

BARNSELEY, DONCASTER AND ROTHERHAM JOINT WASTE BOARD
Thursday 14 March 2024

Present: Councillor James Higginbottom (Chair), Councillor Mark Houlbrook and Councillor David Sheppard. Also in attendance were Paul Hutchinson, Beth Baxter, Lee Richardson, Paul Castle, Sam Barstow and Rhonda Fletcher.

Apologies for absence were received from Paul Woodcock, Matt O'Neill, Dan Swaine and Huw Russell.

Prior to the start of the formal agenda items, Councillor Higginbottom wished to place on record his thanks to former Cabinet Member for Waste and Environment at Rotherham, Councillor Dominic Beck, for all the work he had done as part of the Board over the years. He wished Councillor Beck all the best for the future and welcomed Councillor Sheppard to his first meeting.

21. DECLARATIONS OF INTEREST

There were no declarations of interest to record.

22. MINUTES OF THE PREVIOUS MEETING HELD ON 4 SEPTEMBER 2023 AND MATTERS ARISING

A correction to the minutes was requested as Councillor Mark Houlbrook had chaired the meeting and this had not been correctly recorded.

There were no matters arising to consider.

Resolved:- That the minutes, as corrected, of the previous meeting held on 4 September 2023 be approved as a true and correct record of proceedings.

23. BDR MANAGERS REPORT

Consideration was given to the report presented by the BDR Manager which had been circulated as part of the agenda. It was reported that Beth Baxter, the Senior Waste Manager would be retiring on 31 July 2024. This, along with changes in legislation derived by the Environment Act 2021 and the Contractor Renewi PLC and Renewi UK undertaking a strategic review of their position in the waste industry, had initiated a review of the BDR team structure to be undertaken. This review and its recommendations ensured the BDR team was fully resourced to fulfil its role and requirements and was presented to the Steering Committee and accepted. The process was now underway to obtain approval (RMBC Admin) to commence recruitment to fill vacant posts for when the Senior Waste Manager retired.

In relation to Renewi, the BDR Manager confirmed that they were looking to withdraw completely from the UK market. There were a number of options open to Renewi, such as selling the operation to another company or handing the site back to BDR for example. Beth Baxter explained that as this was a PFI contract, there were many contractual obligations that Renewi would have

to comply with. It was expected that any staff involved would be TUPE transferred and works would continue as normal. Legal and financial advice expenditure would also be utilised to review, understand and assess any potential impacts or risks (financial, operational, legal and contractual) that could be associated with the recent announcement by Renewi that it was undertaking a strategic review of its UK Business (RUKS). The BDR team were liaising with the Waste Infrastructure Development Program (WIDP) transactor, Defra and colleagues from other authorities to assess options. The options appraisal work could impact on any budget savings.

The BDR managed confirmed that Renewi could not provide any further information due to ongoing confidential negotiations, but Members would be provided with any updates out of the formal meetings as soon as possible.

Councillor Houlbrook asked if the decision taken by Renewi to withdraw from the UK market was related to Brexit. The BDR manager explained that Renewi were simply not making a profit on their PFI work in the UK but were still very successful with the operations mainland Europe. It was not thought that this had any link to Brexit.

In terms of the retirement of Beth Baxter, it was confirmed that the BDR Manager would be taking up the role on a full-time basis following the retirement. The role vacated by the BDR Manager would be advertised prior to the retirement. It was hoped that the post would be filled before Beth retired and this would help with business continuity.

The outbound total was over 207,000 tonnes as per Table 4 – Year to date Bolton Road Process Outputs. Renewi had done well in terms of accepting waste and were looking to increase third-party waste which would increase royalties for BDR. It was reported that there were some issues at Ferrybridge, but these were not having an impact on the contract. Councillor Houlbrook highlighted an error on the table and the BDR manager **agreed** to send an updated copy to all members.

The number of complaints received was extremely low and there had been a lot of work done in relation to fly management.

