

BARNSELEY, DONCASTER AND ROTHERHAM JOINT WASTE BOARD

Date and Time:- Tuesday 24 June 2025 at 2.00 p.m.

Venue:- Rotherham Town Hall, The Crofts, Moorgate Street, Rotherham. S60 2TH

Membership:- Councillors Jones, Marshall and Higginbottom.

The items which will be discussed are described on the agenda below and there are reports attached which give more details.

Rotherham Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair or Governance Advisor of their intentions prior to the meeting.

AGENDA

- 1. Appointment of Chair and Joint Waste Board Update (Pages 3 - 9)**
- 2. Apologies for Absence**
- 3. Declarations of Interest**
- 4. Minutes of the previous meeting held on 4th March, 2025 (copy attached) (Pages 10 - 14)**
- 5. BDR Managers Report (Pages 15 - 33)**
 - Update on Contract 24/25
 - Year ahead for 25/26
 - 25/26 Budget Requirement
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- 6. Renewi/Biffa Sale (Verbal Report)**
 - Update on contractor
 - Parent Company Guarantee rejection
- 7. Risk Register (Pages 34 - 38)**

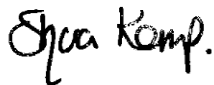
8. Any Other Business (Pages 39 - 43)

For information only:-

- Community Liaison Group Meeting Minutes

**The next meeting of the Barnsley, Doncaster and Rotherham Joint Waste
Board**

**will be held on Tuesday 7 October 2025
commencing at 2.00 p.m.
in Rotherham Town Hall.**



**SHARON KEMP,
Chief Executive.**

BRIEFING	TO:	BDR Joint Waste Board
	DATE:	24/06/2025
	LEAD OFFICER:	Paul Hutchinson BDR PFI Waste Manager
	TITLE:	Annual Rotation of Chair
1. Background		
1.1	<p>One of the contractual documents entered into between Barnsley Metropolitan Borough Council, Doncaster City 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”.</p> <p>This briefing 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.</p> <p>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.</p> <p>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.</p> <p>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 at the AGM in June. For the municipal year 2024/25, this delegation was made to the Doncaster City Council member of the BDR JWB, who also acted as the Chairman of that body.</p>	

The structure of the BDR JWB for 2025/26 will be as follows:

Barnsley Metropolitan Borough Council representative: Chair

James Higginbottom

Cabinet Spokesperson - Environment and Highways

Deputy: Cabinet Support Member - Kevin Osborne

Rotherham Borough Council Representative: Vice Chair

Councillor Lynda Marshall

Street Scene and Green Spaces

Deputy: Councillor Saghir Alam (TBC)

City of Doncaster Council representative: Member

Councillor Glyn Jones

Deputy Mayor and Portfolio Holder for Environment, Housing and Safer Communities

Deputy: Cllr (TBC)

In line with this principle, it has been agreed that the Authorised BDR Steering Committee Member will also rotate annually

For the municipal year 2025/26, this delegation will therefore be made to the Doncaster City Council member of the BDR Steering Committee. 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.

The structure of the BDR Steering Committee will be as follows:

City of Doncaster Council representative: Chair

The Assistant Director (Environment) or in their absence Head of Waste and Highways Infrastructure

Barnsley Metropolitan BC representative: Vice Chair

The Service Director (Environment & Transport) or in their absence the Head of Commercial and OP Support Services (Environment and Transport)

Rotherham Borough Council representative: Member

Assistant Director (Regeneration and Environment) or in their absence Service Manager (Regeneration and Environment).

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 |
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3. Key Actions and Timelines

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| 3.1 | The delegations and rotation of Chair and Vice-Chair of the JWB are a contractual requirement of the IAA3 and should take place at the AGM of the JWB in June each year. |
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4. Recommendations**4.1**

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).

BDR Joint Waste Board

Terms of Reference

1.0	Membership of the BDR Joint Waste Board
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	Scope of the BDR Joint Waste Board
3.1	<p>The scope of the BDR Joint Waste Board is to:-</p> <ul style="list-style-type: none"> ➤ consider the performance of joint contracts i.e. <ul style="list-style-type: none"> ○ BDR PFI and Royalty Deed ○ Household Waste Recycling Centres ○ Organic ○ Treatment and disposal ➤ Consider the effectiveness of management of the above contracts ➤ Develop a procurement strategy to gain further opportunities from joint working ➤ Agree resources for projects to deliver efficiencies/savings including allocation of budgets ➤ Agree the Operational Management Budget for the BDR PFI Contract ➤ Agree proposed communication strategies for joint working ➤ Recommend items for consideration by Steering Committee and the Joint Waste Team
3.2	<p>The members of the BDR Joint Waste Board will be asked to:-</p> <ul style="list-style-type: none"> ➤ Give due consideration to the management of the BDR Operational Management Budget ➤ provide strategic direction to any project ➤ monitor the progress of agreed projects against any project plans, ➤ agree allocation of funds for the projects subject to approval by the Authorities ➤ receive regular reports from the project team and provide any comments and/feedback on these reports,

	<ul style="list-style-type: none"> ➤ act as 'critical friends' throughout the process by providing challenge, feedback and comments, ➤ agree and assign resources to support any projects and ensure sufficient priority is given to the projects to allow them to progress, ➤ Provide a responsive decision-making group to the Project Leads to ensure the project timelines are achieved ➤ Make approvals at key stages, subject to delegation by their Authority ➤ Ensure that any project is delivered on time and within budget ➤ Review and manage the risks associated with projects.
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	Format of Meetings
4.1	The Joint Waste Board will be facilitated by the BDR Manager and supported by the BDR Senior Contracts Manager and Technical/Admin Officer. The agenda and reports will be set by the Joint Waste Board Chairperson in consultation with the BDR Manager and sent to the Joint Waste Board at least 5 days in advance of the meeting.
4.2	The meetings will be held every 4 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"> ➤ Waste Service Managers ➤ Legal Officers ➤ Finance Officers ➤ Communication Officers ➤ Development Planning Officers ➤ Technical Advisors ➤ Legal Advisors ➤ Financial Advisors ➤ Waste Infrastructure and Development Transactor ➤ Contractors Representatives <p>The above list is not exhaustive</p>
4.4	<ul style="list-style-type: none"> ➤ 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. ➤ 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. ➤ 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.
5.0	Working Manner

5.1	<p>The overriding principles for working together is that all parties should:-</p> <ul style="list-style-type: none"> ➤ act in good faith, ➤ be open, honest and transparent, ➤ willing to contribute and commit, ➤ treat everyone with respect ➤ mutually support and co-operate with each other ➤ share learning and best practice. ➤ Respect the mutual need for commercial confidentiality ➤ seek to fully motivate Officers to act with drive, enthusiasm and a determination to succeed
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

BARNSELEY, DONCASTER AND ROTHERHAM JOINT WASTE BOARD
Tuesday 4 March 2025

Present: Councillor Mark Houlbrook (Chair), Councillor James Higginbottom and Councillor David Sheppard. Also in attendance were Paul Hutchinson, Sam Barstow, Kellie Hopkins, Paul Castle, Carl Hewlett and Rhonda Fletcher.

10 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Alam and Matt O'Neill. Councillor Sheppard was substituting for Councillor Alam.

11 DECLARATIONS OF INTEREST

There were no declarations of interest.

12 MINUTES OF THE PREVIOUS MEETING HELD ON 23 SEPTEMBER 2024 (COPY ATTACHED)

Resolved:- That the minutes of the meeting held on 23 September 2024 be approved as a true and correct record of the proceedings.

13 BDR MANAGERS REPORT 24-25

Consideration was given to report which had been circulated prior to the meeting and highlighted the following matters relating to the Joint Waste Private Finance Initiative:

- Governance
- Financial
- Contract Delivery
- Complaints
- Environmental Report
- Other Updates/Issues
- Barnsley Transfer Station – Grange Lane
- Health and Safety
- Community Education Liaison Officer (CELO)
- Joint Working and BDR Support 24/25

Paul Hutchinson, BDR Manager introduced the report. He explained that independent advice was being sought in relation to the Joint Insurance Cost Report. More details on this report were set out in section 7.2 and 7.3 of the report.

Expenditure continued to be re-profiled and re-calculated monthly, to ensure the team met all the anticipated workloads due in the 24/25 financial year, including the anticipated changes as set out in section 2.1.1 of the report. The BDR Operational Budget had seen an additional pressure added of around £3,500. This had arisen from the previous

Waste Manager, Beth Baxter, working additional hours (on non-working days) for both BMBC and RMBC on specific, single Council waste projects. This additional cost was being paid by a £1,700 recharge to BMBC only and a £1,800 recharge to RMBC only.

The BDR Operational Budget would also see a further additional pressure added of around £22,000. This has arisen to assist DMBC obtain Legal Consultation (utilising Neil Tindall Legal Services) via the BDR PFI framework to assist specifically on their Waste Collection Service Contract. This additional cost was being paid by a recharge to DMBC only.

The BDR team proactively managed the Operational Budget, but it was anticipated that all of the budget might be utilised, and it was not anticipated that significant budgetary savings would be possible in 24/25.

In relation to the 25/26 Operational Management Budget Forecast, the initial estimate for the BDR Team Operational Management Budget for 2025/6 was that the teams existing budget of £340,000 (one third paid by each Council) should be sufficient to meet requirements. Details on the 25/26 Unitary Charge Forecast and 25/26 Energy Gainshare Payment were included as section 2.3 and 2.4 of the report.

