

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

**Venue:** Virtual Meeting viewable via  
<https://rotherham-public-i.tv/core/portal/home>

**Date:** Monday, 29th June, 2020  
**Time:** 9.30 a.m.

### **A G E N D A**

1. Appointment of Chair for the 2020/2021 Municipal Year
2. Appointment of Vice-Chair for the 2020/2021 Municipal Year
3. Apologies for absence
4. Declarations of Interest
5. Exclusion of the Press and Public  
Agenda Item No. 9 has an exempt appendix. Therefore, if necessary when considering that item, the Chair will move the following resolution:-  
  
That under Section 100(A) 4 of the Local Government Act 1972, the 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 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006.
6. Minutes of the previous meeting held on 2nd December, 2019 (copy attached) (Pages 1 - 4)
7. Matters Arising  
To discuss matters arising from the previous minutes, which are not included elsewhere on the agenda.
8. Joint Waste Board (Pages 5 - 12)
  - Authorised Representatives
  - Terms of Reference
  - IAA Delegations Report
9. BDR Manager's Report (Pages 13 - 44)
  - Governance
  - Contract Delivery

- Legal
- Financial
- Communications
- Resources
- Glossary of Terms

10. Current Issues

11. Risk Register (Pages 45 - 56)

12. Clinical Waste

13. Dates and times of Future Meetings  
Monday, 28<sup>th</sup> September, 2020  
11<sup>th</sup> November  
12<sup>th</sup> April, 20201

All commencing at 9.30 a.m.

**BARNSELY, DONCASTER AND ROTHERHAM JOINT WASTE BOARD****Monday, 2nd December, 2019**

**Present:-** Councillor Lamb (Barnsley MBC) (in the Chair), Councillor Hoddinott (Rotherham MBC), Councillor C. McGuinness (Doncaster MBC); together with Mrs. L Baxter, Mr. P. Hutchinson, Mr. T. Smith (Rotherham MBC), Mr. P. Castle (Barnsley MBC), Mr. L. Garratt (Doncaster MBC) and Mr. J. Busby (DEFRA).

Apologies for absence were received from Councillor Sansome (Rotherham MBC), Mr. P. Dale (Doncaster MBC) and Mr. M. Gladstone (Barnsley MBC).

**44           DECLARATIONS OF INTEREST**

There were no declarations of interest reported at this meeting.

**45           MINUTES FROM THE JOINT WASTE BOARD MEMBERS MEETING HELD ON 30TH SEPTEMBER, 2019 AND MATTERS ARISING**

Consideration was given to the minutes of the previous meeting of the Barnsley, Doncaster and Rotherham Joint Waste Board held on 30<sup>th</sup> September, 2019.

With regards to Minute No. 36(3) it was reported that once the report template was received following approval this would be forwarded on.

In terms of Minute No. 36(4) and the potential to webcast the Joint Waste Board, it was noted that this was subject to further discussion regarding potential cost and dates/times of future meetings to fit in with the Council Chamber access.

Reference was also made to Minute No. 38 and the need for clarity on the arrangements for the disposal of clinical waste across South Yorkshire. This would be included as an agenda item for discussion at the next meeting.

**Resolved:-** That the minutes of the previous meeting be approved as a correct record.

**46           JOINT WASTE BOARD - INTER AUTHORITY AGREEMENT DELEGATIONS REPORT**

Consideration of this item was deferred pending approval. The document would be circulated to the Joint Waste Board Members as soon as it was received.

**47           BDR MANAGER'S REPORT AUGUST TO OCTOBER 2019**

Consideration was given to the update report of the BDR Manager covering the period from August to October, 2019.

A number of issues were highlighted including:-

- Governance.
- Contract Delivery.
- Legal.
- Financial.
- Communications.
- Resources.
- Other.
- Liaison Committee Minutes.
- Glossary of Terms.

The Joint Waste Board were advised the BDR CELO secondment had been extended and she was working on a calendar of events.

Reference was also made to the Fire Protection Works which were almost complete, but had been delayed slightly due to the recent flooding. It was anticipated the works would be completed by the 16<sup>th</sup> December, 2019 pending any revision requests.

The discussion referred to fly complaints and the proactive plans being taken with the contractor and the Environment Agency that may be associated with the plant. The contractor had since changed the fly management chemical that suffocated flies with a much less chance of resistance and there was discussion around advising residents to ensure food waste was securely wrapped prior to placing in the bin.

A complaint by a local resident had also been made to all three Leaders of the Council regarding flies and on identification of the species they were found to be corn flies and unrelated to the plant.

In terms of odour emanating from the plant work was ongoing with the Environment Agency on the bio filters following the formation of a crust. Once it was established the mitigation works to bio filter number one were working, action would then be taken to ensure bio filter number two was performing.

The Environment Agency were notifying local residents accordingly on action being taken.

The Joint Waste Board welcomed the action being taken on both fly control and odour in collaboration with the Environment Agency and thought it quite bizarre that odour complaints were more prevalent in the winter months.

It was also noted that a noise complaint from a resident in Swinton was being investigated.

The Joint Waste Board were also advised that during the recent floods one of the access/egress routes into the plant was inaccessible.

However, the contractor was able to continue processing all waste having utilised a waste transfer station in Barnsley.

**Resolved:-** That the report be received and the contents noted.

**48 CURRENT ISSUES**

Consideration was given to the current issue that remained ongoing in terms of insurance and the insurance brokers work with the insurance market, which may have an impact on the insurance costs following fire improvement works.

It was noted that insurance would be provided this year.

**Resolved:-** That the update be noted.

**49 RISK REGISTER**

Consideration was given to the report which set out in detail the risks associated with the delivery of the BDR PFI Waste Facility contractual obligations now the facility was operational. The risks identified in the register were considered by the BDR Steering Committee every eight weeks.

Whilst there were a number of risks on the risk register nothing had changed since the previous meeting.

Discussion ensued on the current score for Risk Number 16 should the contractor exit the UK market due to financial pressures and it was noted that a good relationship currently existed with no indication this was at risk.

However, Councils would be able to identify areas where they could work with the contractor should this be necessary with mitigating measures and negotiations being put in place for the plant to continue to operate. The position would continue to be monitored.

The Joint Waste Board were also mindful of any potential changes in Government Law/Regulations which the Government had pledged to fund

**Resolved:-** (1) That the updated Risk Register be received and the contents noted.

(2) That any further risks be identified that require deletion or addition to risk register.

**50 ANY OTHER BUSINESS**

There were no other matters of business to discuss.

**51            DATE, TIME AND VENUE FOR THE NEXT MEETING**

**Resolved:-** That the next meeting of the Barnsley, Doncaster and Rotherham Joint Waste Board take place on Monday, 16<sup>th</sup> March, 2020 at Rotherham Town Hall (time to be confirmed).

## BDR Joint Waste Board

### Terms of Reference

1.0	<b>Membership of the BDR Joint Waste Board</b>
1.1	The BDR Joint Waste Board will consist of Portfolio Holders with responsibility for Waste Services (or their deputy) and will be chaired by a Portfolio Holder on an annually rotating basis.
1.2	Members will be identified at the June Annual Meeting of the BDR Joint Waste Board.
1.4	For the BDR Joint Waste Board to be quorate, a minimum of three Portfolio Holders (or their deputies) must be present at the meeting.
1.5.	The end date for the Joint Waste Board is the expiry of the BDR PFI Contract or such other date as unanimously agreed in writing.
2.0	Objective is to Work together towards efficiencies and the sharing of best practices and opportunities
3.0	<b>Scope of the BDR Joint Waste Board</b>
3.1	<p>The scope of the BDR Joint Waste Board is to:-</p> <ul style="list-style-type: none"> <li>➤ consider the performance of joint contracts i.e. <ul style="list-style-type: none"> <li>○ BDR PFI and Royalty Deed</li> <li>○ Household Waste Recycling Centres</li> <li>○ Organic</li> <li>○ Treatment and disposal</li> </ul> </li> <li>➤ Consider the effectiveness of management of the above contracts</li> <li>➤ Develop a procurement strategy to gain further opportunities from joint working</li> <li>➤ Agree resources for projects to deliver efficiencies/savings including allocation of budgets</li> <li>➤ Agree the Operational Management Budget for the BDR PFI Contract</li> <li>➤ Agree proposed communication strategies for joint working</li> <li>➤ Recommend items for consideration by Steering Committee and the Joint Waste Team</li> </ul>
3.2	<p>The members of the BDR Joint Waste Board will be asked to:-</p> <ul style="list-style-type: none"> <li>➤ Give due consideration to the management of the BDR Operational Management Budget</li> <li>➤ provide strategic direction to any project</li> <li>➤ monitor the progress of agreed projects against any project plans,</li> <li>➤ agree allocation of funds for the projects subject to approval by the Authorities</li> <li>➤ receive regular reports from the project team and provide any comments and/feedback on these reports,</li> <li>➤ act as 'critical friends' throughout the process by providing challenge, feedback and comments,</li> </ul>

