0	Total income or receipts as recorded in the cashbook less the taxation and/or levy (line 2). Include any grants received here.
4 (-) Staff costs	135,930	146,623	Total expenditure or payments made to and on behalf of all employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and employment expenses.
5 (-) Loan interest/capital repayments	0	0	Total expenditure or payments of capital and interest made during the year on the body's borrowings (if any).
6 (-) All other payments	94,103	83,600	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).
7 (=) Balances carried forward	0	0	Total balances and reserves at the end of the year. Must equal (1+2+3) – (4+5+6)
8 Total cash and short term investments	0	0	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – <b>to agree with bank reconciliation.</b>
9 Total fixed assets plus other long term investments and assets	0	0	The original Asset and Investment Register value of all fixed assets, plus other long term assets owned by the body as at 31 March
10 Total borrowings	0	0	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).

I certify that for the year ended 31 March 2015 the accounting statements in this annual return present fairly the financial position of the body and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer:

S. Brown

Date 30/06/2015

I confirm that these accounting statements were approved by the body on:

12/06/2015

and recorded as minute reference:

MINUTE 37

Signed by Chair of meeting approving these accounting statements:

K. S. Smith

Date 06/07/2015

Section 2 – Annual governance statement 2014/15

We acknowledge as the members of BARNESLEY, DONCASTER and ROTHESHAM JOINT WASTE BOARD our responsibility for ensuring that there is a sound system of internal control, including the preparation of the accounting statements. We confirm, to the best of our knowledge and belief, with respect to the accounting statements for the year ended 31 March 2015, that:

	Agreed –		'Yes' means that the body:
	Yes	No*	
1 We approved the accounting statements prepared in accordance with the requirements of the Accounts and Audit Regulations and proper practices.	✓		prepared its accounting statements in the way prescribed by law.
2 We maintained an adequate system of internal control, including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓		made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.
3 We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and proper practices that could have a significant financial effect on the ability of the body to conduct its business or on its finances.	✓		has only done what it has the legal power to do and has complied with proper practices in doing so.
4 We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	✓		during the year has given all persons interested the opportunity to inspect and ask questions about the body's accounts.
5 We carried out an assessment of the risks facing the body and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓		considered the financial and other risks it faces and has dealt with them properly.
6 We maintained throughout the year an adequate and effective system of internal audit of the body's accounting records and control systems.	✓		arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of the body.
7 We took appropriate action on all matters raised in reports from internal and external audit.	✓		responded to matters brought to its attention by internal and external audit.
8 We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on the body and where appropriate have included them in the accounting statements.	✓		disclosed everything it should have about its business activity during the year including events taking place after the year-end if relevant.

This annual governance statement is approved by the body and recorded as minute reference

MINUTE REFERENCE 3 (1-7)

dated 12/06/2015

Signed by:

Chair K. Sevin REQUIRED

dated 06/07/2015

Signed by:

Clerk Pliller REQUIRED

dated 13/07/2015

\*Note: Please provide explanations to the external auditor on a separate sheet for each 'No' response. Describe how the council will address the weaknesses identified.

## Section 3 – External auditor certificate and report 2014/15 Certificate

We certify that we have completed our review of the annual return, and discharged our responsibilities under the Audit Commission Act 1998 as transitionally saved, for the year ended 31 March 2015 in respect of:

ENTER REPORTING BODY NAME HERE

### Respective responsibilities of the body and the auditor

The body is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The body prepares an annual return in accordance with proper practices which:

- summarises the accounting records for the year ended 31 March 2015; and
- confirms and provides assurance on those matters that are important to our audit responsibilities.

Our responsibility is to review the annual return in accordance with guidance issued by the Audit Commission (see note below). Our work does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and does not provide the same level of assurance that such an audit would do.

### External auditor report

(Except for the matters reported below)\* on the basis of our review of the annual return, in our opinion the information in the annual return is in accordance with proper practices and no matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met. (\*delete as appropriate).

(continue on a separate sheet if required)

Other matters not affecting our opinion which we draw to the attention of the body:

(continue on a separate sheet if required)

External auditor signature

External auditor name  Date

Note: The Audit Commission issued guidance in its Standing Guidance, which is applicable to external auditors' work on 2014/15 accounts.



Section 4 – Annual internal audit report 2014/15 to

BARNSLY, DONCASTER and ROTHENHAM  
JOINT WASTE BOARD

The body's internal audit, acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with relevant procedures and controls expected to be in operation during the financial year ended 31 March 2015.