Section 3.4 of the report outlined the Waste Treatment Performance. As DCC was collecting Pots, Tubs and Trays in their kerbside Dry mixed recycling from 1 April 2025, it would trigger a pre-agreed variation to the contract from that date and reduce the Recycling performance target for 25/26 from 17.5% to 17%. This was the same agreed variation that saw the target reduce from 19% to 18% when RMBC introduced plastic collection kerbside and a chargeable garden waste service, and from 18% to 17.5 % when BMBC introduced Pots, Tubs and Trays collection in their kerbside Dry mixed recycling.

It was reported that earlier in the year, Biffa were, uncharacteristically, failing to meet the annual target for Landfill Diversion of 96.68%. They had been pressed on this issue and had advised that they had ensured mitigation was now in place to ensure they met the target by year-end, 31 March 2025.

Paul Hutchinson explained that complaints were being well managed. Biffa continued to have dialog with Next in respect of complaints of fly issues at their large warehouse that immediately neighboured the Bolton Road site, as Next felt Biffa were attributable for the issue. Three way dialog between Biffa, Next and the EA had been ongoing, and Biffa's fly management improvement had been welcomed by all parties and the situation would be monitored into the spring and reviewed.

An update was provided in relation to Biffa, the new contractor. The BDR team had liaised with the Waste Infrastructure Development Program

(WIDP) transactor, Defra, external consultants and colleagues from other authorities to assess options and contract implications. The BDR Team had been assured by Biffa that no changes to the delivery of service would be seen. It intended to take the next 6 to 12 months to integrate its new acquisition into its organisation and look to improve the business utilising internal Biffa assets/contracts/opportunities. All Renewi staff on site had been retained and would continue to deliver the contract as specified.

The BDR Team and its Legal, Financial, and Technical advisors were closely monitoring the situation and were in contact with Senior figures in Biffa, the retained personnel in both the SPV and OpCo. The Team was also liaising with other Councils with RUCK's/BIFFA PFI's, WIDP, Defra and the Senior Lenders who financed the project, to take soundings, be aware of wider issues/requests and sense check the sale. So far, no major issues, risks, or worries were circulating. The only request arising from the sale was for the Parent Company Guarantee in the contract's various agreement documents to be changed from Renewi PLC to Biffa BidCo. After taking advice from consultants, this request had been rejected as the new proposed guarantor did not fulfil the requirements of a guarantor as set out in the contract. Renewi PLC remained the guarantor.

An update was provided in relation to Barnsley Transfer station at section 8 of the report. It was confirmed that Paul Castle was assisting in the matter with Barnsley Asset Management referenced in section 8 of the report. Contingency mapping was also underway.

Members asked questions in relation to the Waste Treatment Performance and the impact of the collection of Pots, Tubs and Trays.

Questions were asked in relation to the budget and whether it could be reduced as the subscription to the Herren Index was not expected to be renewed. Paul Hutchinson confirmed that budget monitoring was ongoing and the budget would be presented to the Joint Waste Board at the next meeting.

The Board placed on record their support for the BDR team and wished it to be noted that positive way in which the budget was monitored.

Resolved:

That the report be noted.

RENEWI / BIFFA SALE

A briefing paper had been circulated as part of the agenda. In anticipation of the sales completion, a formal written request was received from Renewi/Biffa in Jul 2024, seeking the Council's approval to replace Renewi PLC with Biffa BidCo LTD as the Operating Sub-Contractor's, Parent Company Guarantor (and various other Guarantors as stipulated

in the Project agreement). It also sought approval from the Councils for the amendment and replacement of Renewi to Biffa as the Guarantor within the Project Agreement documents as well as other related drafting changes.

The BDR Manager, with his external Legal and Financial Advisors engaged with Renewi/Biffa to seek clarification to numerous aspects of their request. From the further information received, and from interpretation of the contractual specifications required by a Guarantor in the Project agreement, the BDR Team's opinion was that Biffa BidCo did not meet the contractual requirement. Therefore the request was rejected and Biffa had been advised of the contractual stipulations required of any Company wishing to become a Guarantors and highlighted that a Letter of Credit was an alternative to a PCG.

Discussions on this matter had taken part during the previous agenda item.

Resolved:

That the report be noted.

15

MATTERS ARISING

A briefing paper had been circulated as part of the agenda which provided an update on the potential impacts from the changes in law in relation to the Potential Emissions Trading Scheme (ETS.)

In 2023 the Department for Energy Security and Net Zero (DESNZ) announced that Energy from Waste plants (EfWs) would be brought within the scope of the existing UK Emissions Trading Scheme (UK ETS) by 2028. The BDR Waste Partnership currently sent RDF from their PFI Waste Treatment Facility (operated by Biffa Ltd) to the Ferrybridge EfW. The briefing note aimed to identify the potential impacts on the partnership from this change in law and provide a high-level understanding of the position, analyse the potential implications of these potential liabilities, and give an early, broad assessment of the potential financial implications of the scheme.

The key actions and timeline were set out in section 3 of the report.

Resolved:

That the Board note the report.

16

RISK REGISTER

Consideration was given to the Risk Register. It was confirmed that no new risks had been added to the Register since the last meeting. There had been seven risks reduced on the register. This was mainly due to

continued understanding of correct risk profiling by the BDR PFI Manager after undergoing refresher training supplied by RMBC. Continued risks were being considered against the following for the current perceived risk profile of: recent legislation changes, planned legislation changes and recently completed by-out of shares by Biffa PLC, economic and ecological landscape.

Resolved:

That the report be noted.

17 ANY OTHER BUSINESS

The following business was raised:

- Joint BDR(S) cross Council Cllr site visit – Paul Hutchinson confirmed that the site was happy to facilitate this and he would start looking at some possible dates for the visit.
- Impact on the Partnership by May's election – Doncaster Council had elections in May 2025 and the Partnership would have to be aware of the purdah dates.
- Informal Group Get-Togethers – the Chair stated that he thought it would be beneficial for the partnership to get together in a more informal setting, especially around the Christmas period. It was agreed that Heads of Service could be invited to these get-togethers.

The minutes from the meeting of the Community Liaison Group held on 21 May 2024 were circulated for information.

18 DATE AND TIME OF NEXT MEETING - AGM

The next meeting was scheduled for Tuesday 24 June 2025 at 10.00am in Rotherham Town Hall.

BDR WASTE PFI CONTRACT

BDR MANAGER REPORT (June 25) AGM

1. Governance

1.1 Annual General Meeting

- 1.1.1 As the report is being presented to the Joint Waste Board Annual General Meeting, there are updates on the current year, as well as additional 24/25 reporting information supplied.

1.2 Strategic Meetings Held

- 1.2.1 **Joint Waste Board** – The Joint Waste Board looked to meet in person quarterly. There have been some occasions where it has been necessary to send deputies and there have been some changes to members of the Board as elected members have changed.
- 1.2.2 **Steering Committee** – The Steering Committee, attended by Assistant Directors, meets every 8 weeks. There have been some occasions where it has been necessary for Department Heads to attend in place of the AD's.
- 1.2.3 **Joint Waste Team** – The Liaison Committee, attended by Senior Biffa/Renewi managers and Council Officers, meets twice yearly. There have been some occasions where it has been necessary for Department Heads to attend in place of the AD's
- 1.2.4 A new meeting schedule has been proposed and accepted for 25/26. This new schedule looks to better align meeting schedules and maximise efficiency of the commitment to Members and Officers' time and availability.

1.3 BDR Team

- 1.3.1 The BDR Team continues to work flexibly, but now works more at Council offices (across the BDR Partnership) and the PFI Waste Treatment facility at Bolton Road, and less home working.
- 1.3.2 The BDR Team comprises of:
- BDR Manager – Paul Hutchinson
 - Senior Contract Officer – Carl Hewlett
 - Technical Officer / Admin– Rhonda Fletcher

1.4 External Support

- 1.4.1 The BDR Team continues to receive external legal, financial, and technical advice from specialists who have been advising the BDR Team on PFI matters and partnership working.
- Neil Tindall (Legal)
 - Craig Pember (Finance)
 - Stantec UK Limited (Technical)

- IDRisk (Insurance)

1.4.2 The BDR Teams' resources (where available) are utilised to support BDR Councils as their Waste Management teams work towards any individual or joint impacts emerging from the Resource and Waste Strategy. Examples in 2024/25 were:

- BMBC Kerbside Recyclable Disposal Contract
- BMBC Skip Waste, Fly tipping and Berneslai Homes waste disposal
- BMBC & CoDC HWRC contract variations
- CoDC Collection Contract Extension & New Collection Contract
- RMBC HWRC Contract
- RMBC Garden Waste Contract

1.4.3 The BDR Team and their external 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. Advisors are / will be assisting with negotiation / due diligence on:

- Ongoing contractual and financial due diligence following on from the sale of Renewi UK Services (the contractor) to BIFFA Ltd
 - Only current issue- Parent company Guarantee change request - rejected.
- Landfill diversion Incentive (annually)
- Change in Law implications for the contract (and cost mitigation) arising from the Environment Act 2021 (R&WS, EPR, DRS & Simpler Recycling, etc)
- Joint Insurance Cost Report (Bi-annually – Version 5 Received Jan 25 - Rejected)
- Annual Insurance Placement (24/2/24 for 2025) and waiver request for some aspects of Insurance requirements
- Change request to remove the old Fire suppression system.
- Change in Law Claim for Environmental Permit changes and installation of Best Available Technologies (BAT's)
- Changes/rebuild of AD Pasteurisation Tunnels and Acid Scrubber due to errors in the original design.
- Review of New Carbon Emissions Trading Scheme (ETS) requirements on Energy from Waste (EfW) sites (Ferrybridge) and potential (2028) financial impact on BDR Councils. Possibly including financial burden mitigation options/initiatives
- Review of maintenance Plans and Lifecycle of Bolton Road and equipment.
- Any future amendments to handling Persistent Organic Pollutants (POP's) from EA directives.