	<ul style="list-style-type: none"> <li>➤ agree and assign resources to support any projects and ensure sufficient priority is given to the projects to allow them to progress,</li> <li>➤ Provide a responsive decision making group to the Project Leads to ensure the project timelines are achieved</li> <li>➤ Make approvals at key stages, subject to delegation by their Authority</li> <li>➤ Ensure that any project is delivered on time and within budget</li> <li>➤ Review and manage the risks associated with projects.</li> </ul>
3.3	Any procurement project that is proposed as part of the actions for this Joint Waste Board will be run in accordance with the Lead Authorities Procedure Rules and will be in accordance with The Public Contracts Regulations 2015.
4.0	<b>Format of Meetings</b>
4.1	The Joint Waste Board will be facilitated by the BDR Manager and supported by the BDR Senior Contracts Manager and Administrative Officer. The agenda and reports will be set by the Joint Waste Board Chairperson in consultation with the BDR Manager and sent to Joint Waste Board at least 5 days in advance of the meeting.
4.2	The meetings will be held every 3 months unless otherwise agreed at meetings. The venue for the meetings will be in the administrative area of the Chairperson.
4.3	<p>The following may be invited to attend meetings :-</p> <ul style="list-style-type: none"> <li>➤ Waste Service Managers</li> <li>➤ Legal Officers</li> <li>➤ Finance Officers</li> <li>➤ Communication Officers</li> <li>➤ Development Planning Officers</li> <li>➤ Technical Advisors</li> <li>➤ Legal Advisors</li> <li>➤ Financial Advisors</li> <li>➤ Waste Infrastructure and Development Transactor</li> <li>➤ Contractors Representatives</li> </ul> <p>The above list is not exhaustive</p>
4.4	<ul style="list-style-type: none"> <li>➤ If BDR Joint Waste Board wish specific issues to be considered these can be raised at the meeting and officers will research these issues and present them to a future meeting of the Joint Waste Board.</li> <li>➤ The Joint Waste Board will report key milestones during any project, and any decision the Joint Waste Board wishes their Individual Authorities to take, to their individual Councils.</li> <li>➤ The internal approvals process that is necessary for any specific project should be provided to the Project Lead Officer for inclusion in the overall project plan.</li> </ul>
5.0	<b>Working Manner</b>
5.1	<p>The overriding principles for working together is that all parties should :-</p> <ul style="list-style-type: none"> <li>➤ act in good faith,</li> <li>➤ be open, honest and transparent,</li> <li>➤ willing to contribute and commit,</li> <li>➤ treat everyone with respect</li> </ul>



	<ul style="list-style-type: none"><li>➤ mutually support and co-operate with each other</li><li>➤ share learning and best practice.</li><li>➤ Respect the mutual need for commercial confidentiality</li><li>➤ seek to fully motivate Officers to act with drive, enthusiasm and a determination to succeed</li></ul>
6.0	Review of the Terms of Reference
6.1	These terms of reference to be reviewed every two years, at the written request of an Authority or if a significant change occurs

DRAFT

Public Report  
Barnsley, Doncaster & Rotherham Joint Waste Partnership - Joint Waste  
Board

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**Committee Name and Date of Committee Meeting**

Barnsley, Doncaster & Rotherham Waste Partnership - Joint Waste Board –  
29 June 2020

**Report Title**

Approval of Delegations under the Inter-Authority Agreement for Municipal Year  
2020/21

**Is this a Key Decision and has it been included on the Forward Plan?**

No

**Strategic Director Approving Submission of the Report**

Paul Woodcock, Strategic Director of Regeneration and Environment

**Report Author(s)**

Lisbeth Baxter, BDR Manager, Regeneration & Environment – Waste PFI  
lisbeth.baxter@rotherham.gov.uk

**Ward(s) Affected**

None.

**Report Summary**

One of the contractual documents entered into between Barnsley MBC, Doncaster Borough Council and Rotherham Borough Council (the “Authorities”) at financial close of the BDR Waste PFI project was an Inter-Authority Agreement (“IAA3”) being the third joint working agreement between the Authorities following on from procurement phase and pre-financial close versions. This IAA3 creates the Joint Waste Board (“JWB”) as a joint committee pursuant to section 101(5) of the Local Government Act 1972, which is established as part of the joint working arrangements between the Authorities for the management and administration of what are termed Relevant Contracts under the IAA3. At the date of this meeting, the BDR Waste PFI Contract is the only Relevant Contract to which IAA3 applies and is referred to as the “Principal Contract”.

This report details how the functions of the JWB will be delegated down to the BDR Steering Committee chair and then to the BDR Manager (as chair of the Joint Waste Team which reports to the BDR Steering Committee) in order to more efficiently deal with the day to day decisions that will be required under the Principal Contract. All decisions of the JWB, BDR Steering Committee chair and BDR Manager will be made in accordance with the provisions of the prevailing IAA3.

**Recommendations:**

That the JWB note that:

1. With the exception of the decisions reserved to the Authorities for a unanimous decision under the IAA3, all other decisions in respect of the Principal Contract are delegated by the JWB to the chair of the BDR Steering Committee (the "Authorised BDR Steering Committee Member").
2. The Authorised BDR Steering Committee Member may elect to delegate certain decisions to the BDR Manager.
3. 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).
4. That Rotherham Borough Council's representative officer on the BDR Steering Committee will be the Authorised BDR Steering Committee Member for 2020-2021.

**List of Appendices Included**

None

**Background Papers**

Inter-Authority Agreement (version 3 dated [27] [09] [2016] (IAA3)

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

The information in this document has been prepared by the BDR Joint Waste Team and considered by the BDR Steering Committee.

**Council Approval Required**

No

**Exempt from the Press and Public**

No

**Approval of Delegations under Third Inter-Authority Agreement (IAA3) for Municipal Year 2020/21: BDR joint waste management Private Finance Initiative (PFI) project**

**Background**

- 1.1 Local authorities may arrange for the discharge of functions by (i) a joint committee or (ii) by an officer of one of them under section 101(5)(a) of the Local Government Act 1972. In this case, a group of officers is established under IAA3 called the BDR Steering Committee, which will be empowered to make the day to day decisions required for the management and administration of the Principal Contract. However, the Local Government Act 1972 does not allow the delegation of powers to be exercised jointly by a committee of officers.
- 1.2 To fit with the legislative requirements the Joint Waste Board (JWB) as a joint committee of members therefore delegates its powers to one of the BDR Steering Committee officers (the “Authorised BDR Steering Committee Member”), who will then act in consultation with the other officers from the Authorities on the BDR Steering Committee. For the municipal year 2019/20, this delegation was made to the Rotherham Borough Council member of the BDR Steering Committee, who also acted as the Chairman of that body. It has been agreed previously that the roles of the Chairman and Vice-Chairman of the JWB will rotate between the three Authorities on an annual basis. In line with this principle, it has been agreed that the Authorised BDR Steering Committee Member will also rotate annually. For the municipal year 2020/21, this delegation should therefore be made to the Barnsley Borough Council member of the BDR Steering Committee. However, as these are challenging times it is proposed by BDR Steering Committee that for the year 2020/21 there are no changes by rotation to the Chairman appointment. This officer, as Authorised BDR Steering Committee Member, will subsequently delegate certain functions to the BDR Manager in order to more efficiently deal with the day to day decisions that will be required under the Principal Contract.
- 1.3 The structure of the BDR Steering Committee will be as follows:
- Barnsley MBC representative:
- The Service Director (Environment & Transport) or in their absence the Head of Commercial and Support Services (Environment and Transport)
- Doncaster Borough Council representative:
- The Assistant Director (Environment) or in their absence Head of Waste and Highways Infrastructure
- Rotherham Borough Council representative:
- Assistant Director (Community Safety and Street Scene) or in their absence Street Scene Manager.

## **2. Key Issues**

- 2.1 Delegation of decisions in the manner requested facilitates the smooth running of the Joint Waste Board. Without such delegations in place, given that this is a high value, long term joint project involving three local authorities with central government revenue support funding, there would be a serious risk that proper and prompt decision making would prove to be very difficult, with a consequent adverse effect on the efficient operation of the PFI project.

## **3. Options considered and recommended proposal**

- 3.1 The delegations are a contractual requirement of the IAA3, so no further options were considered.

## **4. Consultation on proposal**

- 4.1 Portfolio Holders for Waste Management in each of the Authorities, BDR Steering Committee and BDR Waste Service Managers (who are part of the Joint Waste Team) have been consulted.

## **5. Timetable and Accountability for Implementing this Decision**

- 5.1 The delegations and rotation of Chairman and Vice-Chairman of the JWB are a contractual requirement of the IAA3 and should take place at the AGM of the JWB in June each year.
- 5.2 Due to exceptional circumstances, members' unavailability and the distracting effects on priorities due to COVID-19 only two JWB meetings were held in the financial year 2019/20 with no meeting held since September 2019.
- 5.3 Rotation of the Chairman and Vice-Chairman of the JWB was discussed at BDR Steering Committee in May 2020 and due to the ongoing COVID-19 uncertainty, the scheduling of member elections for Doncaster Borough Council and Barnsley MBC for Spring 2021 and the current Chairman's reduced tenure in his year it was considered and suggested that the extension of the term of the current Chairman, Cllr Chris Lamb from Barnsley MBC, would be beneficial.
- 5.4 BDR Steering Committee agreed with the proposal to put forward a two (2) year rotation of Chairman and Vice-Chairman to propose at the JWBAGM in June 2020.

## **6. Financial and Procurement Advice and Implications**

- 6.1 There are no financial implications arising from this report.

## **7. Legal Advice and Implications**

- 7.1 The delegations and rotation of Chairman and Vice-Chairman are a contractual requirement of the IAA3 and should take place at the JWB AGM in June each year.

7.2 Paragraph 5.1 above details a recommendation to extend the 2019/20 Chairman and Vice-Chairman appointments for JWB into 2020/21.

## **8. Human Resources Advice and Implications**

8.1 There are no human resource implications arising from this report

## **9. Implications for Children and Young People and Vulnerable Adults**

9.1 There are no implications for children and young people and vulnerable adults arising from this report

## **10. Equalities and Human Rights Advice and Implications**

10.1 There are no equalities and human rights implications arising from this report.

## **11. Implications for Partners**

11.1 There are no implications for partners arising from this report.

## **12. Risks and Mitigation**

12.1 Delegation of decisions in the manner requested facilitates the smooth running of the JWB. Without such delegations in place, given that this is a complex, high value PFI project involving three local authorities, there would be a serious risk that proper and prompt decision making would prove to be very difficult, with a consequent adverse effect on the efficient operation of the PFI project.