It was reported that the acid scrubber dosing system work had been paused pending further responses from the designer and installing contractor, JCBE, and pending the outcome of the Adjudication over the Pasteurisation Walls dispute. Remedial work on the AD pasteurisation tunnel to repair concrete and heating pipes had been completed. The site was now pasteurising material and the full AD process was being achieved with CLO material being deployed for land remediation.

Renewi had received a draft revised permit from the EA detailing the new required emissions levels. Renewi had formally written to the Councils to notify them that they believed this was a Qualifying Change of Law. Therefore, once the changes in the permit had been analysed, there could be a claim for any additional resource/expenditure to meet the new permit

requirements. The BDR Team had asked for Renewi to provide detailed analysis of the changes and an in-depth justification for any payment they felt was required from the Councils. The BDR team would undertake due diligence of any claim taking legal, financial, and technical advice from external experts to ascertain if payment was required or if a claim was to be rejected.

In response to a question from Councillor Houlbrook it was confirmed that this was a national issue and legal consultants had been tasked with understanding the implications. Beth Baxter confirmed that support was in place and as per the PFI contract, any additional costs had to be minimised.

The Environment Agency had completed a surprise inspection at the Barnsley Transfer Station and the station had passed with flying colours.

There were no concerns in relation to Health and Safety across the various sites. Insurance had been secured for 2024. There had been an increase in premiums across the sector.

In relation to the budget it was confirmed that there was an underspend of £55,082. This was in part due to delays in changes to legislation. The budget for 2024/25 would be presented at the next meeting for approval.

Councillor Houlbrook questioned the statement made in relation to about a "lack of suitable candidates applying" for jobs at paragraph 4.1.4 of the report. The BDR Manager explained that the previous vacancy had been advertised as temporary and it was thought this had had a negative impact and put prospective applications off applying. As such, this time round, the post was permanent, was on a career grade and was advertised externally. The post would also be advertised for 3 weeks and possibly in trade magazines or on social media. It was confirmed that although recruitment was a risk, it was a national issue and not one isolated to Rotherham.

Resolved:-

1. That the report be noted.

24. PARTNERSHIP WORKING

An update was provided by the BDR Manager. It was confirmed that the same item had been discussed as part of the South Yorkshire Joint Waste Partnership Board meeting immediately prior to the BDR Joint Waste Board meeting. Work was continuing in relation to lobbying the government over proposed legislative and policy changes and when they would be implemented. DEFRA had not been able to provide any updates on the issues. As a General Election was expected at some point in 2024, officers felt that the decisions could be delayed however they would continue working on the matters.

Resolved:-

1. That the update be noted.

25. RISK REGISTER

Consideration was given to Risk Register which had been circulated as part of the agenda. A “deep-dive” of the project risks had been undertaken and had been submitted to the Steering Committee for review by the BDR Assistant Directors.

Since the last update, there had been no new risks added to the Register. There had been a number of risks moved on the register. This was mainly due to recent legislation changes, planned legislation changes and the Contractor Renewi Services UK, and their parent company Renewi PLC, undertaking a strategic review of their position in the waste industry.

The risks in relation to the COVID-19 Pandemic (18 – CSS13) and the UK having exited the European Union impacts on supply chain (19 – CSS13) had been reduced.

Councillor Houlbrook stated that the lack of resources highlighted at Risk 22 (CSS13) needed to be monitored along with changes in Government Law/Regulations including W&RS.

Councillor Houlbrook also raised concerns regarding staff resignations and the loss of experience and knowledge. Officers were assured that there was sufficient support in place across the partnership to ensure that knowledge was shared and experience learnt from before Beth Baxter retired. The Chartered Institute of Waste Management were also doing work on recruiting younger people into green-skill jobs.

The Chair stated that he was happy for the Board to note the report and let the Assistant Directors review the risks at the next Steering Group meeting. The Risk Register would then be reported back to the Board at the next meeting.

Resolved:-

1. That the Risk Register be noted.

26. ANY OTHER BUSINESS

There was no other business to consider.

27. DATE AND TIME OF THE NEXT MEETING

The next meeting would take place on Tuesday 2 July at 10.00am in Rotherham Town Hall.