2. Financial

2.1 24/25 Operational Management Budget Outturn

Table 1 - Operational Management Budget 2024/25

24/25 Budget Approved by JWB 26.9.24				2024/25 BDR Recharge split	
	Budget	Forecast	Variance	BMBC	£97,881
Management	£175,000	£147,642	-£27,358	CDC	£115,283
Administration	£25,000	£31,360	£6,360	RMBC	£108,310
Call off Legal	£0	£141,281	£1,281	Total	£321,474
External Finance	£40,000			Small discrepancy in total v forecast due to year end accrual recharge	
External Legal	£65,000				
External Technical	£30,000				
Insurance Advisors	£10,000				
Call off Finance	£0				
Call off Technical	£0				
HWRC Project	£0	£0	£0		
Total	£340,000	£320,282	-£19,718		

- 2.1.1 A small circa £20,000 saving was achieved in 24/25 and this has been passed on to the Council in the form of a reduced recharge/payment for their contribution to the BDR Teams operational budget.

2.2 25/26 Operational Management Budget Forecast

Table 2 - Operational Management Budget 2025/26

25/26 Budget Proposed to JWB			
	Budget	Forecast	Variance
Management	£150,000	£150,000	£0
Administration	£33,000	£33,000	£0
Call off Legal	£0	£157,000	£0
External Finance	£52,000		
External Legal	£80,000		
External Technical	£20,000		
Insurance Advisors	£5,000		
Call off Finance	£0		
Call off Technical	£0		
HWRC Project	£0	£0	£0
Total	£340,000	£0	£0

- 2.2.1 For 25/26 the BDR Manager will be proposing to the Joint Waste Board AGM that the 25/26 budget remains as per the previous year of £340,000 (one-third paid by each Council), which should be sufficient to meet the Teams' anticipated requirements for 2025/26.

- 2.2.2 Expenditure has been re-profiled and recalculated to ensure the team meets all the anticipated workloads due in the 25/26 financial year and anticipates changes below:
- New BDR team Staff profile
 - New Consultants' Rates. Both Legal and Financial advisors' contracts ended and new agreements are now in place. They have been appointed through a specialist consultancy framework following the administering authorities' procurement rules, rates reflect the market rate + inflation.
 - Advice required for technical specialities
- 2.2.3 Some re-profiling of individual budget header amounts may be required – Saving in Staff Costs (Now no overtime being paid to the previous Waste Manager, new staff but on lesser salary), but additional administration costs, and new hourly rates for External advisors. It is hoped these costs and savings will be neutral across the budget.
- 2.2.4 The BDR team proactively manages its Operational Budget, but it is anticipated that **all** of the 25/26 budget may be utilised, and it is not anticipated that significant budgetary savings will be possible in 25/26.

2.3 24/25 Net Unitary Charge Payment 2024/25.

- 2.3.1 The BDR Manager is currently verifying the 2024/2025 unitary charge reconciliation and will liaise with Waste and Finance managers on its outcome.
- 2.3.2 Tonnage of waste delivered was 211,704t, a variance of only 296t against a start of year forecast of 212,000 tonnes (0.14% difference)
- 2.3.3 No additional payments are anticipated, and each Council is anticipated to receive credit on their 24/25 UC. Saving to the Unitary Charge have been obtained in:-
- Landfill Diversion Incentive
 - Recycling performance Deduction
 - Royalty Payment for spare capacity use
 - Under spend on Community Education and Liaison Officer Spend,

2.4 25/26 Unitary charge forecast.

- 2.4.1 The PFI Unitary charge has an annual indexation mechanism that is set by the January RPIX figure. The January 2025 figure was 3.2%.
- 2.4.2 Waste arisings are anticipated to remain at the same levels as 2024/25, and with no unexpected or unanticipated additional costs, expenditure, or income. The following Unitary Charge amount is anticipated for 2025/26.

Table 3 - 25/26 Unitary charge forecast.

Annual Forecast 2025-26				
Unitary Charge	Barnsley	Doncaster	Rotherham	Total
Invoice Payment to Biffa	£9,898,008	£11,441,569	£8,559,631	£29,899,207
Internal Adjustments				
Anticipated Credits	-£2,057,385	-£2,742,526	-£2,029,795	-£6,829,706
Budget Out-turn	£7,840,623	£8,699,042	£6,529,836	£23,069,501

2.5 Energy Gainshare Payment.

2.5.1 **2024/25** - As with the previous two years, an Energy Gainshare Payment from Enfinium (Ferrybridge Multi-Fuel) for 24/25 is anticipated to be:

- **Total - £1,169,341**
 - BMBC - £351,769
 - CoDC - £469,026
 - RMBC - £351,769

2.5.2 Payment is anticipated to be received in Jul of 2025.

2.5.3 **2025/26** - It is calculated that there will be no Energy Gainshare Payment in 2025/26. This payment is calculated over a three-year rolling average of Electricity prices, and as prices have fallen sufficiently since their peak in 21/22 & 22/23, the rolling average will no longer fall within the calculation to trigger a payment.

3. Contract Delivery

3.1 Contract Strategic Meetings

3.1.1 **BDR Liaison Committee Meeting** – Held every 6 months, the Liaison Committee meetings between the Councils, the contractor, and the operating contractor continue to be positive, the representatives across all parties have been in post for some time, and this allows for a collective understanding of contractual positions. The last meeting was held on 14th May 2025, the next is due Oct/Nov 2025.

3.1.2 The May Liaison meeting was a great opportunity for the new contractor, Biffa to introduce themselves to the wider BDR governance structure and allow them to set outline their vision for the management and running of the BDR PFI waste contract.

- 3.1.3 **Operating Contractor (OpCo)** - Monthly meetings are held between the BDR team and Biffa, the operating contractor. At these meetings, the BDR team receives updated reports on plant performance and maintenance, duty of care, health and safety, any projects, contractual performance and site inspection outcomes. The BDR team raises any performance issues and agrees deductions that should be applied, and the Contractor is measured against contractual requirements.
- 3.1.4 **Special Purpose Vehicle (SPV OpCo)** - Bi-monthly meetings are held between the BDR team (with its Legal and Financial external consultants) with the SPV Director(s) and Biffa contract director. At these meetings, the BDR team receives updated reports on contractual compliance, contractual variations, changes in law affecting the contract, Insurance and performance of the PFI financially etc. The BDR team raises any (non-operational) contractual issues at this meeting.

3.2 Contract Data

- 3.2.1 Performance reports are produced by the contractor each month (on the 15th), including information up to the end of the previous month. The contractor also produces an annual performance report (due by the end of June 2025). As this meeting is held on the 24th June 2025 (with papers needing publishing in advance, by 9th June 2025), the contractor's May report, and annual report data is not available to include in this report. But the BDR team has sought information as required separately and directly from the contractor to aid in the production of this report.
- 3.2.2 By undertaking monitoring of the contract through physicality, site inspection, report scrutiny and performance scrutiny mechanisms and procedures with in the BDR Team, and direct communication with the contractor, we are satisfied with contractual performance, service delivery and compliance, and the BDR team has no major concerns with Biffa's delivery at the current time.

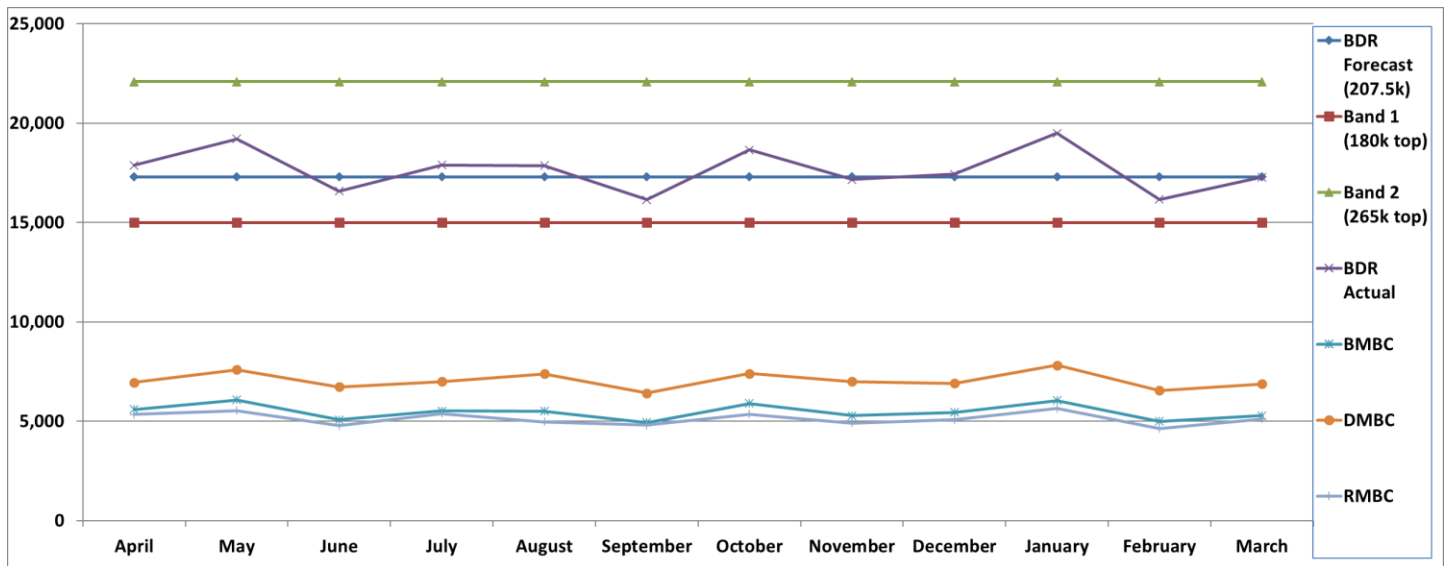
3.3 Waste Treatment

- 3.3.1 Table 4 below shows the proportion of waste delivered from April 2024 to March 2025 and the variance between the Initial forecast and the final year-end forecasted Unitary Charge amount invoiced. 23/24 saw 209,402 tonnes delivered. The 24/25 figure of 211,704 sees an increase of 1.01% on the previous year. This is an increase that can be attributed to anticipated increases in housing stock and population.