## **13. Accountable Officer(s)**

Tom Smith, Assistant Director (Community Safety and Street Scene)  
Martin Raper, Street Scene Manager  
Lisbeth Baxter, BDR Manager

*Report Author: Lisbeth Baxter BDR Manager  
lisbeth.baxter@rotherham.gov.uk*

This report is published on the Council's [website](#).



**BDR WASTE PFI**  
**BDR MANAGER ANNUAL REPORT 2019-2020**

## **1.0 Governance**

### **1.1 Resources**

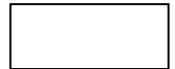
- 1.1.1 The BDR Team have been home working since the week prior to Covid-19 lockdown being introduced and will continue to do so until advised otherwise. The team's work has been managed and completed through conference calls and meetings held via SKYPE and Microsoft Teams. As well as our own workload we are supporting and helping to co-ordinate the three councils' response to the Covid-19 crisis. This includes ensuring the Bolton Road waste treatment facility continues to accept waste, supporting a joint BDR response to managing HWRCs and supplying the latest guidance, information and legislation amendments to Waste Managers to help organise a joint response.
- 1.1.2 The BDR Community Education Liaison Officer (CELO) has now returned to her substantive post at Renewi (after providing support to RMBC to assist with the engagement of residents on the new waste service). Since being back in the roll the CELO is now being supported by an Assistant CELO.
- 1.1.3 Steering Committee have agreed the CELO plan and budget for 2020/21 which was developed in consultation with the communications group. The roll-out of the new waste minimisation, social media and targeted campaigns had begun. But due to the impact of COVID-19 the CELO plan has be adapted to cope with the current limitations and will reviewed to once a new normal has been established?

### **1.2 BDR Liaison Committee Meeting**

- 1.2.1 Tom Smith, RMBC, became the Chair of the BDR Liaison Committee, and meetings were held in October 2019 and May 2020. Appendix 1 to this report contains the TOR for the Liaison Committee and appendix 2 contains the approved set of minutes from 19.10.19.

### **1.3 Steering Committee**

- 1.3.1 The Chair of the BDR Steering Committee rotated from Barnsley Council to Rotherham Council in July 2019 and the BDR Team would like to thank Paul Castle for his hard work and support during his term as Chair.
- 1.3.2 Tom Smith, RMBC, became the Chair of the Steering Committee.



## **1.4 South Yorkshire Leaders' Meeting**

1.4.1 Beth Baxter, BDR Manager and Paul Hutchinson, BDR Contract Officer attended the South Yorkshire Leaders' Meeting on 27.1.20 to update on the South Yorkshire Waste Strategy.

1.4.2 No actions were required to be followed up on from the meeting

## **1.5 Operating Contractor (OpCo)**

1.5.1 Monthly meetings are held between the BDR team, Renewi the Operating Sub-contractor and invited representatives from SSE (Ferrybridge Multi-fuel energy from waste facility).

1.5.2 At these meeting the BDR team receive updated reports on plant performance and maintenance, duty of care, health and safety, any projects, contractual performance and site inspection outcomes. The BDR team raise any performance issues and agree deductions that should be applied and the Contractor is measured against contractual requirements.

## **2.0 Contract Delivery**

### **2.1 Bolton Road**

2.1.1 The two primary monitoring metrics for the contract are recycling performance and diversion from landfill.

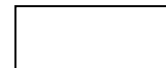
2.1.2 The contractual target was originally set at 19% recycling performance (default trigger below 12.5%) and more than 95% diversion of waste from landfill.

2.1.3 After the significant service change made by Rotherham MBC in January 2019 (introduction of the collection of plastic bottles, pots, tubs and trays in the kerbside recycling), the recycling target was reduced to 18% and the default trigger to 10.5%. To implement this agreement approvals were authorised by each authority, Defra, the SPV Board and the operating contractor's Board. The agreement was formalised through the contractual mechanisms.

2.1.4 In 2019/20 the facility achieved a recycling rate of 12.08%, an increase of 0.67% on the 2018/19 rate. This recycling rate includes all material presented to the market for recycling from the BDR Waste Treatment Facility.

2.1.5 In the same year, the facility achieved 96.99% diversion from landfill, a reduction of 0.1% on the previous year. This rate includes all the waste from the contract presented for recycling, processed through the AD facility or sent for energy recovery.





- 2.1.6 From March 2020 the Covid-19 stay at home requirements resulted in an increase in tonnages of household residual waste being received. This has been offset by a reduction in commercial and HWRC residual waste due to closures both of businesses and the HWRC network across the region. The contractor accepted less third-party waste from their sources in the early days of the lockdown to ensure continuity of service for the Councils.
- 2.1.7 Throughout the current Covid-19 crisis the site has remained operational and has accepted all waste from the three authorities at the required point of delivery. Renewi Op-Co have worked closely with the BDR Team and three authorities to ensure the site caused no detrimental effect to the provision of residual collection services.
- 2.1.8 There has been an increased level of fines capture in the latter part of 19/20 (and in to 20/21). This may be due to an increase in organic material in the waste from increases in both food and garden waste in the residual bin. This has had minimal effect on the overall 19/20 mass balance and forecasts (one month out of 12) but depending on how long the garden waste collection restrictions remain in place in Barnsley and Doncaster the current 20/21 forecasts may need to be adjusted. The BDR teams are working closely with Renewi to model and review various scenarios to determine the likely projections for waste inputs in 20/21.

**Table 1 - 2019/20 Tonnage out-turn**

	Barnsley	Doncaster	Rotherham	Total
Q4 Forecast review	64,800	81,600	59,600	206,000
	31.46%	39.61%	28.93%	
Year-end outturn	64,981	81,365	58,496	204,842
	31.72%	39.72%	28.56%	
Tonnage Variance	181	-235	-1,104	-1,158

Table 1 shows the proportion of waste delivered from April 2019 to March 2020. and the variance between the actuals and the forecast. The BDR team and the officers from across the region pro-actively reviewed the anticipated tonnage forecast quarterly throughout the year. The monthly UC payments were adjusted accordingly to ensure each council could budget as accurately as possibly throughout the year.

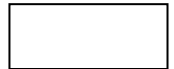


Figure 1 - Tonnage Tracker

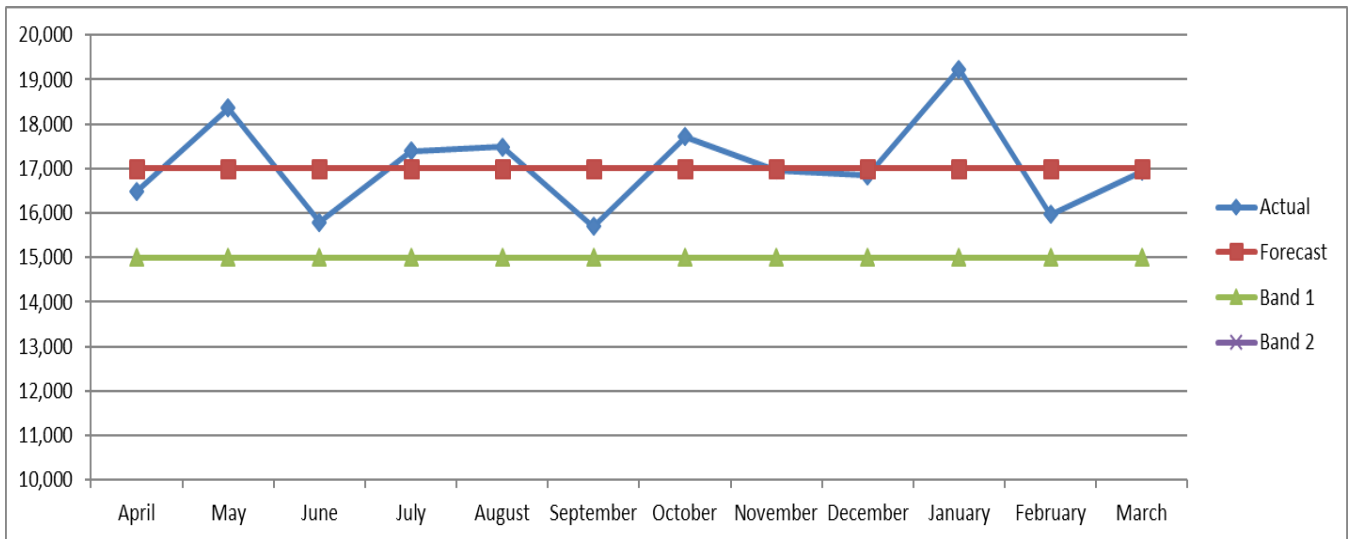
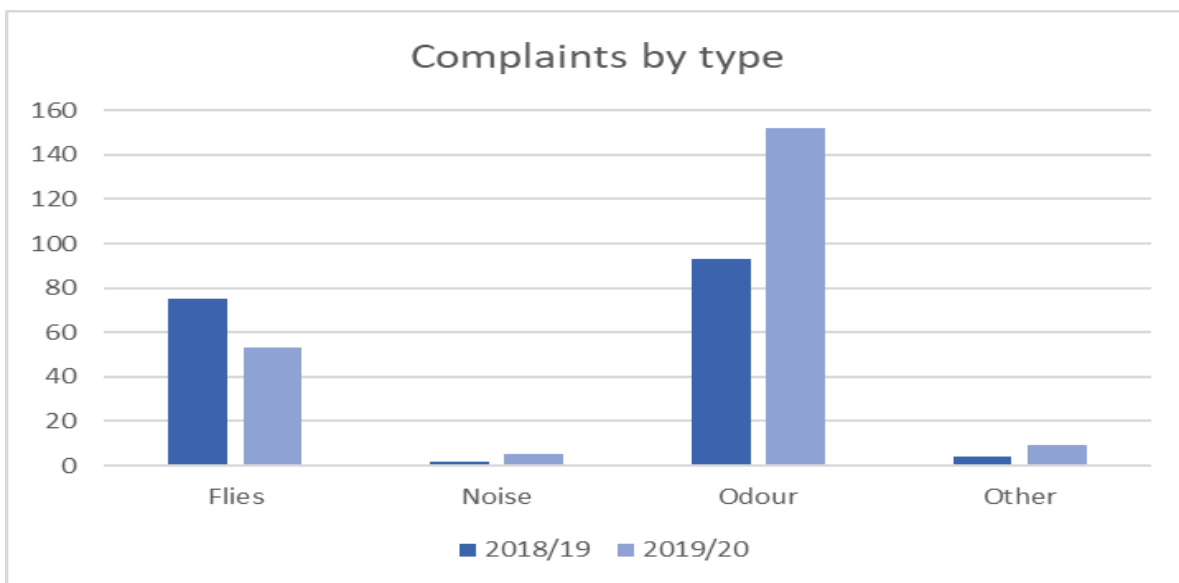