Internal audit has been carried out in accordance with the body's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of the body.

Internal control objective	Agreed? Please choose one of the following		
	Yes	No*	Not covered**
A Appropriate accounting records have been kept properly throughout the year.	✓		
B The body's financial regulations have been met, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	✓		
C The body assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	✓		
D The annual taxation or levy or funding requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	✓		
E Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	✓		
F Petty cash payments were properly supported by receipts, all expenditure was approved and VAT appropriately accounted for.	✓		
G Salaries to employees and allowances to members were paid in accordance with body approvals, and PAYE and NI requirements were properly applied.	✓		
H Asset and investments registers were complete and accurate and properly maintained.	✓		
I Periodic and year-end bank account reconciliations were properly carried out.	✓		
J Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, were supported by an adequate audit trail from underlying records, and, where appropriate, debtors and creditors were properly recorded.	✓		

For any other risk areas identified by the body (list any other risk areas below or on separate sheets if needed) adequate controls existed:

Name of person who carried out the internal audit: **MARC BICKNELL**

Signature of person who carried out the internal audit: *M.A. Bicknell* Date: **16/7/15**

\*Note: If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

\*\*Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned, or, if coverage is not required, internal audit must explain why not (add separate sheets if needed).

## Guidance notes on completing the 2014/15 annual return

- 1 You must apply proper practices for preparing this annual return. Proper practices are found in the Practitioners' Guides\* which are updated from time to time and contain everything you should need to prepare successfully for your financial year-end and the subsequent audit. Both NALC and SLCC have helplines if you want to talk through any problem you may encounter.
- 2 Make sure that your annual return is complete (i.e. no empty red boxes), and is properly signed and dated. Avoid making any amendments to the completed return. But, if this is unavoidable, make sure the amendments are drawn to the attention of and approved by the body, properly initialled and an explanation is provided to the external auditor. Annual returns containing unapproved or unexplained amendments will be returned unaudited and may incur additional costs.
- 3 Use the checklist provided below. Use a second pair of eyes, perhaps a member or the Chair, to review your annual return for completeness before sending it to the external auditor.
- 4 Do not send the external auditor any information not specifically asked for. Doing so is not helpful. However, you must notify the external auditor of any change of Clerk, Responsible Financial Officer or Chair.
- 5 Make sure that the copy of the bank reconciliation which you send to your external auditor with the annual return covers all your bank accounts. If your body holds any short-term investments, note their value on the bank reconciliation. The external auditor must be able to agree your bank reconciliation to Box 8 on the Accounting statements. You must provide an explanation for any difference between Box 7 and Box 8. More help on bank reconciliation is available in the Practitioners' Guides\*.
- 6 Explain fully significant variances in the accounting statements on page 2. Do not just send in a copy of your detailed accounting records instead of this explanation. The external auditor wants to know that you understand the reasons for all variances. Include a complete analysis to support your explanation. There are a number of examples provided in the Practitioners' Guides\* to assist you.
- 7 If the external auditor has to review unsolicited information, or receives an incomplete bank reconciliation, or you do not fully explain variances, this may incur additional costs for which the auditor will make a charge.
- 8 Make sure that your accounting statements add up and the balance carried forward from the previous year (Box 7 of 2014) equals the balance brought forward in the current year (Box 1 of 2015).
- 9 Do not complete section 3. The external auditor will complete it at the conclusion of the audit.

Completion checklist – 'No' answers mean you may not have met requirements		Done?
All sections	All red boxes have been completed?	
	All information requested by the external auditor has been sent with this annual return? Please refer to your notice of audit.	
Section 1	Approval by the body confirmed by signature of Chair of meeting approving the accounting statements?	
	An explanation of significant variations from last year to this year is provided?	
	Bank reconciliation as at 31 March 2015 agreed to Box 8?	
	An explanation of any difference between Box 7 and Box 8 is provided?	
Section 2	For any statement to which the response is 'no', an explanation is provided?	
Section 4	All red boxes completed by internal audit and explanations provided?	

\*Note: Governance and Accountability for Local Councils in England – A Practitioners' Guides, is available from NALC and SLCC representatives or Governance and Accountability for Internal Drainage Boards in England – A Practitioners' Guides, is available from the ADA at The Association of Drainage Authorities, 12 Cranes Drive, Surbiton, Surrey, KT5 8AL or from the NALC, SLCC or ADA websites - see page 1 for addresses.

