

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

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

**Date: Monday 4 September 2023**

**Time: 1.30 p.m.**

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

- 1. Introductions and Apologies**
- 2. Declarations of Interest**
- 3. Minutes of the previous Joint Waste Board Meeting held on 26 June 2023 and matters arising (Pages 2 - 7)**
- 4. BDR Managers Report (Pages 8 - 17)**
  - Governance
  - Contract Delivery
  - Legal
  - Financial
  - Communications
  - Resources
- 5. Current Issues**
  - Landfill Diversion Incentive
  - BDR Team Resources
- 6. Persistent Organic Pollutants (POP's)**
  - PFI Position – Change in Law claim
  - Wider Council Waste Services Position
- 7. Change in law (future planning)**
- 8. Partnership Working**

Working together for the future

  - Waste & Resource Strategy
  - Legislation Changes affecting services.
  - SY Municipal Waste Strategy
- 9. Risk Register (Pages 18 - 23)**
- 10. Any Other Business**
- 11. Date, time and venue for the next meeting**

Monday 11 December 2023 at 1.30pm  
Rotherham Town Hall, Chamber

**BARNSELY, DONCASTER AND ROTHERHAM JOINT WASTE BOARD**  
**Monday 26 June 2023**

Present:- Councillors Higginbottom (in the Chair), Beck and Houlbrook. Also present were officers Kelly Hopkins, Sam Barstow, Paul Hutchinson, Beth Baxter, and Rhonda Fletcher.

Apologies for absence were received from Paul Castle, Gill Charters, Matt O'Neil, Dan Swaine, and Paul Woodcock.

**1 MINUTES OF THE PREVIOUS MEETING HELD ON 6 MARCH, 2023, AND MATTERS ARISING (COPY ATTACHED)**

**Resolved:-** That the minutes of the meeting held on 6 March 2023 be approved as a true and correct record of the proceedings.

**2 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3 EXCLUSION OF PRESS AND PUBLIC**

**Resolved:-** That, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for Agenda Item 9 (Restricted Items) as it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

**4 JOINT WASTE BOARD**

The Barnsley, Doncaster and Rotherham Joint Waste Manager submitted a paper which reported that one of the contractual documents entered into between the Barnsley, Doncaster and Rotherham Local Authorities at financial close of the BDR Waste PFI project was an Inter-Authority Agreement (IAA). This IAA 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 Local Authorities for the management and administration of what are termed Relevant Contracts under the IAA. It was confirmed that, on the date of the meeting, the BDR Waste PFI Contract was the only Relevant Contract to which the IAA applies and was referred to as the "Principal Contract".

The paper further how the functions of the Joint Waste Board would be delegated to the BDR Steering Committee and the BDR Manager in order to efficiently discharge the day-to-day decisions required under the Principal Contract. All decisions of the JWB, BDR Steering Committee and the BDR Manager would be made in accordance with the provisions of the prevailing Inter-Authority Agreement. In

accordance with the IAA, the appointment of Chair and Vice-Chair of the Board rotated on an annual basis.

**Resolved:-**

1. **That Councillor James Higginbotham of Barnsley MBC be appointed as Chair of the Barnsley, Doncaster and Rotherham Joint Waste Board for the 2023/24 municipal year.**
2. **That Councillor Mark Houlbrook of Doncaster MBC be appointed as Vice-Chair of the Barnsley, Doncaster and Rotherham Joint Waste Board for the 2023/24 municipal year.**
3. That, 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 be delegated by the Joint Waste Board to the chair of the BDR Steering Committee (the "Authorised BDR Steering Committee Member").
4. That it be noted that the Authorised BDR Steering Committee Member may elect to delegate certain decisions to the BDR Manager.
5. That it be noted 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).
6. That Rotherham Metropolitan Borough Council's representative officer on the BDR Steering Committee, Sam Barstow, be the Authorised BDR Steering Committee Member for 2023-2024.

Before handing over the chairmanship, Councillor Beck wished to place on record his thanks to the officers and elected Members that had supported him during his time as Chair. The Board placed on record their thanks to Councillor Beck for chairing meetings of the Board for the previous year.

**Councillor Higginbotham then took over as Chair for the remainder of the meeting.**

**5**

**BDR MANAGER 2022-23 ANNUAL REPORT**

Consideration was given to the Annual Report which had been circulated prior to the meeting and highlighted the following issues relating to the Joint Waste Private Finance Initiative for the period April 2022 to March 2023:

- Resources
- Governance/Strategic Meetings
- Contract Delivery
- Legal
- Financial
- Communications
- Joint Working and BDR Support

With regard to contract delivery, it was noted that the two primary monitoring metrics for the contract are recycling performance and diversion from landfill. The recycling performance contractual target had been set at 17.5% (default-termination trigger below 10.5%) and diversion of waste from landfill of more than 96.64% for 2022/23. 2022/23 the facility at Bolton Road achieved a recycling rate of 14.47%, which represented a decrease of 0.49% on the 2021/22 rate. This recycling rate included all material presented to the market for recycling from the BDR waste treatment contract. In the same year, the facility achieved 99.13% diversion from landfill, an increase of 1.04% on the previous year.

Members considered the proportion of waste delivered from April 2022 to March 2023 and the variance between the initial forecast and the final year end forecasted Unitary Charge amount invoiced, which totalled 207,740 tonnes and represented a decrease of 4.68% on the previous year. This was attributed to the removal of COVID-19 measures, ongoing home working and the cost of living crisis.