3.3.2 Table 4 - 2024-25 Tonnage forecast v Actual

	Barnsley	Doncaster	Rotherham	Total
Year End Tonnage Split	30.99%	39.96%	29.05%	100%
Tonnage billed in UC Payments	65890	84418	61692	212000
Year End Tonnage Outturn	65625	84589	61490	211704
Variance	-265	171	-202	-296

Figure 1 – Tonnage Tracker across BDR 24/25



3.3.2 The BDR team proactively reviews the anticipated tonnage forecast throughout the year and adjusted the monthly Unitary Charge payments accordingly to ensure accurate UC amounts to aid budget forecasting.

3.3.3 Bolton Road Facility, BDR waste received 25/26.

Table 4 – 25/26 Year-to-date contract tonnes processed.

Inputs		2024/25	April	YTD 2025/26
	Contract Waste (Limbs)			
Barnsley	A (Household)	53620.92	4656.32	4656.32
	B (Commercial)	5230.24	450.88	450.88
	C (HWRC)	5618.52	548.22	548.22
	D (Public Highways etc)	1155.10	104.26	104.26
	E (Grounds Maintenance)	0.00	0.00	0.00
Doncaster	A (Household)	72829.78	6175.02	6175.02
	B (Commercial)	3942.32	296.60	296.60
	C (HWRC)	7816.77	754.68	754.68
	D (Public Highways etc)	0.00	0.00	0.00
	E (Grounds Maintenance)	0.00	0.00	0.00
Rotherham	A (Household)	52225.70	4494.72	4494.72
	B (Commercial)	2810.38	219.98	219.98
	C (HWRC)	6430.42	643.60	643.60
	D (Public Highways etc)	23.70	0.00	0.00
	E (Grounds Maintenance)	0.00	0.00	0.00

3.3.4 Waste Treatment – Bolton Road Facility - Third-party waste received.

Table 5 – 25/26 Year to date Third Party waste tonnes processed.

<u>Inputs - 3rd Party</u>	2024/25	April	YTD 2025/26
Biffa	8022.64	124.18	124.18

3.3.5 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 contract waste. This will also allow for smoother acceptance of the priority waste from the Councils and increased reception pit cleaning as part of Biffa's ongoing fly management measures.

3.4 Waste Treatment Performance

3.4.1 Annually, the two primary monitoring metrics for the contract are recycling performance and diversion from landfill. The contract sets targets for the facility of 17.5% recycling (with a default-termination trigger if below 10.5%) and more than 96.68% diversion of waste from landfill.

3.4.2 In **2024/25** the facility achieved a recycling rate of 14.20%, an increase of 0.26% from the 2023/24 rate. This recycling rate includes all material presented to the market for recycling from the BDR waste treatment contract.

3.4.3 In **2024/25** the facility achieved 98.02% diversion from landfill, an increase of 0.10% from the previous year. This rate includes all the waste from the contract presented for recycling, processed through the AD facility, moisture reduction and/or sent for energy recovery.

3.4.4 As CoDC will now be collecting Pots, Tubs and Trays in their kerbside Dry mixed recycling from 1st April 2025, this will invoke a pre-agreed variation to the contract from that date and reduce the Recycling performance target for 25/26 from 17.5% to 17%.

3.4.5 This is the same agreed variation that saw the target reduce from 19% to 18% when RMBC introduced plastic collection kerbside and a chargeable garden waste service, and from 18% to 17.5 % when BMBC introduced Pots, Tubs and Trays collection in their kerbside Dry mixed recycling.

Table 6 – 25/26 Year-to-date Bolton Road Performance

Performance	2024/25	April	YTD 2025/26
Recycling (%)	14.36%	13.70%	13.70%
Diversion (%)	98.31%	88.33%	88.33%
Moisture Loss (%)	30.07%	28.01%	28.01%

3.4.6 Landfill diversion is calculated by the total waste diverted from landfill divided by the total waste delivered. In 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 annual.

Table 7 – 25/26 Year-to-date Bolton Road Process Outputs

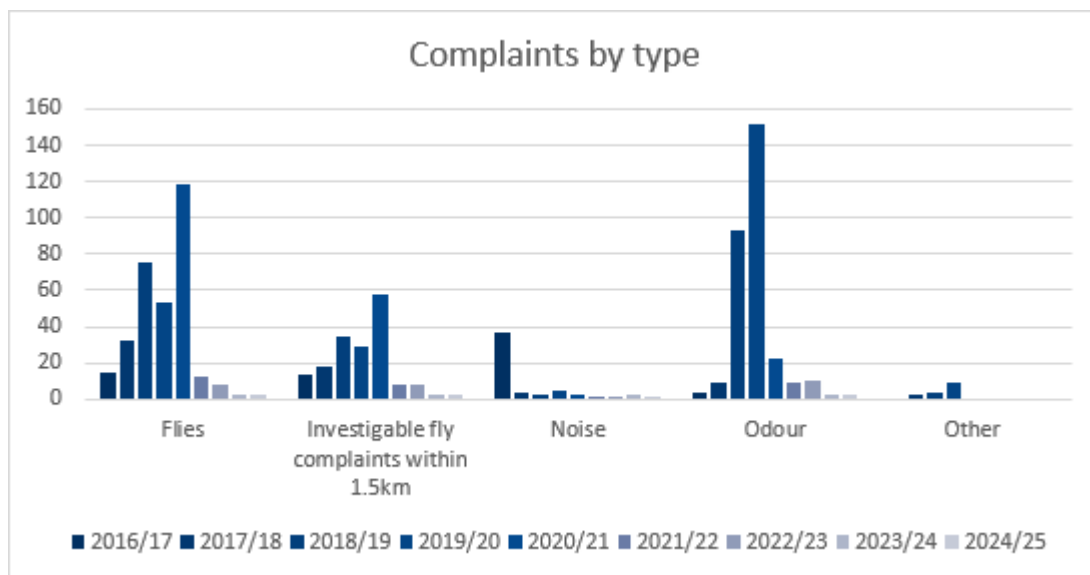
Contract Outputs	2024/25	April	YTD 2025/26
Landfill	4303.84	101.66	101.66
Recovery (RDF + Moisture)	185873.13	14398.00	14398.00
Ferrous	1278.20	91.65	91.65
Non-Ferrous	358.95	23.36	23.36
Fines	16283.90	1469.45	1469.45
Glass & Stone	1647.21	100.73	100.73
Plastic	2482.87	120.05	120.05
Direct Delivered	0.00	0.00	0.00
Recycling Sub-Total	22051.17	1805.23	1805.23
<i>Ferrybridge Metals</i>	2256.73	151.30	151.30
AWM-Recycling	0.00	0.00	0.00
Fines CLO Uplift	3048.93	275.16	275.16
Recycling Total	27357.12	2231.69	2231.69
<i>Outbound Total</i>	212228.14	16304.89	16304.89

4. Complaints

4.1 24/25

- 4.1.1 A total of six complaints were received during the 2024-25 period, representing a 14.29% decrease from the previous year. No complaints were received regarding Barnsley Transfer Station.

Table 8 – Complaints Statistics Historically



4.1.2 The BDR team are confident that all best practices are in place, following substantial interaction and advice from the EA and improving relationships having been built between the EA. Statistical data has been captured to evidence low fly numbers in 24/25 being seen in and around site. This has allowed a better understanding of the sites substantial and pro-active fly management activities.

4.2 25/26

Table 9 – 25/26 Complaints received by month.

2025/26	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Total
Flies	0 (0)												0 (0)
Noise	0 (0)												0 (0)
Odour	0 (0)												0 (0)

(#*) 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).

4.2.1 Fly activity has remained low due to Biffa undertaking weekly fly treatment and increasing in response to fly number data. As the seasons change and warmer weather conditions prevail, fly treatments will be adjusted to suit.

4.2.2 As part of Biffa's ongoing fly management, a reviewed and updated Fly Management Plan (with additional preventive measures) has been submitted to the EA and approved by them. In addition, Biffa have adapted application of pesticides to drive flies deeper into the plant on application (not towards exit points), fully inspected the tipping hall to seal ant egress points, approved capital expenditure to install air curtains on the entrance and exit of the tipping Hall to prevent fly egress and have reduced the time that vehicle entrance and exit doors take to open and close.

4.2.3 Biffa continues to dialogue (MD Keith Sinfield personally) with Next in respect of complaints of fly issues at their large warehouse that immediately neighbours Bolton Road site, as Next feels Biffa is attributable for the issue. Three-way dialog between Biffa, Next and the EA have been ongoing, and Biffa's fly management plan improvements have been welcomed by all parties and the situation will be monitored into the spring and reviewed.

5 Environmental Report

5.1 24/25

5.1.1 In 2024/25 3 x environmental incidents. 1 x small oil spillage from a hydraulic hose. 1 x CAR form was issued by the EA following a fly complaint. 1 x Car form issued due to CHP breakdown and associated flare use in accordance with Condition 4.3.1. 2 x Car forms - responses to submitted emission results.