Item 4 Audit Action Plan

Issue	Action	Date/Responsible Officer
The annual return and the questions to the Annual Governance Statement were not formally adopted	Take the annual return to Joint Waste Board in December for formal adoption	11/12/2015 Beth Baxter
The printed minutes provided as part of the audit had not been signed by the Chair of JWB,	Arrange for the Minutes to be signed.	11/12/2015 Beth Baxter
The external audit report for year ending March 2015 had not been received and minuted by the JWB	Take the report for year ending March 2015 to Joint Waste Board to be received and minuted.	11/12/2015 Beth Baxter

**BDR WASTE PFI  
BDR MANAGER UPDATE REPORT**

**JUNE 2015 – NOVEMBER 2015**

## **1.0 Governance**

### **1.1 Joint Waste Board**

Councillor Kath Sims of Rotherham Council was formally appointed as the Chair of the Joint Waste Board (JWB) at the June meeting.

Councillor Chris McGuinness is now the Doncaster representative on the JWB.

### **1.2 Resources**

Karl Battersby, Strategic Director Environment & Development Services the Senior Responsible Officer (SRO) for the BDR project is to leave RMBC in December 2015.

The BDR Team would like to thank him for his hard work and dedication to the project over the years.

As part of the RMBC restructure the post of Strategic Director Environment & Development Services will be deleted. A new post of Strategic Director, Regeneration and Environment has been created, the BDR Project will fall under the remit of this position.

### **1.3 Audit**

#### **1.3.1 External Audit**

The external Audit of the BDR Project was completed on the 15<sup>th</sup> September 2015. The BDO external audit of the Operational Budget highlighted 3 issues with the information provided:-

- The annual return and the questions to the Annual Governance Statement were not formally adopted
- The printed minutes provided as part of the audit had not been signed by the Chair of JWB, this is due to the minutes of the AGM not being agreed as true until the next meeting of the JWB
- The external audit report for year ending March 2015 had not been received and minuted by the JWB

As BDR will be dealing with a different auditor next year, and in light of the experience with BDO this year, it is important that BDR make sure that both the accounting statements and the annual governance statement of the BDR client operation are formally reported to and accepted by the Joint Waste Board prior to completion of the annual return for 2015/16.

### 1.3.2 Internal Audit

RMBC internal Audit are tasked with auditing the PFI to ensure the proper financial management and governance of the new Waste Treatment facility at Manvers.

## 2.0 Project Performance

### 2.1 Key Milestones

**Table 1 – Key Milestones**

Item	Target end date	Actual end date
<b>Bolton Road</b>		
Planning determination	5/4/2012	5/4/2012
Judicial Review Period	10/8/2012	9/8/2012
Bolton Road permit granted	1/10/2013	3/10/2012
Mobilisation for Enabling Works	24/09/2012	10/9/2012
ABPR Compliance	12/5/2015	26/02/2015
Service Commencement	1/7/2015	3/7/2015
<b>Grange Lane</b>		
Handover of Transfer Station from FCC to 3SE	1/7/2015	1/7/2015
<b>Ferrybridge Multi Fuel 1</b>		
Section 36 Permission granted	30/11/11	30/11/11
Ferrybridge Permit granted	1/5/2013	28/2/2013
Full service commencement	1/7/2015	31/7/2015

Delivery of the £750m 25 year contract on time involved three Unitary Authorities and two private sector companies and several sub-contractors. It can be seen from the above table that many of the key milestones were delivered ahead of schedule.

More than 40 jobs have been created in the Dearne Valley, an unemployment blackspot – 87 per cent of them recruited locally.

### 2.2 Bolton Road

#### 2.2.1 Independent Certifier

The Independent Certifier issued the acceptance test certificate and snagging list for the Bolton Road Waste Treatment Facility on the 3<sup>rd</sup> July 2015.

The Contractor is now working with the sub-contractor and the Independent Certifier to close off any snagging items such as pipework, concrete and mastic rework and to

identify any defects that may not have been apparent during the commissioning phase but that will be addressed by the sub-contractors.