It was reported that a total of 17 complaints were received during 2022-23, which represented a 22.7% decrease from the previous year. Members noted that the new fly management system was proving to be highly effective with fly numbers regularly at a third of those reported in 2020/21.

Operational Management Budget expenditure in 2022/23 was underspent by £49,742 and it was reported that most of the savings came from the prudent use of external consultants. It had previously been anticipated that such knowledge and expertise would be required to implement operational changes and potential variations to the contract arising from central Government's Resource and Waste Strategy for England, but delays in the publication of this had meant that it had not been required.

The report proposed the Board approve an increase of the operational budget for 2023/24 from £287,000 to £340,000. It was explained that part of the increase had already been approved by the Board for the recruitment of additional staff, but the remaining increase was for the potential need to commence negotiations on the impact of the Resource and Waste Strategy for England, cover costs for ongoing work to implement operational changes, potential variations to contracts and resolution of any potential disputes, support of BDR

councils over all aspects of the HWRC contract and supporting individual/joint Councils work towards any individual impacts emerging from the Resource and Waste Strategy.

It was noted that the forecasted Unitary Charge for the 2022/23 financial year had totalled £25,582,890.47 and that the BDR Partnership received Waste Infrastructure Credits from DEFRA to the value of £5,962,016.00 in 2022/23.

In receiving the report, Members sought reassurances in respect of the methane release incidents and the environmental impact associated with that and what likelihood there was of future incidents. Officers confirmed that the release occurred as part of the safety mechanism built into the system, but the releases had been within the tolerances as part of the safety mechanism and had been reported to the Environment Agency. This had not been regarded as a major incident and had not required reporting under RIDDOR.

Members thanked officers for the report and wished for their thanks to be conveyed to all officers involved in supporting the partnership.

**Resolved:-**

1. That the report be noted.
2. That approval be given to the operational budget of £340,000 for 2023/24 financial year.

**6 CURRENT ISSUES**

Consideration was given to the following issues:

- Persistent Organic Pollutants (POP's)
- Best Available Technologies (EA Permit)
- WRAP Food waste initiative

It was noted that POPs place a greater burden on the service, and this would have a financial impact. POPs received through Household Waste Recycling Centres had previously been disposed of through landfill, but due to legislation changes, new disposal treatment was required and a new facility incorporating shredding with incineration had been secured and would ensure compliance with law.

With regard to Best Available Technologies, it was noted that the Environment Agency had tightened up the emissions that are allowed from the facility and changes to the EA permit has reduced the level of emissions from anaerobic digestion process. Officers confirmed that a consultant had been engaged to examine options available to minimise any costs that may be incurred in future compliance. It was noted that

an initial claim had been received from Renewi, but officers had sought additional information. It was noted that the level of risk associated with this was unknown.

It was noted that work was continuing with WRAP to minimise food waste and surveys had been issued, but officers were not in a position to report back on how successful that initiative had been but hoped to be in a position to do at the next meeting of the Joint Waste Board.

**Resolved:** That the updates be noted.

## 7 RISK REGISTER

Consideration was given to the risk register for the partnership and officers highlighted that there had been no new risks identified and added to the register, and there had been no risks removed from the register. The overall position for June 2023 was summarised as follows:

RAG Rating	Target Rating	Current Rating
Red	0	4
Amber	3	5
Green	17	11
<b>Total</b>	20	20

It was noted that the PFI project risk register was reviewed by the BDR Steering Committee every six weeks and reported corporately via the individual Council's risk registers. Additionally, the BDR Manager reported to the Joint Waste Team and drew attention to issues to allow internal challenge. The BDR Manager and the Councils' core contract management team also review and update the risk register on a six weekly cycle to ensure risks are able to be effectively monitored and managed.

**Resolved:** That the risk register be noted.

## 8 RESTRICTED ITEMS

Consideration was given to updates provided in respect of:

- Joint Insurance Cost Report (JICR)
- Power Gainshare Payment
- HWRC procurement Update
- Separate Food Waste Collection Transitional Period

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

**INFORMATION ONLY ITEMS**

**Resolved:-** That the minutes of the Community Liaison Group meeting held on 22 November 2022 be noted.

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

**Resolved:-** That the next meeting of the Joint Waste Board take place on 4 September 2022 at 9.30am in Rotherham Town Hall.

**BDR WASTE PFI**  
**BDR Manager update report**  
**September 2023**

## 1. Governance

- 1.1. Contract Data - Performance reports are produced by the contractor on the 15<sup>th</sup> of each month, including information up to the end of the previous month. As this JWB meeting is held on the 4<sup>th</sup> September 2023, the contractor's data supplied only includes up to 31<sup>st</sup> July 2023 (August contractual information will not be received until the 15<sup>th</sup> September 2023). Through monitoring of the contract and communication with the contractor, the BDR team has included additional information on performance up to date, and the team has no concerns with performance and service delivery.
- 1.2. The BDR Team continue to work flexibly from Council offices across the BDR Partnership, the PFI Waste Treatment facility at Bolton Road and from their individual homes utilising MS Teams.
- 1.3. The BDR Team continues to comprise: -
  - 0.6 FTE Waste Manager – Beth Baxter.
  - 0.4 FTE Waste Manager – Paul Hutchinson
  - 0.6 FTE Senior Contract Officer – Paul Hutchinson
  - 0.4 FTE Senior Contract Officer – Vacant
  - 1FTE – Admin / Technical Officer (Career grade) – Rhonda Fletcher

In addition, the creation of a further two, new 2-year posts have been agreed by JWB in July 2022.