5.1.2 In 24/25, there have been 5 x schedule 5's submitted regarding Ammonia levels from AD stack – ongoing acid scrubber non-compliance with EA Permit limits. 1 x schedule 5 for a release of

biogas occurred following the unplanned shutdown of AD operations resulting from a fire alarm (false alarm). During the alarm investigation and subsequent reset, the build-up of biogas resulted in an unplanned release through the PRVs. 1 x schedule 5 for a release of biogas occurred following the failure of a fermenter door seal. The Sealing of the fermenter gas to prevent further issues in biogas production resulted in an unplanned release through the PRVs. 2 x Car Forms were later rescinded and replaced following challenges from Biffa, the rescinded forms have been excluded from breach and point information below.

Table 9 – Details of Communications with any relevant Authority in 24/25.

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
EA inspections @ BDR Bolton Road												
EA inspection @ Barnsley Transfer Station												
CAR Received BDR Bolton Road	1	1	2		4			3		2	2	
CAR Received Barnsley Transfer Station	1											
Schedule 5 submitted to EA				1			2	1		1		
HSE Enforcement notices BDR Bolton Road												
HSE Enforcement notices Barnsley Transfer Station												
HSE Cautions BDR Bolton Road												
HSE Cautions Barnsley Transfer Station												
New Permits, Variations, Revocations & Suspensions issued. (All Operations)												

5.2 25/26

5.2.1 In 25/26, there have been no environmental incidents.
1 x Car form issued for receipt of AIR 1 submission.

5.2.2 In 25/26, there have been no Schedule 5s submitted.

Table 10 - Details of Communications with any relevant Authority in 25/26

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
EA inspections @ BDR Bolton Road												
EA inspection @ Barnsley Transfer Station												
CAR Received BDR Bolton Road	1											
CAR Received Barnsley Transfer Station												
Schedule 5 submitted to EA												
HSE Enforcement notices BDR Bolton Road												
HSE Enforcement notices Barnsley Transfer Station												
HSE Cautions BDR Bolton Road												
HSE Cautions Barnsley Transfer Station												
New Permits, Variations, Revocations & Suspensions issued. (All Operations)												

6 Other Updates / Issues

6.1 New Contractor – Biffa (Share Purchase of Renewi UK Services Ltd).

- 6.1.1 In respect of the purchase of Renewi UK Services Ltd by Biffa, the BDR team has liaised with the Waste Infrastructure Development Program (WIDP) transactor, Defra, external consultants and colleagues from other authorities to assess options and contract implications.
- 6.1.2 The BDR Team has been assured by Biffa that no changes to the delivery of service will be sought. It intends to take 6 to 12 months (already 6 months into the process) to integrate its new acquisition into its wider organisation and look to improve the business utilising internal Biffa assets/contracts/opportunities. All Renewi staff on site have been retained and will continue to deliver the contract as specified.
- 6.1.3 At the May 2025 Liaison Committee meeting, we were joined by Mick Davis, Chief Operating Officer of Biffa's Resources & Energy Division. Mick introduced himself to the BDR Senior Managers and outlined why Biffa had acquired this contract (to gain knowledge and leading contractors in this waste field, to build Biffa's portfolio and gain that expertise for further expansion). Discussion also around Biffa's vision for the contract, working together and learning from each other, challenges ahead in municipal waste treatment and improving contract delivery.
- 6.1.4 The BDR Team and its Legal, Financial, and Technical advisors are closely monitoring the situation and are in contact with Senior figures in Biffa, the retained personnel in both the SPV and OpCo. The Team is also liaising with other Councils with RUCK's/BIFFA PFI's, WIDP, Defra and the Senior Lenders who finance the project, to take soundings, be aware of wider issues/requests and sense check the sale. So far, no major issues, risks, or worries are circulating.
- 6.1.5 The only request arising from the sale is for the Parent Company Guarantee in the contract's various agreement documents to be changed from Renewi PLC to Biffa BidCo. After taking advice from our consultants this request has been rejected as the new proposed guarantor does not fulfil the requirements of a guarantor as set out in the contract. Renewi PLC remains the guarantor.

6.2 Insurance

- 6.2.1 The Contractor obtained full cover of insurance for 2025. Although in general the insurance market for waste still sees difficulties in placement and higher premiums, the Contractor's insurance advisor Marsh Limited, stated that for the BDR PFI they have seen an increased appetite from insurers to take up options and has seen a slight decrease in premiums. This is due to the BDR Site demonstrating good fire prevention by investment into measures, equipment and fire risk reduction.

- 6.2.2 Insurance, cover and availability will be scrutinised closely to ensure that under the new contractor Biffa, it continues to be placed and that it is sufficient to cover and meet the contractual requirements.
- 6.2.3 The SPV has advised that they will be writing to obtain the same waivers to levels of insurance as they have in previous years, and we anticipate the following.
- A hot works condition applied to the Material (Property) Damage and Business Interruption
 - A deductible for Material (Property) Damage, Machinery Breakdown, and Business Interruption.
 - The Material (Property) Damage and Business Interruption policy has a Loss Limit.
 - Deductibles for Public and Products Liability policy and individual aspects sub-limits
- 6.2.4 We have engaged IDRisk (Insurance Specialist) to undertake a review of these requests. Once received, the BDR Team will make a judgement on whether to grant the waiver.

6.3 Joint Insurance Cost Report (JICR)

- 6.3.1 The position for the 24/25 to 25/26 JICR remains the same as previously iterations, The BDR Team have rejected any claim for payment from the contractor, citing the contract drafting and calculation.
- 6.3.2 The 5th JICR was received in February 2025, making an initial claim of £1.13M from the Councils for increased insurance costs. Full interrogation and due diligence of the report (for accuracy and against the Contract specification) had been undertaken by the BDR Manager with his Legal, Financial and Insurance advisors. The conclusion of all is a rejection of the JICR. A Rejection letter was sent to the Contractor on the 25th March 2025, confirming rejection on the grounds of:
- Mathematical errors
 - Incorrect data used
 - Incorrect (or lack of evidence) for assumptions in the report
 - Incorrect interpretation of the contract
 - When the correct data is used, we calculate that the Councils are not liable to make payment.
- 6.3.3 Therefore, the position for the 5th JICR remains the same as the previous four iterations, rejecting any claim for payment from the contractor, citing the contract drafting and calculation. We now await a response from the Contractor if they wish to pursue their claim.
- 6.3.4 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 about JICR has recently been issued but although it was anticipated to give clarity, on review this (non-binding guidance) seem watered down and lacking clarity.

- 6.3.5 We are still awaiting an official response from the SPV on our rejection letter. Although it should be noted that the timeframe as stipulated in the contract to take our rejection to the Dispute process has lapsed. The Contractor may leave the JICR #5 unresolved, as they have the last 4.

6.4 AD Pasteurisation Tunnel & Acid Scrubber

- 6.4.1 Biffa's legal action against the original contractor (JCBE) who designed and built the AD facility, has been to Adjudication in December 23 /January 24 and the adjudication was found in favour of Biffa.
- 6.4.2 JCBE has disputed the findings of the adjudication through the submission of a Notice of Dissatisfaction. Unless the parties agree on a position on liability, the case will now be heard in court. No dates have been set for this process.
- 6.4.3 As the Acid Scrubber is integral to the AD facility and is physically positioned on top of the AD plant, it may not now be as simple as making the original design work. Biffa is investigating if a new positioning or a new (enhanced) system may be required.
- 6.4.4 Biffa will continue to progress the rectification of the acid scrubber on the AD facility. The base for the course of action is a report they commissioned from Otto Simon. A design path has been chosen by Biffa, which is being worked through so a suitable contractor can be appointed to build and commission the equipment.

6.5 Permit emission amendments (Best available Technologies – BATS)

- 6.5.1 Biffa has received a draft revised permit from the EA detailing the new required emissions levels from the acid scrubber stack. Biffa has formally written to the Councils to notify us 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.
- 6.5.2 Biffa has also been set a (non-movable) delivery date in 2026 by the EA to comply with their permit requirement and are being closely monitored by the EA.
- 6.5.3 The BDR Team has asked for Biffa to provide a detailed analysis of the changes and an in-depth justification for any payment they feel is required from the council. Biffa have advised quotation and procurement for the solution has been undertaken and they are hoping to have further information (costings, Solution proposed, technical specification of solution, and technical specification of existing and cost to replace as is).
- 6.5.4 Once received the BDR team will undertake due diligence of any claim, taking legal, financial, and technical advice from external experts to ascertain if payment is required or if a claim is to be rejected.
- 6.5.5 Technical consultants, Stantec, have been provided with details of the system and have provided an independent evaluation of the contractual performance baseline requirements. And they will assist with phase two – Analysis of proposed solution by Biffa.

7 Ferrybridge

7.1 2024/25

- 7.1.1 Ferrybridge accepted 126,570 tonnes of BDR's SRF and generated 110,032 MWhrs of electricity. Enough electricity to power approximately 29,499 homes for a year.
- 7.1.2 There have been some ongoing issues at Ferrybridge with planned and unplanned maintenance down-time, and issues with the length of queuing time for delivered of RDF from BDR (multiple hours waiting).
- 7.1.3 Biffa have continuously sought to seek solutions with Enfinium to mitigate these issues and successfully managed to shield the BDR Councils deliveries from being impacted by these issues. There has been no delay or diversion of waste by RCV crews over this matter.

8 Barnsley Transfer Station – Grange Lane

8.1 Fire

- 8.1.1 April 2024 saw a fire in some HWRC waste. It was believed to have been started by a Vape or lithium battery inside a mattress. Around 250 tonnes of fire-affected waste required landfilling
- 8.1.2 The Transfer station was only un-operational for less than a week and accepting all waste streams once reopened.
- 8.1.3 Work to repair the damage from the fire took around three months and saw Biffa spend around £1 million replacing parts of the structure and roof. New Push walls and replacing (and upgrading) the Fire Detection and Camera system.
- 8.1.4 Further improvements have been made with the procedures for monitoring and reporting of potential fires to reduce the time in raising the alarm with the Fire Brigade and Biffs.