### 2.2.2 Recycling and Diversion

Table 1 contains information on the number of tonnes processed and the contract performance. There have been some issues, which have impacted on the recycling performance of the facility:-

- The market for recycling plastics from an MBT is poor at the moment as the price of oil is low
- Grounds maintenance waste is not being delivered to the facility
- Blockages in refinement have impacted on the tonnage throughput
- The SRF Offtake facility has had some downtime due to boiler and crane issues
- Throughput rate of the refinement section

The Contractor has mitigated the impact of these issues by:-

- Paying to get plastics reprocessed
- Pre-shredded Household Waste Recycling Centre (HWRC) waste to minimise the blockages
- Sourced alternative SRF Offtake facilities
- Determined the optimum throughput to achieve maximum recycling
- Assigned a project team to further optimise performance and quality

The overall diversion rate for the waste treatment facility is exceeding the contract target of 95%.

**Table 2 - Tonnes Processed 3<sup>rd</sup> July 2015 to 30<sup>th</sup> October 2015**

Process	Type	Tonnes	Percentage	Target (contract estimate)	Variance
Landfill		929.26	1.35%	n/a	
Recovery	Ferrybridge	35368.87			
	Other	2037.42			
	Total	37406.29	54.33%	n/a	
Recycling	Ferrous	906.26			

	Non-ferrous	49.3			
	Fines	3266.94			
	Glass and Stone	956.99			
	Plastic	2456.43			
	Total	7635.92	11.09%	19.00%	-7.91%
Total Waste delivered		68845.86			
Moisture Loss		21798.4	31.66%	29.14%	2.52%
Total Waste Diverted		66840.61	97.09%	96.50%	0.59%

### 2.2.3 Waste Composition

**Table 3 - Waste compositional analysis**

Category	Combined 2012	Combined 2014	Combined 2015
Paper & Card	16.6%	13.3%	17.8%
Plastic Film	4.3%	4.5%	8.7%
Dense Plastic	8.7%	8.0%	9.1%
Textiles	3.8%	4.6%	2.9%
Misc. Combustible	14.9%	14.8%	13.4%
Misc. Non-Combustible	3.3%	7.4%	2.2%
Glass	4.0%	2.4%	3.9%
Ferrous Metal	2.3%	1.8%	2.8%
Non-ferrous metal	1.0%	1.0%	1.6%
Putrescible	37.2%	39.9%	32.5%
WEEE	1.3%	0.8%	1.3%
Potentially hazardous	0.5%	0.9%	0.2%
Fines	2.3%	0.9%	3.6%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

### 2.2.4 – Complaints

**Table 4 – Complaints received from 26<sup>th</sup> February 2015 to 31<sup>st</sup> October 2015**

Type	Year To date	Comments
Noise	21	Independent noise monitoring undertaken, acoustic shielding installed for de-dusting stack and bio filters. Complainants contacted and taken around site. Contractor in dialogue with EA.
Litter	3	Litter picks undertaken
Odour	1	Complainant contacted and processed explained

Mud on road	3	Road cleaned
Flies	5	Fly control measures increased, Environmental Health Officers from RMBC taken around plant and process explained.
Traffic Management	1	Sub-contractor notified of the issue and approved route information re-issued

There have been some complaints about noise from the plant, John Healey MP has raised his concerns with the Contractor. In response to the complaints, the contractor has commissioned independent consultants to undertake a series of noise surveys to determine the level and source of noise. Mitigations including covers for the bio filter fans, acoustic shielding for the de-dusting unit and acoustic fencing around the fans has been installed. Shanks have been in constant liaison with the Environment Agency and the complainants and have spent in excess of £100,000 on mitigation measures.

The Environment Agency (EA) has also received a small number of complaints around the numbers of flies in the area. Fly monitoring and control information was provided to the EA and the fly control measures were increased.

### 2.2.5 Health and Safety

Health and Safety Officers from the 3 Councils meet with the Contractors compliance section on a quarterly basis and a Health and Safety Audit has been undertaken. The Contractor is working to close out the actions from the audit.

Table 3 details the number of Health and Safety incidents reported since the facility accepted waste. There have been a number of incidents in the first few months of operation. While none of these caused injuries or any major environmental impact, the systems and processes have been reviewed and the Operating Contractor is currently investigating design improvements with their sub-contractors.

**Table 5 - Compliance from 26<sup>th</sup> February 2015 to 31<sup>st</sup> October 2015**

	Close Call	Accident less than 3 days	Accident more than 3 days	Non RIDDOR dangerous occurrence	RIDDOR dangerous occurrence	RIDDOR more than 7 day injury	Major RIDDOR	Environmental
YTD Total	40	1	0	7	4	0	0	3

Ammonia levels are higher than operational exposure limits allow in certain areas of the AD plant. Currently the staff employed in those areas use respiratory protective equipment when undertaking certain tasks. The Contractor is investigating changes to the design and processes to bring down the levels.