- Senior Technical Officer - to assist with anticipated large legislation changes and contract re-negotiation.
- Admin Apprentice post to support the team as it delivers the anticipated workloads.

Unfortunately, recruitment to the Senior Technical Officer post has proven unsuccessful, with the post only attracting candidates who do not meet the shortlisting criteria. A review of the intended team structure, and new strategy to ensure the BDR team is fully resourced will be presented to Steering Committee.

- 1.4. Beth Baxter continues to work two additional days for RMBC on Rotherham only projects, such as improvements to the commercial waste service and Household Waste Recycling Centre (HWRC) procurement / bringing the service in house. These additional two days are being funded directly by RMBC. The increase in employee expenses has been incorporated into the budget forecast.
- 1.5. The BDR Team continues to receive external legal advice and financial advice from specialists who have been advising the BDR Team on PFI matters and partnership working since the conception of the PFI Waste Treatment Facility project. In addition, external Technical advice has been sourced this year to advise on matters arising on site, such as EA Permit Changes, R&W Strategy outcomes and Maintenance Plans. The budget for this is included in the operational management budget.





## 2. Contract Delivery

### 2.1. Waste Treatment – Bolton Road Facility

#### 2.1.1. BDR waste received.

**Table 1 – Year to date contract tonnes processed.**

Inputs	FY22/23	Apr-23	May-23	Jun-23	Jul-23
<b>Contract Waste (Limbs)</b>					
<b>Barnsley</b>					
A (Household)	53,853.74	4,179.50	4,656.42	4,508.82	4,003.12
B (Commercial)	5,993.16	446.10	523.18	516.80	507.86
C (HWRC)	4,911.44	488.28	498.28	416.00	450.76
D (Public Highways etc)	990.66	88.48	90.52	90.56	93.72
E (Grounds Maintenance)	-	-	-	-	-
<b>Doncaster</b>					
A (Household)	69,466.12	5,635.42	5,939.42	5,856.34	5,385.64
B (Commercial)	5,766.54	412.72	489.12	455.80	486.58
C (HWRC)	6,941.54	660.60	643.12	594.46	635.58
D (Public Highways etc)	-	-	-	-	-
E (Grounds Maintenance)	-	-	-	-	-
<b>Rotherham</b>					
A (Household)	51,043.57	4,023.50	4,686.26	4,261.90	4,088.94
B (Commercial)	3,015.40	217.74	262.58	250.22	261.18
C (HWRC)	5,757.82	581.42	580.66	484.84	497.98
D (Public Highways etc)	-	-	-	-	-
E (Grounds Maintenance)	-	-	-	-	-

#### 2.1.2. Third-party waste received.

**Table 2 - Year to date Third Party waste tonnes processed.**

3rd Party					
Renewi Derby	11,872.86	755.48	1,739.92	387.44	744.16

2.1.3. The amount of third-party waste being accepted is monitored and managed by the Contractor against Council delivered tonnage to ensure sufficient capacity to process and prioritise BDR waste. This will also allow for smoother acceptance of the priority waste from the Councils and increased reception pit cleaning as part of Renewi's fly management measures. Increased third-party waste is now being accepted by Renewi due to their continued good management of waste acceptance, pit management and reduced levels of Household Waste collected by the Councils.

## 2.1.4. Process Outputs

**Table 3 - Year to date Bolton Road Process Outputs**

	FY22/23	Apr-23	May-23	Jun-23	Jul-23
<b>Council Outputs</b>					
Landfill	2,040.51	131.88	124.76	119.96	118.22
Recovery (RDF + Moisture)	183,172.98	14,561.85	14,900.94	15,630.25	15,249.89
Ferrous	1,386.68	115.33	87.87	138.66	129.10
Non-Ferrous	448.89	45.24	28.57	28.44	54.28
Fines	12,498.06	962.71	1,058.00	1,210.33	1,085.74
Glass & Stone	6,369.75	514.24	297.38	249.11	80.78
Plastic	2,047.60	205.23	63.84	121.27	260.85
Direct Delivered	-	-	-	-	-
<i>Recycling Sub-Total</i>	22,750.98	1,842.76	1,535.65	1,747.81	1,610.75
Ferrybridge Metals	2,272.51	173.39	185.89	193.15	177.45
AWM-Recycling	-	-	-	-	-
Fines CLO Uplift	2,340.33	180.27	198.12	226.64	203.31
<i>Recycling Total</i>	27,363.82	2,196.42	1,919.66	2,167.61	1,991.51
<b>Outbound Total</b>	207,964.47	16,536.49	16,561.35	17,498.02	16,978.85

## 2.1.5. Process Performance

**Table 4 - Year to date Bolton Road Process Performance**

	FY22/23	Apr-23	May-23	Jun-23	Jul-23
<b>Performance</b>					
Recycling (%)	14.47%	14.73%	11.59%	13.68%	13.52%
Diversions (%)	99.13%	98.03%	89.48%	99.67%	102.74%
Moisture Loss (%)	29.53%	31.84%	29.75%	30.08%	33.77%

2.1.6. Landfill diversion is calculated by total waste diverted from landfill divided by the total waste delivered. Some months, diversion is above 100%. This is due to the processing of waste taking 14 days (over a month-end). Therefore, in some months more processed material may leave the site than is received. The landfill diversion target is an annual target.

**2.2 Complaints****Table 5 - Complaints received by month.**

2022/23	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Total
Flies	0 (0)	0 (0)	3 (0)	0 (0)							<b>3 (0)</b>
Noise	0 (0)	1 (1)	0 (0)	1 (0)							<b>2 (1)</b>
Odour	0 (0)	0 (0)	1 (0)	0 (0)							<b>1 (0)</b>

(#\*) Classified immediately as unsubstantiated by the EA (Distance from site, wind direction, closeness to other sources, description of complaint levied (burning waste!) or Hygiene / lack of own fly management at complainant's address).