8.2 Dilapidation Works

- 8.2.1 All dilapidation works have now been completed for some time. BMBC Asset Management have commissioned a survey of a schedule of conditions to record a standard for Biffa to keep the site in a good and tenable condition to the end of the contract, which was being reviewed by BMBC (two years ago).
- 8.2.2 The BDR manager has been pushing BMBC asset Management (without response to numerous e-mails) to allow the survey to be reviewed and agreed by Biffa, to allow a variation to the BTS contract to be drawn up to agree on the maintenance of the facility moving forward, how the

paintwork on the steel should be managed, and more specifically and agreed hand-back condition expected by BMBC from Biffa at contract end.

- 8.2.3 The BDR team (after numerous unanswered requests) is still awaiting a response from the BMBC Assets team to engage in this process, and for the BMBC condition survey to be supplied for the contractor to review.

9 Health and Safety

9.1 24/25

- 9.1.1 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 11 – 25/26 Year-to-date Health and Safety

2024/25	Close Call	Accident less than 3 days	Accident more than 3 days	Non RIDDOR	RIDDOR dangerous occurrence	RIDDOR more than 7-day injury	Major RIDDOR	Environmental
April	62	1	0	0	0	0	0	0
May	118	1	0	0	0	0	0	0
June	75	1	0	0	0	0	0	0
July	98	3	1	0	0	1	0	5
August	116	1	0	0	0	1	0	0
September	63	2	1	0	0	0	0	0
October	100	3	0	0	0	0	0	2
November	79	1	0	0	0	0	0	0
December	40	0	0	0	0	0	0	0
January	77	0	0	0	0	0	0	0
February	73	0	2	0	0	1	0	0
YTD Total	901	13	4	0	0	3	0	7

9.2 25/26

Table 12 – 25/26 Year-to-date Health and Safety

2025/26	Close Call	Accident less than 3 days	Accident more than 3 days	Non RIDDOR	RIDDOR dangerous occurrence	RIDDOR more than 7-day injury	Major RIDDOR	Environmental
April	33	0	0	0	0	0	0	0
May								
June								
July								
August								
September								
October								
November								
December								
January								
February								
March								
YTD Total	934	13	4	0	0	3	0	7

9.2.1 H&S data for May 2025 will not be contractually available until 13 June 2025 (after this report is issued).

10 Community Education Liaison Officer (CELO)

10.1.1 Press Releases –

- Site Tour Dates 25/26
- Food Action Week 2024
- Recycle Week
- BBQ Waste
- Keeping batteries out of waste
- How to get started composting at home.
- Reducing recycling contamination
- Reducing waste at Christmas
- Composting during the winter months

10.1.2 **Social media** - 100's of individual posts, Daily, weekly and Monthly have been co-ordinated on the Less Waste South Yorkshire media channels. And these have seen 10's of, if not 100's of thousands of Likes, Re-posts, Impressions and shares

10.1.3 **Food Waste Action Week** - Food Waste Action Week 2024 took place from 17th to 23rd March 2025. The theme of the campaign will be to encourage buying loose fruit and vegetables. The Campaign toolkit was released at the end of January.

10.1.4 **Food Waste Reduction Campaign** - Phase 2 of the food waste reduction campaign commenced in September with the CELO contacting Fresh Pod to discuss logistics for delivery of the campaign in 2025/26. The CELO has begun working on the campaign to be delivered in the CELO pan 25/26. In March, materials and interventions were purchased to run the campaign next year. This includes a label printer and fresh pods.

10.1.5 **Recycle Week** - Recycle Week took place between the 14th to 20th of October 2024 and this year's campaign will focus on rescuing forgotten recycling. The campaign characterises some forgotten materials such as toilet roll tubes and perfume bottles. For the Waste Less South Yorkshire campaign, only the posts featuring items recycled by all of the Councils is included.

10.1.6 **International Composting Awareness Week** - Took place between 5th to 12th May 2025.

10.1.7 **Educational Visits** - In March, a document highlighting what the education team can offer schools across the region was created. The document is currently being circulated for approval from the CWG. The document requires changes to be made to the website before it can be distributed. Once these changes have been made, the document can be distributed on request. In March, two assemblies took place at Waverly School in Rotherham for Global Recycling Day. There were approximately 560 pupils in both assemblies. Updates to School resources have also taken place. These will be updated online in April, in line with changes to Doncaster's recycling collections. In January 2025, an Explorers group took part in the Rubbish Adventure workshop in the Visitors Centre. 20 young people took part in the workshop.

In October, two sessions with Redscope Primary School in Rotherham on the 3Rs, and a Rubbish Adventure session with a local scout/beaver group took place.

10.1.8 ESA's Take Charge Campaign – Zombie Batteries - ESA have not released new materials for this year's campaign. Therefore, materials produced for previous years campaigns will be used. Seven posts have been posted so far receiving 11,628 impressions on social media.

10.1.9 Biffa BDR Community Social Responsibility (CSR) – grants and volunteer hours - Following confirmation of the Renewi UK Municipal sale to Biffa, and the ongoing legal discussions, the promotion of the CSR Fund for 2024-25 will be postponed until more information on the CSR branding can be confirmed.

A decision was made that a donation would be made to local school uniform projects for the 24/25 CSR fund donation. Research into suitable projects is still ongoing.

10.1.10 Community Engagement - In March, three site tours took place for 24 people. Fourteen site tours have taken place so far in 2024/25, involving a total of 117 people. Three community talks have taken place in 2024/25 about Love Your Clothes and waste and recycling in Barnsley.

10.1.11 Compositional Analysis - The Spring compositional analysis took place in March 2025, results will be provided to councils once received.

10.1.12 BDR Website - In March, changes to the Education pages on the BDR online website were requested. This includes changes to the content, layout, and structure of the pages. A booking form will be embedded into the pages to make the booking process easier.

Existing education resources are currently being updated to include further teaching notes, updated facts and figures, and reflect changes to collections. These will be updated on the website in April to coincide with Doncaster collection changes.

Work has been done to make a simplified document and website copy of what the education team can offer. This will be handed to schools and community groups when requested.

Updates were made to the 'What's on?' pages to include 25/26 site tours and other sustainable events and campaigns.

Due to the completion of the Renewi sale to Biffa, changes were requested to change any Renewi logos to Biffa ones. Updates have been made to the 'Latest News' section of the site to reflect the press releases that have been made. The site tour dates for 25/26 have been published on the BDR online website. This included an update to the booking form.

11 Joint working and BDR support 24/25 and 25/26

11.1 The BDR team and its External Advisors have been assisting Barnsley, Doncaster and Rotherham councils with joint and individual projects. 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 more resources will likely be required to implement changes to contracts and services.

11.2 Listed below are the current projects and areas where the BDR team is helping to support the individual Councils or co-ordinate joint work 24/25 and 25/26:

BMBC

- Support on Paper and Card recycling off-taker re-contracting and specification.
- Support on Dry Mixed Recycling off-taker re-contracting and specification.
- Support on Skips and Bulky Waste off-taker re-contracting and specification.
- Finalisation and Support for delivery of new HWRC contract
- Support for re-tender of Garden Waste Contract

CoDC

- Finalisation and Support for delivery of new HWRC contract
- Legal support for review of Collection Contract

RMBC

- Support for re-tender of Garden Waste Contract
- Support for delivery/take-back of new HWRC contract.

B.D.R

- Co-ordination, collation, and submission to numerous Government/Defra consultations from around the waste sector.
- Assisting with HWRC contract variation requirements
- 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.

Report Contact: - Paul Hutchinson, BDR Manager – Paul.hutchinson@rotherham.gov.uk

BRIEFING	TO:	Barnsley, Doncaster and Rotherham Joint Waste Board
	DATE:	4 th June 2025
	LEAD OFFICER:	Paul Hutchinson – Waste Manager
	TITLE:	BDR PFI Project Risk Register
1. Background		
1.1	Barnsley MBC, City of Doncaster Council and Rotherham Borough Council (the Councils) entered into a principal agreement called the Project Agreement (the PA) in March 2012 with 3SE (Barnsley, Doncaster and Rotherham) Limited (the Contractor). The agreement is to build, design and operate a facility to manage the residual waste for the Councils from July 2015 to end of June 2040 and manage Barnsley Transfer Station. The PA also requires the Contractor to achieve agreed levels of recycling and landfill diversion.	
1.2	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 Biffa PLC a waste management service company as its operator (the Operator). The Operator produces solid recovered fuel (SRF) 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.	
1.3	Initially, the Contractor was initially 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 became full owners of the Contractor through an investment vehicle and renamed as Renewi BDR Limited. In 2024 Renewi PLC announced their desire to exit the UK market and in October 2024 subsequently sold the UK division Renewi UK Services Ltd (that owned Renewi BDR Limited) to Biffa PLC. Although the ownership of the Contractor has changed twice, there is no change in the PA between Biffa and the BDR Councils, nor the offtake supply contract terms between Biffa 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.	
1.4	The BDR Joint Waste Board last considered the risk register at its previous meeting on 3 rd March 2025. Since that date, the Risk register has been updated bi-monthly. In April 2025 a deep dive of the project risks was undertaken by the BDR Manager and submitted to Steering Committee for review by BDR Assistant Directors. The register was last reviewed at their April 2025 Meeting.	
1.5	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.	