### 2.3 Ferrybridge

Ferrybridge MultiFuel 1 became operational, on the 31<sup>st</sup> July 2015. The operations team comprises 46 full time equivalent staff chosen from a recruitment process, which saw over 400 applications for the operational positions.

**Table 6 – Ferrybridge BDR Fuel Deliveries and Electricity Export**

<b>Fuel Deliveries &amp; Electricity Export</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>Totals</b>
BDR Fuel Delivered (tonnes)	6,377	9,109	11240	9763	36489
BDR Average Fuel NCV (MJ/kg)	16.00	15.50	16.15	15.6	15.8
BDR Proportion of Electricity (MWhe)	9117	10655	11763	9780	41315
BDR Electricity (MWh/tonne)	1.43	1.17	1.05	1.00	1.16
<b>Residues (Tonnes)</b>					
BDR Proportion of IBA	2021	1710	2509	1737	7978
BDR Proportion of APCr	386	386	399	309	1480
BDR Proportion of Fe	5	44	34	20	103

**Table 7 - Compliance**

	<b>Lost Time</b>	<b>Medical Incident</b>	<b>First Aid</b>	<b>Observation</b>	<b>RIDDOR</b>
<b>YTD Total</b>	0	0	0	69	1

RIDDOR Incident, Operator received burns to his lower leg attempting to clear an ash blockage from a bunker.

### 2.4 Grange Lane

Handover of the transfer station took place on the 1 July 2015, discussions are underway on the works necessary to bring the transfer station to the standard defined in the contract.

### 3.0 Communications

An award submission has been made by the BDR partnership to the Local Government Chronicle Awards for excellence in partnership working. This focused on partnership working between the three local authorities, between the local authorities and the

private sector, and between the public and private sectors and the local community. Unfortunately the submission was not shortlisted.

The Waste Infrastructure Development Program (WIDP) quarterly meeting in June 2015 was held at the BDR Visitors centre and involved a site tour. This meeting is for WIDP Transactors, PFI Contract Directors and Managers to share knowledge and experiences. The PFI Managers were in general impressed by the site, its progress and the enthusiasm of the team.

The “It’s a Rubbish Adventure”, a joint yearlong project between the new waste treatment facility at Manvers in Rotherham and Magna Science Adventure Centre, lifted the lid on the tonnes of rubbish each household throws away every year. Hands-on workshops held at Magna and at local schools were attended by over 3,500 seven to 11 year olds, over 1,500 families, and hundreds of teachers. They got the chance to use specially made conveyor belts, air blowers and electromagnets to separate the waste and look at how it can be turned into useful products. Engineers from Shanks helped deliver the workshops and talked to children, teachers and parents about processes at the new facility.

In November, the Waste Treatment Facility at Manvers played host to more than 20 members of the Chartered Institute of Waste Management, the leading waste management organisation in the UK. After presentations about the facility and the success of partnership working between Barnsley, Doncaster and Rotherham Councils and Shanks Waste Management, delegates were taken on a guided tour of the site. This visit also provided Members of the CIWM with Continual Professional Development credits.

On the 13th November 2015 HM Lord-Lieutenant of South Yorkshire, Andrew Coombe, officially opened the waste treatment facility. The opening event was well attended with representatives of Barnsley, Doncaster and Rotherham Councils and 3SE at a senior level which emphasising the commitment of all parties.

### **4.0 Legal**

#### **4.1 Lease Area**

The boundary on the As Built drawings for the Bolton Road facility varies slightly from the area identified on the lease. The legal team are working with the Contractors lawyers and internal property lawyers at RMBC to address the issue.

#### **4.2 Insurance**

Marsh insurance advisors issued an insurance report ahead of the scheduled review date indicating the insurance premiums were much higher than those allowed for in the base case financial model. AON have been appointed as insurance consultants to provide advice to BDR on the contents of this report.

### **4.3. Inter-Authority Agreement**

The Inter-Authority Agreement is being reviewed to provide more clarity and remove some historical information.

## **5.0 Financial**

### **5.1 Capital Contribution**

The Capital Contribution was paid on 6<sup>th</sup> July 2015 following the issue of the acceptance test certificate.