## **2.3 Acid Scrubber**

2.3.1 The acid scrubber dosing system work has been paused due to continued unresolved technical issues. Renewi are now entering into arbitration with the installing contractor JCBE, in respect of the failure to deliver the operational efficiency of the system. Renewi are looking to seek compensation to enable re-design and re-build of the Acid Scrubber system.

## **2.4 Damaged Pasteurisation Tunnel Walls**

2.4.1. Work to repair the AD pasteurisation tunnel after core samples taken for concrete analysis, repair of damaged concrete and restoration of heating pipes has been completed. The site is now pasteurising material on site and the full AD process is being achieved and CLO material is being deployed for Land Remediation. As with the Acid system, Renewi are now entering into arbitration with the installing contractor JCBE, in respect of the failure to deliver the operational efficiency of the system. Renewi are looking to seek compensation to enable re-design and re-build pasteurisation tunnels.

## **2.5 BAT's - permit emission amendments**

2.5.1. Renewi have received a draft revised permit from the EA detailing the new required emissions levels. Renewi have formally written to the Councils to notify them that they believe this is a Qualifying Change of Law and therefore, once the changes in the permit have been analysed, there may be a claim for any additional resource/expenditure to meet the new permit requirements.

2.5.2. The BDR Team has asked for Renewi to provide detailed analysis of the changes and an in-depth explanation as to where (if any) payment is required from the Councils. The BDR team is to undertake due diligence of any claim taking legal, financial, and technical advice from external experts to ascertain if payment is required or the claim is to be rejected.

## **2.6 Barnsley Transfer Station – Grange Lane**

2.6.1. Dilapidation Works - All delaps work has now been completed. BMBC commissioned a survey of a schedule of conditions to record a standard for Renewi to keep the site in a good and tenable condition to the end of the contract, which is currently being reviewed by BMBC. Once the review is completed a variation to the BTS contract will be drawn up to agree the maintenance of the facility and more specifically, how the paintwork on the steel should be managed.

## **2.7 Health and Safety**

2.7.1 Close calls are actively sought to be raised. By reporting issues where improvements can be made, or where expected levels of behaviour/working have not been maintained it will increase learning and improve safety across the whole site.

**Table 6 – Year to date Health and Safety**

2020/21	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
April	90	0	0	0	0	0	0	2
May	80	0	0	0	0	0	0	0
June	79	0	0	0	0	0	0	1
July	48	0	0	0	0	0	0	0
August								
September								
October								
November								
December								
January								
February								
March								
<b>YTD Total</b>	297	0	0	0	0	0	0	3

### 3 Legal

3.1.1 The BDR Team and their external legal and financial advisers continue to work on major and minor variations to the contract to improve the overall service delivery, processes, performance, and contractual interaction between BDR and the contractor.

### 3.2 Joint Insurance Cost Report

3.2.1 Following receipt of the 4th JICR in February 2023, the BDR Team has again formally rejected the amended JICR and issued a letter outlining where we still disagree with some of the calculation used in formulating the JICR. We wait to see if Renewi will formally reply to our rejection, but it is not anticipated (through dialogue with Renewi) that they will pursue their position at this time.

3.2.2 It should be noted that the BDR position on JICR is not unique and many PFI's JICR are not yet agreed. Further guidance from the Infrastructure Projects Authority (IPA) on the application of the contract in relation to JICR is expected although there is, as yet no indication of when this will be available. The BDR Manager has raised that IPA should ensure that MBTs should not be adversely impacted by the guidance.

## 4 Financial

4.1 The 23/24 budget was approved at the Joint Waste Board (26<sup>th</sup> June 2023), at £340,000.

**Table 7 - Operational Management Budget 2023/24**

<b>23/24 Budget approved by JWB</b>			
	<b>Budget</b>	<b>Forecast</b>	<b>Variance</b>
Management	£175,000	£140,026	-£34,974
Administration	£25,000	£20,861	-£4,139
Call off Legal	£0	£120,438	-£19,562
External Finance	£40,000		
External Legal	£65,000		
External Technical	£30,000		
Insurance Advisors	£10,000		
Call off Finance	£0		
Call off Technical	£0		
HWRC Project	£0		
<b>Total</b>	<b>£340,000</b>	<b>£281,325</b>	<b>-£58,675</b>

<b>2023/24 BDR Recharge split</b>	
<b>BMBC</b>	<b>£94,010</b>
<b>DMBC</b>	<b>£94,010</b>
<b>RMBC</b>	<b>£102,505</b>
<b>Total</b>	<b>£290,526</b>
Small discrepancy in total v forecast due to year end accrual recharge	

- 4.1.1 Expenditure has been profiled and re-calculated to ensure the team meets all the anticipated workloads due in the 23/24 financial year.
- 4.1.2 Technical, Legal and Financial advice expenditure will be utilised to deliver the outcomes of the consultations on the Resource and Waste strategy for England. The BDR Team anticipates the potential need to commence negotiations on the impacts of the R&WS on the PFI contract, cover costs for ongoing work to implement operational changes and potential variations to the PFI contract. The team will also use these resources to support BDR Councils for partnership working, including the HWRC re-tendering and supporting Councils as their waste management teams work towards any individual or joint impacts emerging from the Resource and Waste Strategy.
- 4.1.3 Government recently announced the postponing of the introduction of Deposit Return Scheme, Extender Producer Responsibility and Waste Collection Consistency coming from the Waste and Resource strategy by around a year (now anticipated in 2025), therefore, this may see savings on budget spend for Technical, Legal and Financial advice.
- 4.1.4 Increased provision in the budget has been made to recruit a new Senior Technical Officer (as outlined earlier in this report). But, with the government delay in introducing the Waste and Resource strategy, lack of suitable candidates applying, and the BDR Team reviewing the recruitment strategy there will be a planned delay in appointing to this post. This should see further savings within the budget.
- 4.1.5 The BDR team will look to be prudent with any expenditure and will seek to make savings on the budget where possible.