Figure 1 above shows the actual tonnage profile from April 2019 to March 2020 across the partnership.

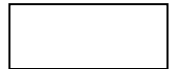
## 2.2 Complaints

2.2.1 A total of 219 complaints were received during 2019-20. The graph below shows the number of complaints received by type compared with the previous year. The majority of complaints received in 2019/20 were relating to flies and odour. None were received regarding Barnsley Transfer Station.

Table 2.2.1 - Complaint Statistics







New Permits, Variations, Revocations & Suspensions issued. (All Operations)																				
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## 2.3 Report Environmental

2.3.1 Failure of the AD plant's gas analysing system caused failsafe protocols to be triggered and a controlled biogas release into the atmosphere rather than entering the fermenters or flare stack. This was self-reported to the EA in a schedule 5 report, with details of the incident and the remedial action to be taken to rectify the fault there was no further action taken by the EA.

## 2.4 Fire Protection Improvements

2.4.1 The fire improvement work is now complete and Renewi fully migrated over to the new system during the second week in February 2020. All training of Renewi staff has been completed. There are some minor snagging works outstanding that have been put on hold due to the Covid-19 situation. These do not impact on the overall effectiveness of the system.

## 2.5 Bio-filter Replacement

2.5.1 Bio-filter one has been replaced and is working well. Work to refresh bio-filter two will commence when the lockdown has been lifted. As bio-filter two is performing to a reasonable standard, a full replacement will not be required.

## 2.6 Acid Scrubber

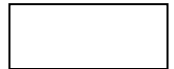
2.6.1 Ammonia levels emitted from the facility through the AD stack are higher than those modelled and submitted as part of the permit application within the Air Quality Assessment. Consequently, the sub-contractor JCBE were asked to modify the current water trickling scrubber and convert it into an acid scrubber. The works on the installation of the acid scrubber are now substantially complete but have been halted due to Covid-19 restrictions. The sub-contractor undertaking the work are based in Ireland and lockdown and travel restrictions have prevented them from attending site.

## 2.7 Ferrybridge

2.7.1 During 2019/20 Ferrybridge generated 592,914 MWhrs of electricity and accepted 660,954 tonnes of BDR's SRF.

## 2.8 Grange Lane – Barnsley Transfer Station

### 2.8.1 Upgrade Works



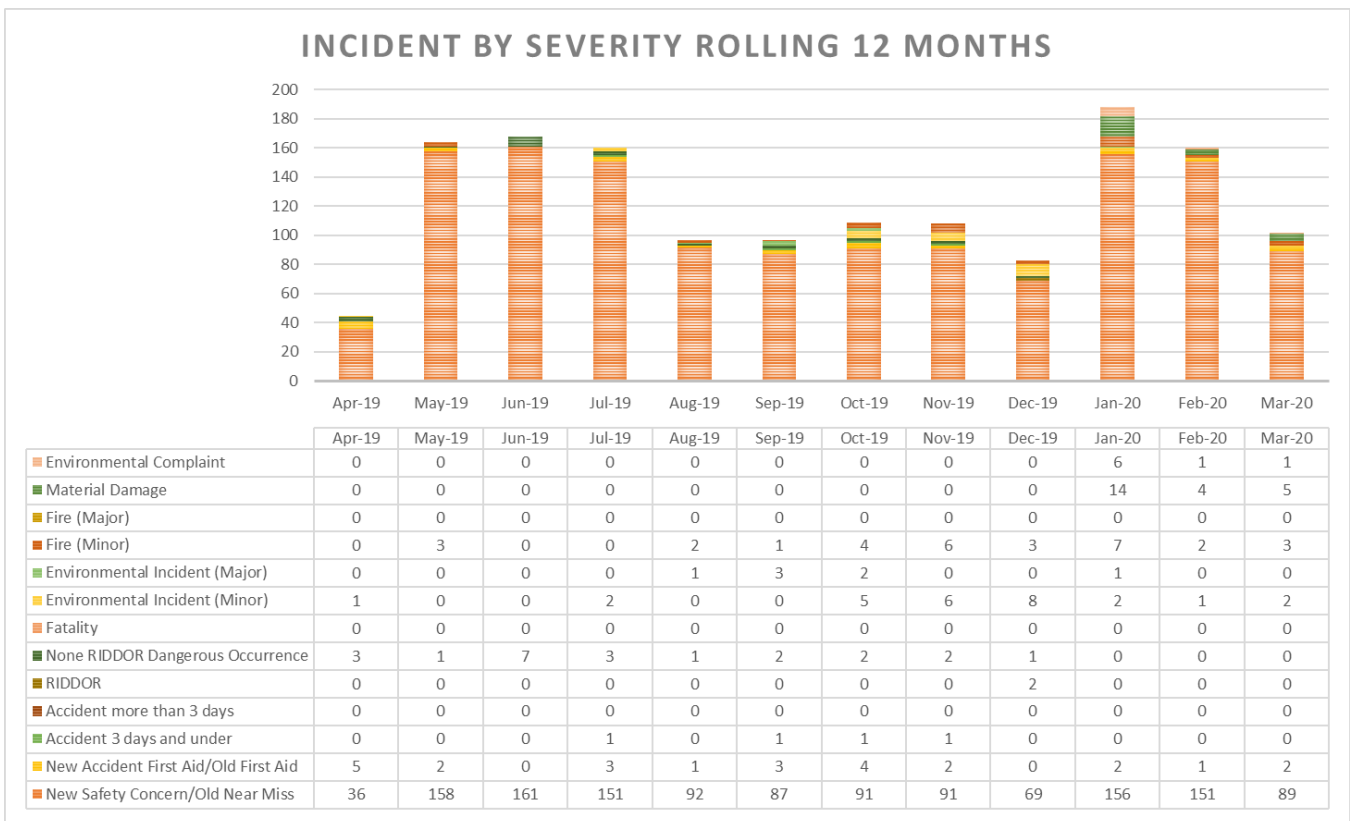
2.8.2 Work on the internal floor replacement and laying of a new concrete slab commenced on the 6th January 2020 and was completed ahead of schedule without any issues.

2.8.3 Work to rectify the failure of the dilapidation work (undertaken by a contractor appointed by Barnsley asset management) including re-painting of the internal structural steel and external concrete apron remains outstanding and is under discussion (internal BMBC matter).

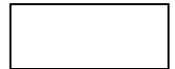
2.8.4 Renewi have had funders' approval to release the money for the upgrade works to BTS including new office, welfare facilities and weighbridge office replacement. Orders have been placed and the work on the improvement programme will commence when the present coronavirus restrictions allows.

**2.9 Health and Safety**

**Figure 2.9.1 Health and Safety Statistics 2019-20**



2.9.1 All close call reports are reviewed by the Renewi Safety, Health, Environmental and Quality (SHEQ) department who use this information to understand any common issues at operational sites, update site rules, standard operating procedures and identify areas where further training may be required. Renewi pro-actively encourage their staff to report “near misses”



when they see them to help improve safety and install a “safety” mentality within their staff.

- 2.9.2 Comprehensive action is taken by Renewi operational staff where incidents occur. Incidents and actions are reviewed by Operational Managers from each authority and internal Health and Safety Officers at the quarterly health and safety meetings.

### 3 Legal

#### 3.1 Insurance

- 3.1.1 The Contractor has obtained full cover of insurance for 2020, the lead insurer is still Aviva. The insurance market for waste is still difficult and according to Marsh there has been a 10% increase in premiums across the insurance market in general.

#### 4.0 Financial

- 4.1 The Operational Management Budget 2019-20 included costs for technical support to ensure due diligence and support in covering fire improvement work, insurance negotiation, legal and financial support and on-going work on operational savings.