### **6.0 Other**

The BDR Partnership were interviewed as part of RMBC Peer Review of Waste Management. It was reported that the Partnership was working well and there were other areas where the Partnership could work together more, the example of Commercial Waste was given.

Over the coming months the BDR Partnership will be working with the Contractor and the Waste Infrastructure Development Transactor to ensure the best value for money is obtained from the Contract.

## 7.0 Glossary of Terms

Term	Definition
<b>3SE</b>	The name for the partnership between Shanks Group plc and Scottish & Southern Energy plc.
<b>Anaerobic Digestion (AD)</b>	A series of biological processes in which micro-organisms break down biodegradable material in the absence of oxygen. One of the end products is biogas, which is combusted to generate electricity and heat.
<b>Chartered Institute of Waste Management CIWM)</b>	The leading waste management organisation in the UK.
<b>Community Liaison Group (CLG)</b>	This is group of 15 of residents and ward councillors with an active interest in ensuring the facility at Bolton Road is properly managed.
<b>Environment Agency (EA)</b>	An executive non-departmental public Body responsible to the Secretary of State for Environment, Food and Rural Affairs for issues affecting the environment.
<b>Household Waste Recycling Centre (HWRC)</b>	Is a place to recycle and dispose of household waste.
<b>Incinerator Bottom Ash (IBA)</b>	Is a form of ash produced in incineration facilities
<b>Independent Certifier (IC)</b>	Provides the specialist service of checking the compliance of buildings and infrastructure projects against client requirements, detailed design and construction standards.
<b>Joint Waste Board (JWB)</b>	The Statutory Committee comprising Portfolio Holders and Senior Officers with responsibility for waste.

## 7.0 Glossary of Terms

<b>Jones Celtic Bio Energy (JCBE)</b>	Provides a complete solution for the generation of renewable energy from biodegradable sources, such as municipal waste, food waste.
<b>Mechanical Biological Treatment (MBT)</b>	A type of waste processing facility that combines a sorting facility with a form of biological treatment such as composting or anaerobic digestion.
<b>Megawatt Hour (MWh)</b>	Is a measure of energy that is often used to describe an amount of electricity.
<b>Private Finance Initiative (PFI)</b>	Mechanism for creating "public-private partnerships" (PPPs) by funding public infrastructure projects with private capital.
<b>Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)</b>	RIDDOR which puts duties on employers, the self-employed and people in control of work premises (the Responsible Person) to report certain serious workplace accidents, occupational diseases and specified dangerous occurrences (near misses).
<b>Solid Recovered Fuel (SRF)</b>	A fuel produced by shredding and dehydrating solid waste (MSW) with a waste converter technology.
<b>SSE plc (formerly Scottish and Southern Energy plc)</b>	A British energy company headquartered in Perth, Scotland.
<b>Shanks Waste Management (SWM)</b>	The UK arm of Shanks Group plc, a leading international sustainable waste management business.
<b>Waste Infrastructure Delivery Programme (WIDP)</b>	The delivery unit in England to make available programme management resources to Defra.
<b>Waste Electrical &amp; Electronic Equipment (WEEE)</b>	Is the European Community directive 2012/19/EU on waste electrical and

	electronic equipment (WEEE) which, together with the RoHS Directive 2002/95/EC, became European Law in February 2003.
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Risk Status Report

Risk Reference	Risk	Comments and outstanding actions	Date for completion
WPFIT001	Waste Volumes Change – Facility too small or too large	Waste managers and the BDR team to continue liaison to ensure waste projections are accurate and that all streams that can be processed at the facility are sent there. Inter-Authority Agreement is being reviewed.	Monitoring of waste volumes will be on-going. A report on the Inter Authority Agreement currently being considered across the 3 Councils.
WPFIT002	Offsite works	There was a risk that works would need to be carried out that had not been included in the original costs. These risks do not materialise and the work is now complete.	Complete
WPFIT007	Legislative Change - BDR have no direct control over Legislative change	Legislative change can impact on costs and operations at the facility so BDR will Monitor the legislation on an ongoing basis and Lobby Central Government on any item which may impact on the Contract Close liaison with waste managers – IAA3 providing more clarity No further movement on the Circular Economy – further information from Europe was published on 2 <sup>nd</sup> December 2015	Lobbying on Recycling – draft letter December 2015. On-going
WPFIT008	Compliance with contract	Failure of the Contractor to comply with the operational terms of the contract could result in complaints from residents. Measures are in place to monitor the Contractor's maintenance of the biofilters to prevent odours. The routes the vehicles take are monitored and the number of vehicles in and out of the facility, are reported as part of the monthly report. Noise mitigation measures have been installed BDR and the Contractor continue to monitor the area and control the activities to minimise night time noise.	On-going
WPFIT009	Major Incident at ITS/AD	An Emergency plan is in place, Health and Safety meetings with H&S representatives of all three Councils are held quarterly. The actions necessary from a contractual view point should this occur need to be documented in the Contract Manuals.	On-going
WPFIT010	ITSAD fails commissioning tests	The facility passed the commissioning tests and the acceptance test certificate was issued on 3/7/2015	Complete