## 5 Communications

### 5.1 Press Releases –

- International Compost Awareness Week
- Renewi BDR Corporate Social Responsibility Fund

### 5.2 Community Education Liaison Officer (CELO)

#### 5.2.1 Social media: The following campaigns have been undertaken in the last quarter.

- LFHW money and energy saving tips.
- International Compost Awareness Week
- Home composting tips
- Gas cannisters and helium tanks in residual waste
- Proper disposal of disposable BBQs.
- Better using your fridge blog

#### 5.2.2 Food waste project

In July, possible households for interview were contacted and offered a series of interview slots. Of the 18 households contacted 10 have responded and interviews are scheduled to take place in August.

#### 5.2.3 Recycling contamination communications campaign.

In June, a plan for a joint recycling contamination communication campaign was prepared and shared with the Councils. Barnsley and Rotherham Councils said they would prefer to run individual campaigns and Doncaster's preference was for a joint campaign. As there was no unanimous decision the campaign has been cancelled and the budget allocated for the campaign will be available for the Councils to use in individual campaigns.

#### 5.2.4 Recycle Week 2023.

In July, WRAP publicised the date of Recycle Week 2023 as 16th – 22nd October, this year will be the 20th Recycle Week and the theme is to be 'Join the big Recycling Hunt'.

#### 5.2.5 Renewi BDR Corporate Social Responsibility Fund

Due to the poor quality of applications received in recent years, a decision was made that a change of approach was required. For 2023 groups will be invited to submit a 200-word expression of interest that will be used to determine which groups to contact for further details.

## **6 Resources**

6.1 The BDR team has been assisting Barnsley, Doncaster and Rotherham Councils with projects as identified in section 7.0. There is additional support as required, from a legal locum, internal and external technical advisors, and financial advisors, for more complex matters. It should be noted that the increase in consultation activity from central Government departments is putting pressure on resources. Once the outcome of the consultations is known it is likely that more resources will be required to implement changes to contracts and services.

## **7 Joint working and BDR support**

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

### **BMBC**

- Additional support of Paper and Card contract due to legal negotiations with current supplier.
- Facilitating completion of delays work at BTS.
- Working with BMBC on tipping protocols for Fires in Vehicles.
- Facilitating numerous non-contractual and contractual additional /new waste stream disposals.
- Facilitating sampling of non-contract waste streams.

### **DMBC**

- Assistance with the development of the Doncaster Environmental Strategy

### **RMBC**

- The BDR Manager is a Climate Change Champion for RMBC
- Assistance on Service and Team Plans for waste teams
- Assistance with Commercial Waste recycling - scoping and service engineering
- Assistance with HWRC re-tendering

### **B.D.R**

- Co-ordination, collation, and submission to numerous Government/Defra consultations for and around the waste sector.
- Solutions and progression of HWRC contract variation requirements
- Leading on procurement of new HWRC provision and solution post 2023 – new contract
- Lobbying Government on the delays on the R&WS outcomes
- Changes required due to Resource and Waste Strategy
- Pre-work on Strategic Review of SYMWS as requested at JWB
- Making application for transitional arrangement for Separate Food waste collection



## 8. Glossary of Terms

Term	Definition
<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>Compliance Assessment Report (CAR) form</b>	A CAR form is used by Environment Agency officers when assessing compliance with Environmental Permits.
<b>Compliance Classification Scheme (CCS)</b>	Compliance Classification Scheme (CCS) score and what action EA are considering. A CCS score is recorded where non-compliance with a permit condition(s) has been identified
<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>Compost Like Output (CLO)</b>	The processing of a waste stream by mechanical sorting and separation of waste into distinct fractions of biodegradable and non-biodegradable materials.
<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>Duty of Care</b>	A legal responsibility to ensure that you produce, store, transport and dispose of your business waste without harming the environment.
<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>FCC Environment</b>	One of the UK's leading waste and resource management companies.
<b>Facebook</b>	Facebook, Inc. is an American online social media and social networking service company.
<b>Ferrybridge Multifuel 1/Multifuel 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 1/2 (FM1/FM2)
<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 Insurance Cost Report (JICR)</b>	Set out the mechanism for the insurance review procedure and sharing of insurance.
<b>Joint Waste Board (JWB)</b>	The Statutory Committee comprising Portfolio Holders and Senior Officers with responsibility for 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. MBT plants are designed to process mixed household waste as well as commercial and industrial wastes.
<b>Persistent Organic Pollutant (POP's)</b>	Are chemical substances that do not break down in the environment. They are a danger to human health and the environment
<b>Private Finance Initiative (PFI)</b>	Mechanism for creating "public-private partnerships" (PPPs) by funding public infrastructure projects with private capital.
<b>Renewi BDR Ltd</b>	Following SSE's exit from Ferrybridge, Renewi now control 100% of the SPV. The new name of this business entity is Renewi BDR Limited
<b>Resource and Waste Strategy (R&amp;WS)</b>	A strategy which sets out how we will preserve our stock of material resources by minimising waste, promoting resource efficiency, and moving towards a circular economy.
<b>Solid Recovered Fuel (SRF)</b>	A fuel produced by shredding and dehydrating solid waste (MSW) with a waste converter technology.
<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 (BTS)</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.
<b>Waste and Resources Action Programme (WRAP)</b>	WRAP works with governments, businesses and communities to deliver practical solutions to improve resource efficiency.