**Table 4.1.1 – Operational Management Budget Outturn 2019-20**

	Budget 2019-20	Actual Spend	Variance
Administration	37,844	24,039	-13,805
Call off Finance	1,120	0	-1,120
Call off Legal	66,897	46,056	-20,841
Call off Technical	0	0	0
External Finance	30,000	30,197	197
External Legal	10,000	632	-9,368
External Technical	25,000	0	-25,000
Management	135,018	136,149	1,131
HWRC Project	0	0	0
Insurance Advisors	0	6,900	6,900
<b>Total</b>	<b>305,879</b>	<b>243,973</b>	<b>-61,906</b>

- 4.1.2 The operational management budget Expenditure was £61,906 underspent for the financial year 2019-20



## 4.2 Operational Management Budget Forecast

**Table 4.2.1 – Operational Management Budget forecast 2020-21**

	Budget 2020-21
Administration	24,806
Call off Finance	0
Call off Legal	62,691
Call off Technical	0
External Finance	30,000
External Legal	12,250
External Technical	15,000
Management	131,888
HWRC Project	0
Insurance Advisors	10,000
<b>Total</b>	<b>286,635</b>

4.2.1 The BDR Manager would like to propose setting the operational management budget at a slightly reduced level (£286k) than the initial 2019-20 budget (£305k). Although significant savings (£61k) were made in the 18/19 budget it is anticipated that ongoing work to implement operational changes, potential variations to contracts due to Covid-19 and the emerging Resource and Waste Strategy potentially require increased external Legal, Finance and Technical support..

4.2.2 The Unitary Charge for the 2019/20 financial year totalled £23,312,070.66.

4.2.3 The BDR Partnership received Waste Infrastructure Credits from DEFRA to the value of £5,962,016.00.

## 5.0 Communication & Community

### 5.1 Community, Education and Liaison Officer (CELO)

5.1.1 Recycle week took place 23<sup>rd</sup> - 29<sup>th</sup> of September 2019.

5.1.2 The Renewi Corporate Social Responsibility Fund was launched for 2019/20, the closing date for applications was 28 February 2020.

Four organisations were chosen by the CELO team, BDR manager and CLG chairperson as recipients of the fund and these were as follows:

- BDR: Restoration Beyond Belief £3,000 for a school uniform exchange project
- Barnsley: Goldthorpe Salvation Army £1,000 for the Victory Project, tackling food poverty



- Doncaster: Little Einstein's day nursery £1,000 for a sensory garden and forest school space
- Rotherham: St Ann's junior and infant school for an outdoor reading garden

5.1.3 BDR and Renewi launched a home composting campaign, with competitions for children who have been challenged to produce something creative to promote or explain composting. There will be nine prizes available, one each for infants, junior and secondary age young people in each area. A social media competition for adults will give them a chance to win a coveted hot compost bin worth £200 which heats the contents and speeds up the composting process.

5.1.4 A composting campaign ran from 29/4/19 - 31/5/19 (the school competition ended at the beginning of June to account for half term holiday at end of May) There were 11 posts in total. On Facebook they reached 10,542 people and received 409 comments, the majority of which came from the compost bin give-away post. On Twitter, there were the same number of posts, 6,856 impressions were created (number of times it has been seen) and 121 engagements (likes, comments and retweets). There were 258 entries from schools, two each from local authority area. There was a press release at the start of the campaign and a further release announcing the winners along with photographs of some of the winners.

## 5.2 Community Liaison Group (CLG)

5.2.1 Following discussions with the chair of the Community Liaison Group about the impact of Coronavirus on our regular two monthly face-to-face meetings at the Visitor Centre at Manvers, it was agreed to hold the meetings remotely with written rather than verbal reports. The first meeting in March worked well, so the arrangement was repeated for the recent June meeting. The chairman sent the following message to members before the March meeting:

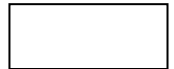
"We are living in very challenging times and will be unable to meet for the foreseeable future. But we can have 'virtual' meetings where we can receive written updates and raise other issues. It is important that we keep the group going and the exchange of information which is vital for the role the CLG plays. A 'virtual' agenda is attached, together with the notes/actions from our previous meeting in February. Below are written updates from Renewi, BDR, the Community Education Liaison Officer and Stratiji. Please take care, stay safe, and let Stratiji know about any issues arising from these written updates."

5.2.2 Updates from CLG meetings in March and June 2020 are attached at appendix 3 and 4.

## 6.0 Resources

6.1 There is additional support as required from a legal locum, and internal and external technical and financial advisors for more complex matters.





## 7.0 Joint working and BDR support

7.1 Listed below are the current projects and areas the BDR team are helping to support the individual councils or co-ordinate joint work:

### BMBC

- Support in investigation of current and potential new DMR / Paper and Card disposal contracts
- Delays work and new slab at B.T.S
- Variations to the BTS contract with Barnsley to allow Paper and Card to be managed as a contingency measure.
- Facilitation through Renewi for alternative disposal site when BTS was closed at the start of the year

### DMBC

- Support on Waste Data Flow data collation and input
- Assistance with the development of the Doncaster Environmental Strategy
- Assistance with paper on feasibility of Chargeable Green waste option
- Assistance on Commercial waste options at HWRCs
- Assistance with surrender of EA permit for old waste site/depot

### RMBC

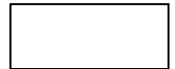
- Support on Tendering new Clinical Waste Disposal contract
- Completion of the legal documents for the Organic and Recycling Contracts
- Assistance on Commercial waste options at HWRCs
- Support to newly appointed waste managerial team
- Assistance with finalisation of recycling waste contract and interpretation of contract when issues/disputes raised
- Continued support to new Contract Manager on budgeting, contract management and WasteDataFlow

### B.D.R

- **Covid-19 support**
  - Co-ordinating approach across BDR(S)
  - Support on all aspect of the crisis, including guidance, industry insight, legislation changes, resource support / availability, updates and action logs
  - In conjunction with Renewi, ensuring the Waste Treatment Facility remains fully operational and taking waste as normal
  - Ensuring joint working on management of BDR contracts such as HWRCs to fulfil the requirements of the service
  - Joint communication

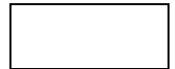


- Best practice and networking
- Solutions and progression of HWRC contract variation requirements
- Tetra Pak and/or P.T.T introduced into kerbside recycling and PFI contract variation requirements
  
- Waste and Resource strategy
  - Letter to Environment Secretary
  
- South Yorkshire Municipal Waste Strategy
  - Changes required due to Resource and Waste Strategy

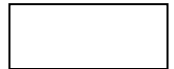


## 8.0 Glossary of Terms

Term	Definition
<b>3SE</b>	The name for the partnership between Renewi plc and Scottish & Southern Energy plc.
<b>A2A (formerly Ecodeco)</b>	Italian company who research, design, construct, and manage plant and equipment for the disposal of waste.
<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>Compositional Analysis</b>	Waste Composition Analysis is a study that provides essential information about the weight and type of each component waste material that is in any given waste stream. It firstly involves obtaining representative samples of these waste streams, then manually hand sorting into various pre-defined sort categories using the correct methodology, which are then weighed in each individual fractions in align with Waste Data Flow (WDF) municipal reporting each waste stream has its own European Waste Code (EWC).
<b>Department for Environment, Food and Rural Affairs (DEFRA)</b>	The UK government department responsible for policy and regulations on environmental, food and rural issues.
<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>Facebook</b>	A popular free social networking website that allows registered users to create profiles, upload photos and video, send messages and keep in touch with friends, family and colleagues.



<b>FCC Environment</b>	One of the UK's leading waste and resource management companies.
<b>Ferrybridge Multifuel 1 and 2 (FM1/FM2)</b>	Multifuel Energy Ltd. (MEL) operates a new £300 million multifuel plant on land owned by SSE at Ferrybridge 'C' Power Station near Knottingley in West Yorkshire. This project is called Ferrybridge Multifuel 1 (FM1)
<b>Household Waste Recycling Centre (HWRC)</b>	A civic amenity site (CA site) or household waste recycling centre (HWRC) is a facility where the public can dispose of household waste and also often containing recycling points.
<b>Joint Waste Board (JWB)</b>	The Statutory Committee comprising Portfolio Holders and Senior Officers with responsibility for waste.
<b>Liaison Committee</b>	Review the Waste Management contract in operation, seek out future development opportunities and to review the operational year identifying any learning points and advise the Joint Waste Board of any corrective action requirements
<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. MBT plants are designed to process mixed household waste as well as commercial and industrial wastes.
<b>Private Finance Initiative (PFI)</b>	Mechanism for creating "public-private partnerships" (PPPs) by funding public infrastructure projects with private capital.
<b>Refuse Collection Vehicle (RCV)</b>	The collection of rubbish and waste, usually in a rubbish or refuse truck, before final disposal.
<b>Renewi UK Services</b>	The new trading name for Shanks Waste Management.



<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>Waste Infrastructure Credits</b>	Awarded by DEFRA to incentivise local authorities to develop infrastructure to treat waste as an alternate to landfill.
<b>Waste Transfer Station (WTS)</b>	Facilities where municipal solid waste is unloaded from collection vehicles and briefly held while it is reloaded onto larger long-distance transport vehicles for shipment to landfills or other treatment or disposal facilities.

**Contact Name:** - Lisbeth Baxter, BDR Manager, Tel. Ext 55989  
 email: Lisbeth.Baxter@rotherham.gov.uk

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

Document is Restricted

**Schedule A: Functions of the Liaison Committee**

The primary objectives and functions of the Committee are to:

- Receive the operational year in review report prepared by the BDR Manager and the Contract Manager, and ask for investigation of any matters arising from it identifying any learning points and corrective action requirements
- Review the Service Delivery Plans and Annual Performance Plans (and any other annual reports required as part of the Contract) submitted by the Contractor
- Receive and review the proposed forthcoming operation of the Contract based upon a report prepared by the Contract Manager in consultation with the BDR Manager
- Review the fit between the project's outputs and the strategic objectives especially in relation to waste management, energy efficiency and carbon management
- Review the effectiveness of the contract management arrangements and identify any necessary changes
- Consider any issues relating to contract management that should be escalated to the Joint Waste Board
- Review a report from the BDR Manager on the effectiveness of the Governance arrangements in terms of managing the relationship between the client and the contractor
- Provide direction to the BDR Manager and the Contract Manager in relation to the production and content of future reports
- Promote an effective and constructive relationship.
- Identify any opportunities for enhancing Partnership working
- Identify any development opportunities that could improve operational, financial or environmental performance
- Consider the impact on operational, financial or environmental performance of any forthcoming legislation, policy changes, or budgetary changes and notify the Joint Waste Board accordingly
- The Liaison Committee will meet at least twice a year.
- Emergency meetings may be convened as and when required.