WPFIT011	Business Continuity - BDR	Procedures that are in place to monitor the contract need to be fully documented in the Contract Manuals. This is a work in progress as the procedures are being refined. Training material needs to be developed for Members, Senior Officers and the wider team to ensure resilience.	January 2016
WPFIT012	Business Continuity - 3SE	Contingency points are in place and communication protocols are in place between the Contractor and the Operational Managers. This risk was around the build process. This is to be replaced with an Operational BCM Risk and control measures	January 2016
WPFIT013	Design Changes result in scope creep	A change protocol existed	Completed
WPFIT014	Construction delay	Construction Complete	Completed
WPFIT015	Review of Waste Infrastructure PFI Credits	There is a Risk that if BDR fail to comply with the Terms and Conditions of the Waste Infrastructure letter the credits could be removed or reduced. The BDR Joint Waste Team liaises with the Operational Managers and the WIDP Transactor to ensure compliance with these Terms	On-going
WPFIT016	Insurance Costs Increase	Insurance costs for waste management facilities have increased due to the number of fires in the sector. BDR have engaged AON to provide advice and the Contractor has a robust fire strategy in place and is working with insurance companies to confidence to bring down the costs.	On-going
WPFIT017	Plant fails to commission on time	Plant commissioned	Complete



## Risk Status Report

Risk Ref	Risk Register	Risk Title	Current Risk Rating				Controlled		Control Measures				
			02/15	05/15	08/15	11/15	Rating	Target Date	Not Started	In Progress	Implemented	Total	% Implemented
WPFIT0001	Waste PFI Transition Phase	Waste volumes change	4	4	4	4	2	29/01/2016	0	4	1	5	20%
WPFIT0002	Waste PFI Transition Phase	Off site works/Ground Conditions Costs not as expected	6	6	6	6	4		0	0	4	4	100%
WPFIT0007	Waste PFI Transition Phase	Legislative Change	12	12	12	12	9	29/01/2016	0	4	3	7	43%
WPFIT0008	Waste PFI Transition Phase	Compliance	6	6	15	12	9	29/01/2016	0	3	3	6	50%
WPFIT0009	Waste PFI Transition Phase	Major incident at ITS/AD	8	8	8	8	8	29/01/2016	0	4	4	8	50%
WPFIT0010	Waste PFI Transition Phase	ITSAD fails commissioning tests	12	12	12	12	8		0	0	6	6	100%
WPFIT0011	Waste PFI Transition Phase	Business Continuity - BDR	9	9	9	9	6	29/01/2016	0	2	4	6	67%
WPFIT0012	Waste PFI Transition Phase	Business Continuity - 3SE	6	6	6	6	6	29/01/2016	0	1	8	9	89%
WPFIT0013	Waste PFI Transition Phase	Design Changes result in scope creep	4	4	4	4	4		0	0	7	7	100%
WPFIT0014	Waste PFI Transition Phase	Construction delay	4	4	4	4	8		0	0	2	2	100%
WPFIT0015	Waste PFI Transition Phase	Review of Waste Infrastructure PFI Credits	5	5	5	5	5	29/01/2016	0	3	3	6	50%
WPFIT0018	Waste PFI Transition Phase	Insurance Costs Increase	9	9	15	10	15	29/01/2016	0	1	2	3	67%
WPFIT0019	Waste PFI Transition Phase	Plant fails to commission on time	6	6	6	6	3		0	0	5	5	100%
		<b>13</b>	<b>91</b>	<b>91</b>	<b>106</b>	<b>98</b>	<b>87</b>		<b>0</b>	<b>22</b>	<b>52</b>	<b>74</b>	<b>70%</b>

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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