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

<h1>BRIEFING</h1>	<b>TO:</b>	Barnsley, Doncaster and Rotherham Joint Waste Board
	<b>DATE:</b>	14 <sup>th</sup> August 2023
	<b>LEAD OFFICER:</b>	Paul Hutchinson
	<b>TITLE:</b>	BDR PFI Project Risk Register
<b>1. Background</b>		
<b>1.1</b>	<p>Barnsley MBC, City of Doncaster Council and Rotherham Borough Council (the <b>Councils</b>) entered into a principal agreement called the Project Agreement (the <b>PA</b>) in March 2012 with 3SE (Barnsley, Doncaster and Rotherham) Limited (the <b>Contractor</b>). The agreement is to manage Barnsley Transfer Station and design, build and operate a facility to manage the residual waste for the Councils from July 2015 to end of June 2040. The PA also requires the Contractor to achieve agreed levels of recycling and landfill diversion.</p>	
<b>1.2</b>	<p>The Contractor is a special purpose vehicle company set up purely for this PFI project, meaning it has no significant balance sheet strength or assets. It sub-contracts its service obligations, and most of its PA obligations, to Renewi UK Services Limited (formerly Shanks Waste Management Limited), a waste management service company as its operator (the <b>Operator</b>). The Operator produces solid recovered fuel (<b>SRF</b>) from contract waste, which is shipped to Enfinium Multi-Fuel, Ferrybridge for thermal treatment. The Councils pay a unitary charge each month to the Contractor who then pays the Operator through an operating contract. The total Councils' payments between 2015 and 2040 are approximately £721M (as forecast at PA signature) so this scheme is, for each Council, one of the highest value contractual commitments.</p>	
<b>1.3</b>	<p>Initially, the Contractor was ultimately owned by two of shareholders in the proportion 75:25 through a Renewi investment vehicle and an SSE investment vehicle. In October 2020 SSE announced the sale of their "Multifuel Energy" business (Ferrybridge FM1 and FM2 energy from waste facilities plus other assets) and the Contractor ownership changed. Following SSE's exit from Ferrybridge, Renewi now fully owns the Contractor through an investment vehicle and renamed as Renewi BDR Limited. Although the ownership of the Contractor has changed there is no change in the offtake supply contract terms between Renewi and the offtaker at Ferrybridge so the SRF will continue to be supplied to that offtaker throughout the term of the PFI contract which ends in 2040.</p>	
<b>1.4</b>	<p>The BDR Joint Waste Board last considered the risk register at its previous meeting on 26<sup>th</sup> June 2023. Since that date, the Risk register has been updated bi-monthly and submitted to Steering Committee every 6 weeks and reviewed by BDR Assistant Directors, last reviewed at the 10<sup>th</sup> July 2023 Meeting and 14<sup>th</sup> August submission to RMBC.</p> <p>The risk categories are split between red, amber, and 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.</p>	

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

## 2. Key Issues

### 2.1 Changes

There have been no new risks added to the Register.

There have been no risks removed from the register.

The BDR Team and their PFI Contract Advisers (Legal and Finance) have undertaken their annual Deep-Dive review of the full risk register. Each risk is to be examined and reviewed to ensure it is still current, at the appropriate level and all consequence, control and management of the risk is appropriate.

### 2.2 Summary of Risks

Current RAG Rating	01/10/18	22/11/2018	3/12/2018	1/3/2019	30/9/2019	21/11/2019	5/3/2020	30/6/2020	28/9/2020	14/12/2020	15/3/2021	14/6/2021	9/9/2021	13/12/21	7/3/2022	18/7/2022	12/9/2022	6/3/2023	26/6/2023	14/8/2023
Red	2	2	2	3	3	3	3	3	3	1	1	2	2	3	3	3	3	4	4	4
Amber	9	5	5	5	4	4	4	5	5	7	7	7	8	6	6	5	5	5	5	5
Green	4	8	8	8	9	9	10	9	9	9	9	9	9	11	11	12	12	11	11	11
Total	15	15	15	16	16	16	17	17	17	17	17	18	19	20	20	20	20	20	20	20

Target RAG Rating	01/10/18	22/11/2018	3/12/2018	1/3/2019	30/9/2019	21/11/2019	5/3/2020	30/6/2020	28/9/2020	14/12/2020	15/3/2021	14/6/2021	9/9/2021	13/12/21	7/3/2022	18/7/2022	12/9/2022	6/3/2023	26/6/2023	14/8/2023
Red	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Amber	7	5	4	5	5	5	4	4	4	3	3	4	4	3	3	3	3	3	3	3
Green	8	10	11	11	11	11	13	13	13	14	14	14	15	17	17	17	17	17	17	17
Total	15	15	15	16	16	16	17	17	17	17	17	18	19	20	20	20	20	20	20	20

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.