**Attendees:**

<b><u>Name</u></b>	<b><u>Title</u></b>	<b><u>Organisation</u></b>
Jonathan Sime	Head of Project Development	Scottish Southern Electricity
Alastair Brookes	Head of UK PFI Finance	Renewi UK Services Limited
Simon Lund	Contracts Director	Renewi UK Services Limited
Matthew Gladstone	Executive Director of Development, Environment and Culture	Barnsley MBC
Paul Castle	Service Director of Environment and Transport and Deputy for Matthew Gladstone	Barnsley MBC
Paul Woodcock	Strategic Director, Regeneration & Environment	Rotherham MBC
Tom Smith	Assistant Director, Community Safety and Street Scene and Deputy for Damien Wilson	Rotherham MBC
Peter Dale	Executive Director of Environment Services	Doncaster MBC
David Coulson	Assistant Director for Environment Services and Deputy for Peter Dale	Doncaster MBC
Lee Garrett	Head of Service – Highways and Deputy for Gill Gillies	Doncaster MBC



## **Update for 'virtual' CLG meeting on 30<sup>th</sup> March, 2020**

**1. Message from chairman to all CLG members.** We are living in very challenging times and will be unable to meet for the foreseeable future. But we can have 'virtual' meetings where we can receive written updates and also raise other issues. It is important that we keep the group going and the exchange of information which is vital for the role the CLG plays. A 'virtual' agenda is attached, together with the notes/actions from our previous meeting in February. Below are written updates from Renewi, BDR, the Community Education Liaison Officer and Stratiji. Please take care, stay safe, and let Stratiji know about any issues arising from these written updates.

Mike North, chair of the CLG.

**2. Minutes of last meeting on 3<sup>rd</sup> February.** These were sent out previously and no comments have been received so they can be approved as a true record.

**3. Issues arising.** The CELO has responded to CLG member about how to dispose of stainless steel embroidery needles. They are typically made of ferrous metal and should be placed in a ferrous tin which should be made secure and then put in the scrap metal skip at an HWRC site. The BDR Manager has reported to highways a pothole in the carriageway near the facility.

**4.3SE update.** The Renewi Contract Director reported that the waste treatment facility, including Barnsley Transfer Station, is fully operational. Contingency plans are in place in the event of difficulties caused by the Coronavirus outbreak. Fire improvement works are now complete and the new system went live in early February following training of staff. The second energy from waste facility at Ferrybridge (FM2) is fully operational and accepting material from BDR. FM1 has a planned shutdown in April for 21 days.

### **5. BDR update.**

Kerbside collection services across the region have seen reductions in staff who either have underlying medical conditions or are self-isolating. management services. Garden waste services have been suspended in all three authorities councils. The councils will be providing information on how to compost at home through their social media channels. In

Barnsley the paper and card collections have also been suspended. There may be further disruptions to collections if stricter social distancing measures come into force and crews will have to reduce to a driver and one collector.

Household Waste Recycling Centres across the three councils have closed to comply with the Government's requirement for social distancing and for residents to undertake only essential travel and activities. There were also long queues on the highway at HWRCs leading to a request from Police to close them on safety grounds.

Contingency plans are in place with daily conference calls across the BDR councils to share information and good practice and ascertain the resilience of collection services across each borough.

The BDR Team are investigating how the BDR AGM should now take place or if it will need to be cancelled.

**6. CELO update.** Since the last meeting, until mid-March, the CELOs have been busy with school visits, site tours and preparing campaigns for the 2020/21 financial year as well as conducting a survey of how waste and recycling is taught in schools and administering the CSR fund. In mid-March the Government recommendation to avoid unnecessary group activities has meant that all school visits and site tours from 17<sup>th</sup> March to 16<sup>th</sup> April have been postponed and where possible rearranged for later in the year. Also, as a result of the COVID-19 outbreak, the CELOs have been reviewing the work planned for 2020/21 and re-arranging this where appropriate, for example delaying the coffee cup re-use month to later in the year as most retailers have stopped the use of re-useable cups and replacing the campaign with clothes messaging instead. It may be necessary to continue to adapt and amend the workload for the year as we progress so that campaigns such as Love Food Hate Waste fall at the most appropriate times. The home composting campaign, which is due to start in April, will proceed as scheduled with a slight change to the children's competition to account for the fact that schools may be closed. This is to include a competition on the Waste Less South Yorkshire Facebook page to win a hot compost bin, social media posts giving tips and advice on composting, a children's creative compost challenge and a guide for schools on composting.

The CSR fund has closed, applications have been scored and funding decisions made. The allocation of volunteer hours is currently on hold as we are not able to deliver these at the current time. The funds will be awarded as follows:

BDR Area - £3,000 – Restoration Beyond Belief – school uniform re-use. The money will be used to fund storage space, racking and containers as well as the cost of collection and delivery of school uniforms. The group helps over 300 families from the Dearne Valley each year who are struggling to provide school uniform for their children. Good quality clothing is collected from donation points within the community, cleaned, sized, repaired where needed and stored until needed.

Barnsley Area - £1,000 – Goldthorpe Salvation Army – the Victory Programme. The money will be used to fund the delivery of the Victory Programme, a six-week educational initiative run to encourage participants to embrace war-time budgeting skills while making friends, learning to cook simple, healthy meals and making their money and food go further. Doncaster Area - £1,000 – Little Einstein’s Day Nursery – Sensory Garden and environmental education space. The nursery is to create a sensory garden and environmental education space including a wild flower meadow and pond. A large number of the local children do not have regular access to a safe outdoor space to play and learn about their natural environment and how to care for it. This would allow those opportunities whilst creating a space that families could also enjoy.

Rotherham Area - £1,000 – St Ann’s Junior & Infant School – reading and creativity garden. The children in the area have a disproportionately high rate of special needs and mental health issues as well as a lack of safe outdoor space in which to play and feel secure. The funding will be used to create a calming outdoor learning haven with access to books, writing and drawing materials surrounded by nature. This will create an outdoor space where parents can listen to their children read, children can come to reflect and practise mindfulness and they can safely experience the outdoor environment.

**7. Communications update from Stratiji.** This has been a busy period, liaising with local authority comms, BDR and Renewi teams to help get the message out to the public about implications for waste services across Barnsley, Doncaster and Rotherham because of Coronavirus. Since the last meeting we’ve issued two press releases, one to extend the deadline for applications for the Renewi CSR Fund and one to launch the home composting campaign which has gone out today.

Temporary suspension of green waste collections across BDR has made this particularly timely. We're also trying to keep the BDR website as up to date as possible, referring people to their local authority websites for full details about new waste arrangements.

**8. Any other business.** No additional matters have been submitted.

**9. Date, time and venue for next meeting.** This has been provisionally earmarked for the beginning of June.

## Update for 'virtual CLG meeting on 8<sup>th</sup> June, 2020

**1. Message from chairman to all CLG members.** This is our 'second' virtual meeting when instead of meeting face to face we will receive written reports from Renewi, BDR, the Community Education Liaison Officer and Stratiji. As you will see, the Coronavirus pandemic has had an impact on work in every area and it is good to get an update on the implications for waste services across the three authorities. Hopefully we will be able to have a Vera Lynn (we'll meet again!) meeting in the not too distant future, but in the meantime it is important that the group continues to function, even if it is in this remote way. Please take care, stay safe, and let Stratiji know if you have any issues arising from these written updates.

**Mike North, chair of the CLG.**

**2. Notes from last 'virtual meeting on 30<sup>th</sup> March 2020.** Attached.

**3. Issues arising.** Please contact Stratiji if there are any issues arising.

**4. 3SE update.** Stable operations have continued throughout the period although absence levels increased in the early stages of the pandemic. Absence levels have now levelled off with only a small number of frontline staff currently shielding on medical advice. Two staff members have been tested for Covid-19 after showing symptoms, but neither tested positive. Although the facilities have continued to receive waste, the types of waste streams have changed. Household waste from the three authorities has increased sharply during the lockdown due to the cessation of some collection services and the temporary closure of HWRCs. The increased tonnage has been offset by the lack of HWRC waste and a reduction in commercial inputs. There was an increase in the number of fly complaints in May and the management team are in regular communication with the Environment Agency. The planned shutdown at Ferrybridge FM1 in April was reduced from three weeks to one week due to travel restrictions for foreign specialist contractors. The remainder of the shutdown will now take place in September with FM2 planned to go offline in October for three weeks for maintenance work. **Simon Lund, Daniel Tadd.**

**5. BDR update.** Kerbside collection services across the region have stabilised after the initial impact of Covid-19. They have now seen a return to work of most staff who were self-isolating and many services are back to business as usual. **Barnsley** – kerbside residual waste, both recycling streams and bulky items are being collected as normal. Barnsley plan to re-introduce garden waste collections within the next few weeks. **Doncaster** – kerbside residual waste, both recycling streams and bulky items are being collected as normal. The council are now looking at plans to re-introduce garden waste collections but no current date has yet been agreed. To assist householders while the HWRC network was closed, Doncaster offered a half price bulky removal service, this has now reverted to the original price. **Rotherham** – there was a temporary suspension of green waste collections but all services, kerbside residual waste, both recycling streams, subscription garden waste, clinical and bulky items are now being collected as normal.