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 5
IMPACT (B)						

2. Key Issues

2.1 Changes

2.2 There have been no new risks added to the Register.

2.3 One risk has been removed – **Insurance Cost Increase** – This is due to the 2025 Annual Insurance seeing a slight decrease in premium

2.4 There have been seven (7) risks reduced on the register (all were in Green and remain in Green). Mainly due to continued understanding of correct risk profiling by the BDR PFI Manager after undergoing refresher training supplied by RMBC.

2.5 One risk has been increased but still remains low and Green – **Insurance cost recharge to Council** – but again mainly due to understanding of the correct risk profile

2.6 Summary of Risks

Current RAG Rating	Jun 2025 (Mar25 position)	Target RAG Rating	Jul 2024 (Jan25 position)
Red	0 (0)	Red	0 (0)
Amber	2 (5)	Amber	0 (5)
Green	17 (15)	Green	19 (15)
Total	19 (20)	Total	19 (20)

Risks continue to be considered against for the current perceived risk profile of – Council Changes, recent legislation changes, planned legislation changes and recently purchase of contract by Biffa PLC and economic and ecological landscape.

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.

3. Key Actions and Timelines

3.1 Monitoring

The PFI project risk register is reviewed by the BDR Steering Committee at their regular meeting every 4 months and reported corporately every 2 months 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.






The BDR Manager and the Council's core contract management team will review and update the risk register on a two-month cycle to ensure risks are able to be effectively monitored and managed.

4. Recommendations

4.1 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.

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				
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 Biffa and Enfinium. Biffa/Enfinium may wish to cascade effects. Would trigger clauses covering this scenario (changed to EFW downstream contract). Carbon Capture required at Enfinium facility, likely to become mandatory. Additional Persistent Organic Pollutant restraints and disposal tech needed. Likely new Acid Scrubber tech needed at site to meet permit requirements.	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.	3	4	12	In-house Legal & Financial expertise has worked on the PFI Contract from inception - Large in-depth knowledge of PFI contract and clauses. Experienced negotiators to be brought on board Changes and/or claims for additional Financial costs from Biffa/Enfinium to be monitored, challenged and evaluated. Instructed Technical consultants to undertake evaluation and due diligence on ETS, POP's and Permit position and conditions.	2	3	6	BDR MANAGER	01/06/25	↔
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. Current contractor selling business or handing facility back	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. Loss of key staff through either Sale of Business by Biffa or handing facility back.	Documentation, Spreadsheets and process in BDR PFI team to monitor that contractual requirements are being delivered. Used, maintained and updated weekly and when changes occur. Checks that knowledge of contractual processes and procedures to be held on contractors management system. Checks on Staff training and development. Continued dialogue (site visits weekly, Meetings monthly) with current contractor and staff. Sale of RUCK to Biffa know finalised (Oct24) and Biffa take-over of staff and site completed.	3	3	9	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. Further work to improve Contract Monitoring and recording within the BDR team. Requires continued monitoring of working practices of Biffa in the initial first 12 months as they incorporate the BDR PFI in to their organisation to ensure no reduction in Staff, their productivity, training and competences.	3	2	6	BDR MANAGER	01/06/25	↓
17 (CSS13)	Contractor is in Financial 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. Due diligence and review of financial situation undertaken with sale of RUKS to Biffa (Biffa received £100m cash injection from RUKS for sale)	4	2	8	Ensure appropriate application and understanding of the contract. Continue to maintain a good contractual relationship with SPV and directors. SPV meeting held every 2 months, Liaison Meeting every 6 months. BDR PFI team's Financial Advisor keeping financial oversight of Biffa.	4	1	4	BDR MANAGER	01/06/25	↓
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. Due diligence and review of contractual situation undertaken with sale of RUKS to Biffa (Biffa received £100m cash injection from RUKS for sale)	4	2	8	Ensure appropriate application and understanding of the contract. Ensure monitoring staff are sufficiently skilled to manage this situation. Continue to maintain a good contractual relationship with SPV and directors. SPV meeting held every 2 months, Liaison Meeting every 6 months. BDR PFI team's Financial Advisor keeping financial oversight of Biffa. Liaison with DEFRA, WIDP and other PFI Contract Managers to keep oversight and knowledge transfer.	4	1	4	BDR MANAGER	01/06/25	↓
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 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. Continued H&S training of BDR PFI team to ensure ability and skills to assess H&S on site during Monthly physical site inspections, and assessment of practices, documentation and records.	4	1	4	BDR MANAGER	01/06/25	↔
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. Also sale of business or hand back of facility may see new owner/Council have more issues obtaining insurance.	Contractor in liaison with Insurer 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.	3	2	6	For 2025, improvements seen in ability to place insurance, and breadth of insurers willing to insure BDR. Ensure current collaborative approach on being informed of insurance placement duplicated is new owner. Work with Council Insurance teams and external advisors if facility handed back. Look at Self insurance? For 2025, independent Insurance advice sought to review market position to fully understand insurance placement and position.	3	2	6	BDR MANAGER	01/06/25	↓
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. Introduction of Deposit Return Scheme, Extender Producer Responsibility and Simpler Recycling could impact.	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. Further clarity of R&W legislation changes and Councils current conforming delivery has helped ease the risk.	3	2	6	Dialogue with WIDP/DEFRA and between BDR Councils. Test potential impacts to the contract/Councils against the IAA3. Lobby Government on recycling definitions.	2	2	4	BDR MANAGER	01/06/25	↔

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 is a contractual requirement to have contingencies plan and other controls within the contract to divert waste to other waste facilities.	3	2	6	Use contingency sites and/or other contracts where possible e.g. Use emergency procurement if absolutely necessary. Currently developing a "contingency Play-book", mapping out likely issues and What/Who/Where/When responses for 12h, 24h, 28h & 72h+ - Outlining who does what, who needs contacting, where waste goes, whose responsibility.	2	2	4	BDR MANAGER	01/06/25	
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. Further clarity of R&W legislation changes and Councils current conforming delivery has helped ease the risk.	3	2	6	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. Legislation changes are currently happening. Contingency planning, dialog with other councils and within the waste sector, understanding contractors position and from taking expert advice isn't foreseeing a detrimental risk profile at this point. Further clarity of R&W legislation changes and Councils current conforming delivery has helped ease the risk.	3	1	3	BDR MANAGER	01/06/25	
11 (CSS13)	Failure of plant and/or major equipment results in withdrawal of credits (Review of WICS)	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	01/06/25	
12 (CSS13)	Lack of resources due to restructures, and insufficient staff retention. Failure to maintain a knowledge of PFI contract requirements in BDR PFI team (Business Continuity - BDR)	Insufficient capacity/ability to monitor the contract effectively, resulting in failing performance of contractor, inadequate oversight of maintenance of PFI Plant and incorrect financial accountability or failure to make payments resulting in contractual breach.	Contract manuals to document the processes and procedures and Performance/Action spreadsheet created to map a full years monitoring/contractual requirement checks by. To be continually maintained and updated when changes occur, with transparency through the team. Contract information held on CIPFA site and on a Sharepoint portal. Staff training and development. Knowledge management plan. Team currently fully staffed - Senior Contract Officer into post Aug24	3	2	6	Staff retention could be improved if a clear career path existed. CIPFA Asset Management system to hold all relevant documentation for staff access. Review of PFI structure to ensure fit for purpose and building skill of existing staff through training and upskilling. Timely succession planning to be undertaken (PFI Manager currently 55). Ensure new members of team learn contract and contract management to ensure continue succession planning. Senior Contract Officer into post Aug24, becomes fully proficient with position requirements / Deputising for Contract Manager.	3	1	3	BDR MANAGER	01/06/25	
16 (CSS 13)	Operating sub-contractor exits UK Municipal market due to financial pressures	This could be in the form of "selling" the business or Handing back to facility to the Council. This may see a new operator who may wish to re-negotiate the contract or change operating procedures, or may see the councils having to take over the running of the facility. All may cause Service disruption, financial pressures, risk transfer to the Councils.	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.	3	2	6	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. Contingency planning, dialog with exiting contractor, planned dialog with new potential contractor, understanding contractors position in waste sector and from taking expert advice isn't foreseeing a detrimental risk profile at this point.	3	1	3	BDR MANAGER	01/06/25	
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.	3	2	6	In-house Legal & Financial expertise has 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. Changes driven by Government legislation still within in local authority gift on how to interoperate and implement and BDR team will contribute to discussion with Waste Team.	3	1	3	BDR MANAGER	01/06/25	
24 (CSS13) (New Apr25)	Increased Insurance Costs for the BDR Waste Treatment Contract becoming due by the Councils	Within the contract there is an mechanism (Reviewed every 2 years accompanied by Joint Insurance Cost Report) that the Contractor is interoperating to calculate that Council is liable to pay the increased insurance premiums or the Waste Treatment Plant. Currently 5 JICR have been produced, latest Feb25.	Correct interpretation of the Contractual Position (BDR Managers interpretation after advise significantly different to Contract). Taking advice from Defra & WIDP, as well as the BDR's external Legal and Financial Advisors. Also liaising with other Waste PFI contractors, both ones with Biffa Contract as well as PFI's with other contractors. Ensuring a consistent approach to interpretation of the contract and responses in rejection of claim to contractor. Contractor has left previous 4 JICR in abeyance, not pushing claim but not conceding claim.	3	2	6	Continue with consistent approach on interpretation and rejection. Look to push contractor to either take to dispute to resolve matter once and for all or concede claims. Seeking additional external insurance advice from market leading consultant to stress test BDR interpretation of contract and position	3	1	3	BDR MANAGER	01/06/25	

10 (CSS13)	Environmental Impact to Local Area from Noise/Odour/Flyes/Vermin etc (Compliance)	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. Biffa in close liaison with the Local Environment Agency officer agree Fly and Odour Management Plans. New Treatments in recent years (confirmed by data) has seen a dramatic reduction in fly numbers inside the plant. Further improvements and preventative measures introduced by Biffa winter 24/25	2	2	4	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. Continued EA monitoring.	2	1	2	BDR MANAGER	01/06/25	
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. Contract now with Biffa. As a UK based Waste Management Company with a wide ranging portfolio, the Company now has larger internal operation to place material for recycling or disposal.	2	2	4	Councils may consider taking on more risk (as long as this is properly assessed) to deliver savings. Encourage market development of local Waste Treatment / recycling infrastructure through Waste Management Plan and DPD	2	1	2	BDR MANAGER	01/06/25	
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	2	2	4	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 virtually from home 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	1	2	BDR MANAGER	01/06/25	
19 (CSS13)	UK having exited the European Union / Global Economis up-heaval - 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	2	4	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	1	2	BDR MANAGER	01/06/25	
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	01/06/25	

Notes from the meeting of the Community Liaison Group on Tuesday, 3 December 2024, at 6pm at the Manvers site.