<b>3. Key Actions and Timelines</b>	
<b>3.1</b>	<p data-bbox="217 159 384 192"><b>Monitoring</b></p> <p data-bbox="217 230 1497 376">The PFI project risk register is reviewed by the BDR Steering Committee at their regular meeting every six (6) weeks and reported corporately via the individual Councils' risk registers. Additionally, the BDR Manager reports to the Joint Waste Team and draws attention to issues to allow internal challenge.</p> <p data-bbox="217 416 1497 521">The BDR Manager and the Councils' core contract management team will review and update the risk register on a six (6) week cycle to ensure risks are able to be effectively monitored and managed.</p>
<b>4. Recommendations</b>	
<b>4.1</b>	<p data-bbox="217 638 1497 743">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.</p>

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		Target Score	Risk Owner (Officer responsible for managing risk and controls)	Risk Review Date	Movement
				I	L			I	L				
8 (CSS13)	Changes to Collection services and that impact on the PFI Contract - waste volumes change	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 Promissory letter and the Final Business Case.	4	5	20	Dialogue with WIDP/DEFRA and between BDR Councils. Test potential impacts to the contract/Councils against the IAA3. Lobby Government on recycling definitions.	3	4	12	BDR MANAGER	01/10/13	
9 (CSS13)	Changes in Government Law/Regulations including W&RS (Legislative Change)	Potential financial implications due to change in law triggering negotiated changes to BDR PFI contract and financial model to cover the required service / disposal change . Councils could take more risk than anticipated	Procedure incorporated in the Contract Conditions. Impact and actions to be jointly agreed with the Contractor to mitigate costs as far as possible. In-depth negotiation will be undertaken with (already procured) Legal and Financial expertise working for the Councils. Application of the Change in Law Clauses within the contract	4	5	20	Consider the need for the Change in Law retention fund. Ensure contribution to consultations. In-house Legal & Financial expertise has worked on the PFI Contract from inception - Large in-depth knowledge of PFI contract.	3	4	12	BDR MANAGER	01/10/13	
21 (CSS13)	Changes in Local Authority policy.	Potential financial implications due to change in service negotiated for changes to BDR PFI contract and financial model to cover the required service delivery .	Procedure incorporated in the Contract Conditions. Impact and actions to be jointly agreed with the Contractor to mitigate costs as far as possible. In-depth negotiation will be undertaken with (already procured) Legal and Financial expertise working for the Councils. Risk may be transferable to Council if changes requested by them and not national change in law	4	4	16	In-house Legal & Financial expertise has worked on the PFI Contract from inception - Large in-depth knowledge of PFI contract, will ensure that if possible any changes are covered under contract change protocols, or minimise risk and costs re-charged to the Authority. Councils to have a Joint Waste Strategy	2	1	2	BDR MANAGER	01/10/13	
23 (CSS13)	Changes in Technology due to innovation or Government Law/Regulations (Carbon Capture) at Energy from Waste Plant	Potential financial implications if due to change in law. Initial negotiation with Renewi and Enfinium. Renewi may wish to cascade effects. Would trigger clauses covering this scenario (changed to EFW downstream contract)	Procedure incorporated in the Contract Conditions. Impact and actions to be jointly agreed with the Contractor to negate or mitigate costs as far as possible. In-depth negotiation will be undertaken with (already procured) Legal and Financial expertise working for the Councils. Application of the downstream Changes to EFW contract Clauses within the contract. Enfinium requested to supply situational update via monthly OpCo meeting.	5	3	15	In-house Legal & Financial expertise has worked on the PFI Contract from inception - Large in-depth knowledge of PFI contract and clauses. Experienced negotiators in. Response from Enfinium - "Do not currently use any Carbon Capture technology at any Enfinium facility, however have started discussions with several potential technology partners as it is likely to become mandatory to capture a percentage of stack gas carbon for the Few sector in the next 10 to 15 years."	3	1	3	BDR MANAGER	01/10/13	
17 (CSS13)	Contractor is in Contractor Default due to financial failure of contractor	Funders assess the position and decide whether to step in and avoid Contractor Default. If they do not then the Contractor could be terminated by the Councils.	Contractor to limit exposure to unnecessary costs and protect income during any negotiations of change. Councils have standard HMT approved contract drafting to manage termination process.	4	3	12	Ensure appropriate application and understanding of the contract. Continue to maintain a good contractual relationship with operator and key staff.	4	3	12	BDR MANAGER	01/10/13	
16 (CSS 13)	Operating sub-contractor exits UK Municipal market due to financial pressures	Service disruption	The PFI model anticipates several stages where the private sector entities - Operating Sub-Contractor, Contractor (Equity and Junior Debt Investors) and Senior Lenders - all progressively take risk (and lose their investment/loans) before the Councils bear additional costs risk. The Contractor would be required to replace the Operating Sub-Contractor and pay the costs of doing so. Compensation would be payable by operating sub-contractor in addition to the letter of credit they have in place.	4	3	12	The Councils will identify areas where they could work with the Contractor and operating sub-contractor to help reduce the losses they are currently facing whilst maintaining the intended risk transfer and achieving the required service performance. However, they should ensure that they outcome of any negotiations does not result in the Council being liable for increased compensation on termination costs should a termination still be likely as a result of the contract being considered more valuable on a market tendering exercise. Ensure appropriate application and understanding of the contract. Continue to maintain a good contractual relationship with operator and key staff.	4	2	8	BDR MANAGER	01/10/13	
20 (CSS13)	Lack of skills and resources in the waste sector	Potential reduced resource implications to deliver waste services. Maintaining supply chain due to lack of EU workforce and resources. Contractor unable to fill key posts or maintain haulage capacity	Ensuring long term resources and man-power planning monitored and maintained. Ensuring workforce and resources are primarily UK based.	3	3	9	Work with trade bodies to ensure staff skill maintained and engaging with stakeholders to encourage new entries into Waste Management arena	2	2	4	BDR MANAGER	01/10/13	
18 (CSS13)	Pandemic	Lack of staff/consumables due to a Pandemic results in facility not being able to function	Contingency plan in place. Staff able to work from home social distancing measures in place. Provision of information to staff on preventative measures e.g. hygiene measures. Minimising the amount of person to person contact. Minimising sharing of handheld equipment. Use of PPE e.g. gloves. Closely monitoring all developments internationally as well as advice from Governments and local health experts	3	3	9	Work closely with partners to monitor situation and communicate if any cases occur locally. Escalate risk as appropriate. BDR team work from home where necessary, also have meetings by SKYPE if situation escalates to minimise chance of cross infection. Testing/Immunisation program for contractors staff and household members. Liaison with Statutory bodies to ensure waste operators have essential status for accessing PPE if necessary. Source several suppliers.	2	2	4	BDR MANAGER	01/10/13	