The Councils have worked closely with Renewi to ensure there was no delay, reduction or impact on the collection and disposal of residual waste and its treatment at Bolton Road. The BDR Councils have thanked Renewi for ensuring the site remained open and operational through the current crisis whilst giving the upmost priority to the safety of not only their own staff but also all the Councils' drivers, crews and staff who deliver waste to the site.

Councils have seen large increases in volumes of residual and recycling waste collected kerbside, above levels seen over a Christmas period. Initially levels were between 20% to 30% up. Levels are starting to reduce but with many people remaining at home the tonnages are still above average for this time of year.

All HWRCs across the three councils have re-opened with social distancing requirements (a maximum of five vehicles on site at one time and only one person from the vehicle allowed to dispose of waste) and councils have advised residents only to make essential travel and only dispose of essential waste. There are some limitations on the type of waste currently being allowed on site. This is necessary to comply with social distancing measures and to allow additional residual and garden waste skips on site to cope with potential high demand. Some material off-takers are currently not operational due to their own Covid-19 issues (textile recyclers for example) and others have limited capacity due to changes in their operating procedures necessary to maintain social distancing at their facilities. Traffic management has been introduced outside sites to maintain safety on the highways and manage any queuing traffic. Staff managing the queues are liaising with residents to help inform them what waste can be brought to the HWRCs.

Due to Covid-19, many contingency plans are still in place but all councils are working to return as many services back to business as usual. Regular conference calls across the BDR councils take place to share information and good practice and ascertain the resilience of services across each borough.

The BDR Team have re-introduced inspections of the BDR site (adhering to social distancing requirements) and are working with Renewi, monitoring the contract on day to day operations, contact with the Environment Agency, Health and Safety, together with performance and seasonal issues such as fly complaints etc. **Beth Baxter, Paul Hutchinson.**

**6. CELO update.** All school visits, site tours and community visits scheduled for the CELOs from the end of March until the start of September have been cancelled and where possible will be arranged for later in the year. As yet, no schools have re-arranged as they are unsure when they will be able to have visitors in school. We have been working with the Doncaster Waste Education Officer to develop education resources for schools to use from September. We are also investigating the possibility of creating a 3Rs video for schools which could be shown across multiple classes in place of a school assembly visit. Whilst it has not been possible to undertake our usual school visits I have had a meeting with a school's Eco-group via Zoom to allow them to ask questions about what they can do at home to promote composting and recycling. While schools are unable to have visitors and we are

unable to run the Rubbish Adventure we will offer online sessions to any interested schools.

Although it may not be possible to offer site tours of the facility in their current format we are looking at how these could be offered with a lower number of people by utilising a PA system or as a virtual session. In place of community talks we are confident that we are also able to offer these sessions as a virtual session so that groups such as WIs or Rotary Clubs who are now meeting online could still have a Love Food Hate Waste talk or a talk about the facility.

The re-use campaign kicked off in April with a focus on shopping bags, May saw a focus on reusable food storage options and in June we are highlighting waste free tea and coffee. The social media has had a reasonable amount of interest and press releases for each theme have been distributed to the local media.

During lockdown we have also regularly been creating and sharing social media content about ongoing waste issues such as the disposal of personal waste, suspension of Council collections, safe disposal of masks and gloves and the risks of disposable BBQs.

Throughout April and the start of May our home composting campaign ran online with families encouraged to compost at home. Prizes included a Hotbin worth £200. The competition for adults received 591 entries, a dramatic improvement on the previous year. The winners have been selected and informed and their prizes ordered. The children's Creative Compost Challenge received only 11 entries, with none from Barnsley or secondary age pupils. The winners have been selected and contacted and will be receiving their prizes on Friday 12<sup>th</sup> June. A small prize, an age appropriate composting or gardening book, will also be given to each runner-up. Home composting has proved quite popular during lockdown and due to the ongoing suspension of some garden waste collections the Councils have asked that we continue to promote home composting until their services resume.

Due to lockdown a number of the establishments selected for the Corporate Social Responsibility Fund have been closed. The funds for the BDR area winner have been transferred and the individual area funds will be transferred once these have staff back in to provide the necessary information. **Abi Cox.**

**7. Communications update.** We have continued to liaise with local authority comms teams and the media to publicise Covid-19 related messages including bin handle hygiene and advice about how to dispose of disposable barbecues safely. Press releases have been drafted and issued to local and regional print and broadcast media on food storage (ditch the clingfilm), and avoiding waste created by tea bags and coffee pods. These are also being publicised on local authority websites and the BDR website. A press release on the successful composting competition winners will be drafted and issued later this week. **Eileen Brooks, Stratiji.**

**8. Any other business.**

**9. Date and time for next meeting.** The provisional date for this will be Tuesday, 1<sup>st</sup> September.





Public Report

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## Summary Sheet

### Council Report:

Barnsley, Doncaster and Rotherham Joint Waste Board

### Title:

BDR Risk Register

### Is this a Key Decision and has it been included on the Forward Plan?:

No

### Strategic Director Approving Submission of the Report:

BDR Steering Committee

### Report Author(s):

*Lisbeth Baxter*

### Ward(s) Affected:

None

### Executive Summary:

This document presents the risks associated with the delivery of the BDR PFI Waste Facility contractual obligations now the facility is operational. The risks identified in the risk register are considered by the BDR Steering Committee every eight weeks.

### Recommendation:

**BDR Joint Waste Board is asked to consider and note the attached updated Risk Register, and**

**After consideration, advise of any further risks to be added to or deleted from the risk register.**

### List of Appendices Included:

BDR Risk Register (appendix 1)

**Background Papers:**

BDR Risk Register Scoring Guide

**Consideration by any other Council Committee, Scrutiny or Advisory Panel:**

The register has previously been considered by the BDR Steering Committee and the BDR Joint Waste Team.

**Council Approval Required:**

No

**Exempt from the Press and Public:**

No.

**Title:**  
BDR Risk Register

**1. Recommendations**

- **BDR Joint Waste Board is asked to consider and note the attached updated Risk Register, and**
- **After consideration, advise of any further risks to be added to or deleted from the risk register**

**2. Background**

- 2.1 The BDR Joint Waste Board last considered the risk register at its meeting on 2 December 2019.
- 2.2 There are 3 categories of risk Red, Amber, Green (RAG) representing varying degrees of exposure. Each category contains a range of risk scores and the table below shows how the RAG rating and score are derived.

<b>LIKELIHOOD (A)</b>	<b>Almost Certain</b> 5	5	10	15	20	25
	<b>Probable / Likely</b> 4	4	8	12	16	20
	<b>Possible</b> 3	3	6	9	12	15
	<b>Unlikely</b> 2	2	4	6	8	10
	<b>Very unlikely / Rare</b> 1	1	2	3	4	5
		<b>Insignificant / Negligible</b> 1	<b>Minor</b> 2	<b>Moderate</b> 3	<b>Major</b> 4	<b>Critical/ Catastrophic</b> 5
	<b>IMPACT (B)</b>					

### 3. Key Issues and Risks

- 3.1 There is 1 new risk proposed for inclusion on the register risk -18 pandemic (Coronavirus). There are seventeen risks on the risk register.
- 3.2 There are currently no risks proposed for deletion in the register.
- 3.4 The risk areas under each of these headings are as in appendix 1 with their respective current and target RAG rating:
- 3.5 Previous reports have highlighted to BDR Joint Waste Board that there has been very little movement in current risk scores for risks in the period since the facility became operational.

Current RAG Rating	01/10/18	22/11/2018	3/12/2018	1/3/2019	30/9/2019	21/11/2019	5/3/2020
Red	2	2	2	3	3	3	3
Amber	9	5	5	5	4	4	4
Green	4	8	8	8	9	9	10
Total	15	15	15	16	16	16	17

Target RAG Rating	1/10/18	22/11/2018	3/12/2018	1/3/2019	30/9/2019	21/11/2019	5/3/2020
Red	0	0	0	0	0	0	0
Amber	7	5	4	5	5	5	4
Green	8	10	11	11	11	11	13
Total	15	15	15	16	16	16	17

- 3.6 Risk 7 Insurance has gone down as insurance has been obtained for 2019/20 and the requirement by the 3SE insurers for more fire mitigation equipment have now been installed.

## **Monitoring**

3.7 The BDR Risk Register is reviewed eight weekly by the BDR Steering Committee. Additionally, the BDR Manager reports to the Joint Waste Team and draws attention to issues to allow internal challenge.

## **4. Options considered and recommended proposal**

4.1 Not applicable.

## **5. Consultation**

5.1 The BDR Steering Committee has reviewed and agreed the attached register.

## **6. Timetable and Accountability for Implementing this Decision**

6.1 Not applicable.

## **7. Financial and Procurement Implications**

7.1 The risks contained in the register require ongoing management action. In some cases additional resources may be necessary to implement the relevant actions or mitigate risks. Any additional costs associated with the risks are reported to the BDR Steering Committee for consideration.

## **8. Legal Implications**

8.1 There are no direct legal implications arising from the risk register. Any actions taken by the BDR Manager in response to risks identified will take into account any specific legal implications.

## **9. Human Resources Implications**

9.1 There are no Human Resources implications associated with the proposals.

## **10. Implications for Children and Young People and Vulnerable Adults**

10.1 Not applicable

## **11. Equalities and Human Rights Implications**

11.1 Proposals for addressing individual risks within the register incorporate equalities and human rights considerations where appropriate.