Attendance

Non-members

Apologies

There were no apologies.

Written updates from Biffa, BDR, and the CELO had been circulated previously. Brief summaries and further updates were given verbally at the meeting and CLG members had the opportunity to ask questions.

1. Welcome and introductions. The acting chair welcomed everyone to the meeting and thanked everyone for their attendance following the postponed meeting scheduled for 19 November - cancelled due to adverse weather. The acting chair said he was happy to chair the meeting pending CLG agreeing a new chair from the group.

2. Notes from the last meeting on 21 May 2024. These were agreed as a true record.

3. Issues arising. There were no issues arising.

4. Biffa BDR update

The Biffa BDR Contract Director summarised and updated the written report and highlighted recent staff changes. In the first half of 24/25 there had been an increase in contract tonnage from the previous year (23/24) over the same period (April – Sept) of approximately 1,300t. It was projected that contract tonnage would likely be higher by the end of the year:

22/23 = 207,700t

23/24 = 209,300t

25/25 = estimated to finish circa 210,000t.

The site had accepted around 3,000t of third-party waste between April and September this year.

Recycling performance had risen to 15% YTD (April – Sept) compared to FY 23/24 of 13.8%. The continued performance of organic fines recovery had given this improvement. This had resulted in slightly better green energy production from the CHP. Glass and stone recovery remained low due to the need to maintain high quality levels.

Following the fire at the Barnsley transfer station a CAPEX had been applied for, and approved, to complete the work to rebuild the transfer station. The work had started and was expected to be completed by December. While the work was being completed the transfer station remained fully operational due to the minimisation of the rebuild area and night works.

Ferrybridge FM1 had dealt with several issues resulting in long queuing times. Biffa had continued to liaise with Ferrybridge to see if the situation could be improved. Tipping slots had been introduced but queueing had resulted in the slots being missed. The tipping bays had been fully repaired and are in operation.

The transition into Biffa was underway and the integration process was progressing well. Fundamentally not much would change due to the contract in place. The next 6-12 months would see the legacy Renewi facilities fully integrated with Biffa. Items such as signage and PPE were planned to be changed in the coming months. The partnership was now known as 'Biffa BDR.'

Biffa Contract Director

The Councils' (BDR) Waste Team

The BDR Manager summarised and updated his written report and informed CLG he was now the full-time manager of the BDR contract. His role would be focussed on performance management of the contract and ensuring high plant maintenance standards.

The BDR councils had continued to successfully deliver waste services and collect all waste streams as scheduled. The councils had seen a slight increase in the amounts of household waste tonnages collected at kerbside and HWRCs, but within acceptable parameters.

All councils continued to seek improvements and efficiencies in their current collection service. These included: -

- Continued review of kerbside collected routes and rounds, aiming to achieve optimisation to include the increased numbers of households/new build seen in each borough, whilst ensuring the most cost-efficient routes that crews can take to achieve saving on fuel and time and reducing the carbon footprint
- Testing of alternative fuel collection vehicles – electric, hydrogenated fuel and hydrogen
- Introduction of smaller vehicles to help gain access to back allies and narrow lanes
- Aiming to enhance the collections by offering more recycled material collection at the kerbside (in line with potential requirements from new waste legislation anticipated to be introduced) and looking to introduce collection of recycling materials for businesses
- Introducing initiatives to tackle and prevent contamination of recycling through resident engagement and education
- Ongoing procurement of disposal contracts for kerbside recycling, bulky items, fly-tipping, business, and garden waste
- Initial drafting of a South Yorkshire Municipal Waste Strategy.

From the 1 October 2024 the Household Waste Recycling Centres (HWRCs) had reverted to their winter timetables with reduced opening hours (This was different for each council and would see later opening hours and earlier closing times due to decreased daylight). The new HWRC contractor, HW Martin, had successfully taken over the contracts and through new management of the sites had seen an increase in material recycled.

As previously advised the UK government had announced new waste initiatives and changes to its environmental policies. Not all the information and direction had been announced, and the BDR Councils had written to the Secretary of State for Environment to push to gain further clarity and confirmation of legislation changes and requirements.

The government had released more detailed information regarding the policies just before the CLG meeting and the councils were still in the process of assessing the likely impact. The policies included the introduction of the Extended Producer Responsibility (March 2025), a Deposit Return Scheme (October 2027), and a new “Simpler Recycling Policy”.

The BDR councils initially felt they were in a great position to fulfil the aims, requirements, and specifications of the new government directive, but were still in the process of confirming and analysing the finer details. BDR would advise the group of the outcomes for simpler recycling as more information emerged.

The Councils were working with the contractor on updates and changes to the facility to meet contractual requirement and environmental permits. These included work on the anaerobic digestion pasteurisation, ammonia scrubbing system, reduction in emissions, enhanced fly management/suppression, and infrastructure improvement/repair work.

As mentioned at the meeting, Renewi UK Services, the contractor which ran the waste treatment facility, had been acquired by Biffa PLC in October 2024. The BDR Council Team had been working closely to scrutinise the sale and undertake its due diligence but was confident that the acquisition should have no detrimental effect to the residents of the region and the BDR councils. The contract would remain the same under the new owners and should not result in any changes to service delivery. The councils were looking forward to Biffa's new input and hopefully improvements to the running of the contract.

A CLG member commented that Doncaster Council needed to make a recycling bin available for paper and card collection.

Action – BDR Manager to update the group on the implementation of the new waste and environmental policies.

BDR Manager.

Community Education Liaison Officer (CELO) report

The CELO summarised and updated their written report. The team had undergone a few changes as staff returned from maternity leave and interim staff had left. Since the last meeting in May, work had continued on the 2024-25 CELO plan:

1. Social media and website content. Posts continued to be posted regularly on a variety of topics, with the aim to promote waste reduction, reuse and repair and correct recycling. Topics had included International Compost Awareness Week, Recycle Week, Take charge (battery recycling) and International E-Waste Day. Regular blog posts were made on Waste Less South Yorkshire and updates to the BDR online website.
2. Education work. Education visits at schools across the area had taken place and in the visitors' centre. A brownies group and a beavers/cub's group had attended Rubbish Adventure workshops in the visitors' centre. Feedback was positive. Visits to schools to deliver sessions on waste and recycling in the school's area and the 3Rs (Reduce, Reuse

and Recycle) had been successful. Some of the schools had also signed up to the national Let's go Zero campaign after the visits. This is a pledge to reduce carbon in schools. In total, the team had engaged with over 180 young people across the area so far this year.

3. Site tours. Interest in site tours was still high. Since May the team had hosted five tours of the facility and there was a waiting list, which would be fulfilled once the team was back to full staffing strength. The next public tour was in December and was fully booked.

4. Community talks. In August, the team had spoken to a group in Doncaster about clothes waste and the Love Your Clothes campaign. The team had also carried out two talks for groups based in Barnsley about waste and recycling in Barnsley, including information about the facility.

5. Waste composition analysis. In October, the bi-annual waste composition analysis had taken place. This sampled kerbside, trade, and household waste recycling centre waste (both residual and recycling) to find out what it was made up of. The Councils and the CELO team use the data to look for future areas of focus and potential campaigns.

A CLG member asked if schools and nursing homes were encouraged to recycle and whether recycling facilities were available. Another CLG member commented that investment was needed to support recycling in schools.

Assistant CELO

Communications report

Over the past six months press releases covering key waste reduction topics had been issued. This year's Corporate Social Responsibility Fund donation to three Community Fridge groups in the Dearne Valley catchment was also promoted.

In line with BDR member priorities the problems of bin contamination had been addressed and information and advice offered about correct waste disposal. This had included:

- Supporting the national Recycle Week campaign Rescue Me which this year was themed around residents recycling everyday items, such as shampoo bottles, rather than placing in household waste bins.
- Encouraging residents to recycle e-waste such as mobile phones and household gadgets rather than place them in household waste.
- Highlighting the danger to waste collection staff and plant from placing used batteries in household bins. A battery was believed to have started a fire at our Barnsley waste transfer station in April.
- Warning about the dangers of placing disposable BBQs in household waste bins.

The benefits of home composting garden waste were promoted together with the International Compost week in April. Advertising of the new cycle of public tour dates for the Manvers site received a positive response. Press releases were posted on the BDR website and circulated to the councils.

JWSMedia.

8. Any Other Business

A CLG member asked about the future of the CLG following previous discussions around the role of the group. The BDR Manager said although the function of the group had changed over the years it remained an important community asset and BDR and Biffa were happy to support members to take the group's ideas forward. He encouraged CLG members to contact BDR if they had any queries about the Biffa BDR operations.

9. Date, time, and venue for next meeting. This will be at the Visitor Centre at Manvers on Tuesday 13 May 2025 at 6pm. (To be confirmed)