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 to MBT process. AD issues.	3	3	9	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	1	3	BDR MANAGER	01/10/13	
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	01/10/13	
19 (CSS13)	UK having exited the European Union impacts on supply chain	Potential financial implications to cover the cost of supply chain if involves markets in the EU.	Contractor to limit exposure to unnecessary costs and delays in supply chain from the EU. Ensuring long term planning of stocks and supplies. Ensuring waste off-take is primarily UK based.	2	4	8	For main off-take of EFW is contracted long-term to UK based Ferrybridge MF EFW facility. Encourage development of local development of supply chains for key equipment through DPD.	2	2	4	BDR MANAGER	01/10/13	
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 RMBG Health and Safety Team Regular monitoring of the Contractual requirements in relation to Health and Safety Consistent application of the Payment Mechanism	4	2	8	Regular visits by health and safety officers. Quarterly health and safety meetings.	4	1	4	BDR MANAGER	01/10/13	
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. Regular meetings with insurance broker, two month leading up to renewal to understand where contractor is with placement of insurance & any issues, movement away by insurers and cover obtained. Seeing annual improvements in process and cover being attracted	3	2	6	Consider reviewing the insurance requirements. Enforcement of Contractual positions. Council become insurer of last resort. For 2022, improvements seen in ability to place insurance, and breadth of insurers willing to insure BDR	3	2	6	BDR MANAGER	01/10/13	
10 (CSS13)	Environmental Impact to Local Area from Noise/Odour/Flyes/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. Close liaison with the Local Environment Agency officer to monitor the plant and agree Fly and Odour Management Plans. 20/21 has seen a dramatic reduction in complaints couples with EA engagement and approval of fly management on site couples with data showing dramatic reduction in fly numbers inside the plant. EA have also identified poor fly management elsewhere in the deame valley	2	3	6	Increased fly spraying during the fly season. Use of different insecticides. Increased pit management and emptying. Communicate to householders to wrap waste. Ensure biofilters are adequately maintained	2	2	4	BDR MANAGER	01/10/13	
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 retendered	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	01/10/13	
22 (CSS13)	Lack of resources due to contractor staff restructures, staff resignations, or leaving company; Failure to have a knowledge of current level of management of facility and contract.	Failure to deliver the contract effectively, and deliver the terms of the contract to ensure not in breach of the contract requirement. Reduction in the good working relationship between contractor and client	Client contract manual to document the processes and procedures. To be maintained and updated when changes occur. Staff training and development. Knowledge of contractual processes and procedures to be held on contractors' management system	3	2	6	To ensure regular operational meetings where staffing and contingency is discussed. Obtain prior knowledge of staff changed due. Work with new staff members to maintain client Contractor relationship and adherence to contract delivery	3	1	3	BDR MANAGER	01/10/13	

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 Insurere is progressing upgrade of the Fire Protection systems. Insurance broker is working with Insurance market to build confidence. Regular meetings with insurance broker, two month leading up to renewal to understand where contractor is with placement of insurance & any issues, movement away by insurers and cover obtained. Seeing annual improvements in process and cover being attracted	4	1	4	Robust case against Uninsurable argument. Ensure Contractor completes the fire improvement works. For 2022, improvements seen in ability to place insurance, and breadth of insures willing to insure BDR	4	1	4	BDR MANAGER	01/10/13	
12 (CSS13)	Lack of resources due to restructures, and staff resignations failure to have a knowledge management plan (Business Continuity - BDR)	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.	2	2	4	Staff retention could be improved if a clear career path existed. CIPFA Asset Management system to hold all relevant documentation. PFI Manager post now fully staffed. Review of PFI structure and building skill of existing staff through training and upskilling. Additional succession planning to be undertaken.	2	1	2	BDR MANAGER	01/10/13	
15 (CSS 13)	Recycling Markets	Lack of recycling markets impacts on Contractors ability to achieve recycling rate	Reviewing disposal points, ensuring Contractor has contingency in place	2	2	4	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. Encourage market development of local Waste Treatment / recycling infrastructure through Waste Management Plan and DPD	2	1	2	BDR MANAGER	01/10/13	
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	1	3	Continue to ensure open door policy maintained and easy access to information (contract requirement) continues. Regular site visits. Maintain good contractor client relationship. Duty of care audits with 3rd party off-takers	3	1	3	BDR MANAGER	01/10/13	
				<b>3.3</b>	<b>2.8</b>	<b>9.3</b>		<b>2.9</b>	<b>1.8</b>	<b>5.1</b>			