## **12. Implications for Partners and Other Directorates**

12.1 The actions relating to any issues affecting partners are reflected in the risk register and accompanying risk mitigation action plans.

## **13. Risks and Mitigation**

13.1 The BDR Manager will review and update the risk register on a six-weekly basis, to ensure risks are able to be effectively monitored and managed.

## **14. Accountable Officer(s):**

Lisbeth Baxter BDR Manager

**Approvals Obtained from:-**

**Strategic Director of Finance and Corporate Services: Not applicable**

**Director of Legal Services: Not applicable**










**Head of Procurement (if appropriate): Not Applicable**








**This report is published on the Council's website or can be found at:**

Risk Number	Risk	Consequence / effect: - What would actually happen as a result? How much of a problem would it be? To whom and why?	Existing actions/controls - What are you doing to manage this now?	Risk Score with existing measures (See scoring table)		Current Score	Further management actions/controls required - What would you like to do in addition to your controls?	Target Score with further management actions/controls required (See		Target Score	Risk Owner (Officer responsible for managing risk and controls)
				I	L			I	L		
17 (CSS13)	Contractor breached financial requirement	Funders step in to find suitable alternative Contractor	Contractor to limit exposure to unnecessary costs and protect income during any negotiations of change	3	5	15	Ensure any negotiations recognise the need for the Contractor to be in a no better no worse position within the agreed risk matrix	3	3	9	BDR MANAGER
16 (CSS 14)	Contractor exits UK Municipal market due to financial pressures	Service disruption	The PFI model anticipates several stages where the private sector progressively take risk before the Councils bear additional cost risk. The PFI Contract has several layers of protection including Lenders stepping in.	5	3	15	The Councils will identify areas where they could work with the Contractor to help reduce the losses they are currently facing whilst maintaining the intended risk transfer and achieving the required service performance.	5	2	10	Chair of Steering Committee
9 (CSS13)	Changes in Government Law/Regulations including the UK exiting the European Union ( <b>Legislative Change</b> )	Potential financial implications to cover the cost of required service change	Procedure incorporated in the Contract Conditions. Impact and actions to be jointly agreed with the Contractor to mitigate costs as far as possible. Application of the Change in Law Clauses within the contract	3	5	15	Consider the need for the Change in Law retention fund.	3	4	12	BDR MANAGER
14 (CSS13)	Insurance for the BDR Waste Treatment Plant is not available	The Councils would become the insurer of last resort. The Contractor would have to approach the market every 4 months to attempt to obtain insurance/ Contract would be terminated	Contractor in liaison with Insurerer is implementing upgrade of the Fire Protection systems, this is now reducing risk. Insurance broker is working with Insurance market to build confidence	4	3	12	Robust case against Uninsurable argument. Ensure Contractor completes the fire improvement works.	4	2	8	BDR MANAGER
10 (CSS13)	Environmental Impact to Local Area from Noise/Odour/Flies/Vermin etc ( <b>Compliance</b> )	Reputational damage and adverse publicity from pollution emanating from State of the Art Facility. Potential for Local/National interest	Contractual controls and performance measures. Monitoring the contract. Pro-active engagement with the local community . Sharing data Regular monitoring outside the perimeter of the plant	3	4	12	Increased fly spraying during the fly season. Communicate to householders to wrap waste. Ensure biofilters are adequately maintained	3	3	9	BDR MANAGER
7 (CSS13)	Obtaining required terms for Insurance is difficult due to market conditions - <b>Insurance costs increase</b>	There is a lack of Markets for Insuring waste plants	Robust fire strategy, latest technology for fire suppression . Fire plan signed off by insurers BDR Technical advisors and Independent Certifier. Regular fire drills. Contractor liaison and education of insurance markets. Contractual position on insurance. Implementation of fire improvement works.	2	5	10	Consider reviewing the insurance requirements. Enforcement of Contractual positions	2	4	8	BDR MANAGER
15 (CSS 14)	Recycling Markets	Lack of recycling markets impacts on Contractors ability to achieve recycling rate	Reviewing disposal points, ensuring Contractor has contingency in place	2	5	10	Councils may consider taking on more risk (as long as this is properly assessed) to deliver savings. Currently being investigated as part of the Councils' operational savings review.	2	4	8	BDR MANAGER
6 (CSS13)	Serious injury/death of a member of staff or public through service operation (MAJOR INCIDENT AT ITS/AD)	Personal tragedy. Health and Safety Executive intervention. Possible service disruption. Possible corporate liability offence	Contractor has completed and regularly reviews full Risk Assessments. Staff training, H&S Inspections, Contract Monitoring and performance deductions for non compliance. External Audit has been undertaken by Consultants and RMBC Health and Safety Team Regular monitoring of the Contractual requirements in	4	2	8	Regular visits by health and safety officers. Quarterly health and safety meetings.	3	2	6	BDR MANAGER
8 (CSS13)	Changes to Collection services to support budget savings that impact on the PFI Contract - <b>waste volumes change</b>	Potential to impact on the performance of the plant. Potential to impact on the Third Party Revenue Share due to the Councils. Implications on PFI Credits. Implications on Inter Authority Agreement.	Inter Authority Agreement measures. Significant collection change clause in the PFI Contract. Current WIDP/DEFRA position in terms of Credit Allocation position requires BDR to abide by the terms and conditions in the Promissary letter and the Final Business Case.	2	4	8	Dialogue with WIDP/DEFRA and between BDR Councils. Test potential impacts to the contract/Councils against the IAA2. Lobby Government on recycling definitions.	2	3	6	BDR MANAGER

2 (CSS13)	Contractor default needing emergency action and/or leading to contract termination.	Service disruption. Temporary full or partial closure of facilities.	A series of performance bond and Parent Company Guarantees exist to provide and/or pay for interim/alternative arrangements to be made. Funders would work with BDR to bring in a new contractor to deliver the service. Contingency arrangements may be implemented in the short term. Robust contract monitoring procedures	4	2	8	Ensure monitoring staff are sufficiently skilled to manage this situation. Liaison with other PFI Contract Managers, knowledge transfer	3	2	6	BDR MANAGER
11 (CSS13)	Failure of plant equipment results in withdrawal of credits ( <b>Review of WICS</b> )	Reputational damage and adverse publicity emanating from poor performance of state of the art facility. Potential for Local/National interest. Budget impact	Regular contract meetings/Monitoring and review procedures/Contingency facilities in place/Performance deduction , Step in provisions exist. It is likely that the Funders would step in an appoint another Contractor if performance is poor. Alternately the Councils could step in until the Contract could be retenderd	3	2	6	Ensure monitoring staff are sufficiently skilled to manage this situation. Liaison with other PFI Contract Managers, knowledge transfer close liaison with DEFRA. Contractor has improved the refinement and is introducing further measures to ensure plant performance continues to improve	3	1	3	BDR MANAGER
12 (CSS13)	Lack of resources due to restructures, and staff resignations failure to have a knowledge management plan ( <b>Business Continuity - BDR</b> )	Failure to monitor the contract effectively/make payments resulting in Breach	Contract manual to document the processes and procedures. To be maintained and updated when changes occur. Contract information held on CIPFA site and on a Sharepoint portal. Staff training and development. Knowledge management plan.	3	2	6	Staff retention could be improved if a clear career path existed. CIPFA Asset Management system to hold all relevant documentation.	2	2	4	BDR MANAGER
5 (CSS13)	Ensure the balance of risk between Contractor and BDR is maintained.	Councils could take more risk than anticipated	Change protocol in place, consideration needs to be given to level of risk as changes are negotiated.	3	2	6	Councils may consider taking on more risk as long (as this is properly assessed) to deliver savings. Currently being investigated as part of the Operational Savings review	2	2	4	BDR MANAGER
4 (CSS13)	Fraud	Contractor could attempt to charge for more than they are entitled to/Client team could collude with Contractor	Process for checking Tickets from each Council is in place. Financial and Legal Officers form part of team. Information shared across all 3 Councils Direct debit mandate is in place for Barnsley and Doncaster to pay Rotherham. All deductions are accounted for in line with the IAA3. Guaranteed minimum tonnage requirement for the Councils. Regular reports to Steering Group/Joint Waste Board. Systems in place to pay the Contractor Internal and External Audits undertaken	3	2	6	Make an agenda item at meetings	2	2	4	BDR MANAGER
13 (CSS13)	Closure of facility or inability to provide the service due to a force majeure event (major incident at ITSAD Facility)	Service disruption. Temporary full or partial closure of facilities.	Contractual conditions provide a shared responsibility to agree measures to mitigate the effects and facilitate the continuation of the service. There are contingencies and other controls within the contract to divert waste to other waste facilities. No current short to medium threat.	3	2	6	Undertake a communications campaign. Use contingency sites and/or other contracts where possible e.g. Veolia landfill contract. Use emergency procurement if absolutely necessary.	3	2	6	BDR MANAGER
1 (CSS13)	There is a risk that the contractor will not comply with the terms and conditions and the performance will be less than the Councils are paying for.	Service disruption. Temporary full or partial closure of facilities.	Regular contract meetings/Monitoring and review procedures/Emergency plan/Contingency facilities in place/Performance deduction , Step in provisions exist. It is likely that the Funders would step in an appoint another Contractor if performance is poor. Alternately the Councils could step in until the Contract could be retenderd	2	2	4	Ensure succession planning is adequate. Invest in training for the current team Project Management and COTC.	2	1	2	BDR MANAGER



Risk Review Date	Movement
30/06/2020	
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<b>Risk Owner (Officer responsible for managing risk and controls)</b>	<b>Risk Review Date</b>	<b>Movement</b>
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