

BARNSELEY, DONCASTER AND ROTHERHAM JOINT WASTE BOARD
Tuesday 24 June 2025

Present: - Councillor James Higginbottom (Chair), Councillor James Church, Councillor Lynda Marshall.

Also in attendance were Paul Castle, Sam Barstow, Kellie Hopkins, Paul Hutchinson, Rhonda Fletcher, Carl Hewlett and Huw Russell.

Apologies for absence were received from Councillor Glynn Jones and officer's Matt O'Neill and Dan Swaine.

19 APPOINTMENT OF CHAIR AND JOINT WASTE BOARD UPDATE

It was advised that it was previously agreed that the roles of the Chairperson and Vice-Chairperson of the Barnsley, Doncaster and Rotherham Joint Waste Board would rotate between the three Local Authorities on an annual basis. Therefore, the following was agreed:

Resolved:-

1. That Councillor James Higginbotham of Barnsley MBC be appointed as Chair of the Barnsley, Doncaster and Rotherham Joint Waste Board for the 2025/2026 municipal year.
2. That Councillor Lynda Marshall of Rotherham MBC be appointed as Vice-Chair of the Barnsley, Doncaster and Rotherham Joint Waste Board for the 2025/2026 municipal year.
3. 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").
4. The Authorised BDR Steering Committee Member may elect to delegate certain decisions to the BDR Manager.
5. 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).

(Councillor James Higginbottom in the Chair).

20 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Glynn Jones, Matt O'Neill and Dan Swaine.

21 DECLARATIONS OF INTEREST

There were no declarations of interests.

22 MINUTES OF THE PREVIOUS MEETING HELD ON 4TH MARCH, 2025 (COPY ATTACHED)

An update was provided in relation to page 11 of the minutes, where it stated that “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”. The Board was advised that Biffa had met the target at 98% by year-end.

Resolved:- That the minutes of the meeting held on 5 March 2025 be approved as a true and correct record of the proceedings.

23 BDR MANAGERS REPORT

Consideration was given to report included within the agenda pack, which highlighted the following matters relating to the Joint Waste Private Finance Initiative (PFI):

- Governance
- Financial
- Contract Delivery
- Complaints
- Environmental Report
- Other Updates/Issues
- Ferrybridge
- Barnsley Transfer Station- Grange Lane
- Health and Safety
- Community Education Liaison Officer (CELO)
- Joint Working and BDR Support 2025-2026.

Paul Hutchinson, BDR Manager introduced the report and provided a high-level overview. He explained that the PFI Waste Treatment Facility at Manvers had been running since 2015, this was a joint facility used by all three local authorities, to deliver residential waste to be processed. The BDR Board had had oversight of the project since the tendering stage, there was fifteen years left on the contract, with a potential extension of five years. To date, the site was successful, unlike the majority of other PFI's. However, the contract was not profitable, as a result the contract

had been sold twice to date.

In relation to the waste treatment performance, there had been very few issues contractually and minimal risks. There had been a request arising from the sale, for the Parent Company Guarantee to be changed from Renewi to Biffa. After seeking advice, the local authority declined the request, this was due to the new proposed guarantor not fulfilling the requirements of a guarantor, as set out in the contract.

Following changes in legislation, the Councils were working with the contractor for changes to the facility to meet contractual requirement and environmental permits. These included work on the ammonia scrubbing system.

A briefing paper was 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.) The local authority was watching the situation and had raised it as a risk via the finance department. A future update would be provided to the Board when any further details arose.

In relation to finances, there were two budgets for the PFI. There was a £20,000 underspend in the last financial year, this was mainly due to advice from legal services and technical savings. Members were advised that approval was required for the budget for the 2025/2026 financial year, it was anticipated that the same level of budget agreed in 2024/2025 would suffice for the upcoming year. An increase in budget was not anticipated, although there were projected increases relating to fee's for legal services, and pay rises for members and administrations, however this was already budgeted. The PFI Unitary charge had an annual indexation mechanism that was set by the January RPIX figure. The January 2025 figure was 3.2%. Waste arisings were anticipated to remain at the same levels as 2024/25, with no unexpected or unanticipated additional costs, expenditure, or income.

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The Herren Index, European Spot Gas Markets Price Assessment tracked gas prices, this was at a cost of a £28,000 subscription which was shared with Wakefield Council. It was advised that a subscription was not required for two years, as it was anticipated that there would be no gain over the next two years.

In relation to contract data, targets had been successfully met. For recycling there was a default trigger of 10%, this was currently at 14.35% for the year. The diversion from landfill was 98.31%, with the annual target set at 96.68%, it was advised that a small fraction was required to go to landfill, an example was provided of bulky items such as mattresses.

In relation to complaints, it had been a very good year in comparison to

previous years. The main issues were the noise of the plant travelling from Bolton to Dearne, odour and flies, due to the perception of a fly ingress into Bolton. The contractor had worked hard to manage the flies and had implemented entrance curtains, thorough checks for gaps and changed the fly delivery treatment to treat in the opposite direction, as a result there had been a major reduction in flies. The contractor had worked with Next to address their concerns relating to flies, and as a result an official thank you had been received for all of the reduction work completed. The complaints and concerns of the community had also reduced.

There was a requirement for the industry to reduce emissions with regulations being made more stringent, an example was provided of ammonia. The contractor wanted to trigger the changing law clause under the contract to claim against the local authority, as they felt it should not be their responsibility to pay for the costs towards this. The local authority checked that the correct clause was being sighted and would do due diligence on the claim to mitigate where appropriate. The local authority would assess what system was in place currently, what system Biffa would like to bring in and whether it's appropriate and sufficient. The local authority was waiting for data to be provided by Biffa, relating to their proposed technical solution, a further update on this would be provided in due course.

Every two years the insurance for the site was reviewed, to date five separate cost reports had been sent in and rejected by the local authority. This year the rejected cost report had not been pursued further; this was for the cost of additional insurance. This was not unique to this specific PFI and was very common across PFI's.

A question was asked by a member relating to the costs of newer employee's being lower than previous employee's, this was attributed to the grading salary band system and how all new employees began their role on the lower end of the salary band and would gradually move up the scale every two years.

Resolved:-

- 1) That the update be noted.
- 2) That the 2025-2026 budget be maintained in line with previous years and agreed.

RENEWI/BIFFA SALE

A verbal update on the Renewi/ Biffa Sale was provided to the Board. The contract had been sold by Renewi to Biffa. Renewi was a European waste company with 6 PFI's, Renewi wanted to leave the UK market as their contracts were facing losses, as a result Renewi sold to Biffa, a UK waste company.

Since the sale of the contract, Biffa had not made any significant changes and there were no suggested upcoming changes. All employees on site had been retained and Biffa had taken on the Parent Company Guarantee. Biffa had taken over the contract to expand their expertise and knowledge as a company in this specific area.

There had been a request to change the Parent Company Guarantee from Renewi to Biffa, this was rejected by the local authority. Although the risk was minimal to the Authority at this point in the contract, it was being monitored for future implication.

Resolved:- That the verbal update be noted.

25 RISK REGISTER

Consideration was given to the Risk Register Report and a high-level overview was provided to the Board. The Risk Register was presented to the BDR Steering Committee and followed the relevant RMBC Governance processes.

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 (all were in Green and remain in Green), this was mainly due to continued understanding of correct risk profiling by the BDR PFI Manager after undergoing refresher training supplied by RMBC.

One risk had increased but still remained low and green, this was the insurance cost recharge to the Council, this was mainly due to understanding of the correct risk profile.

Resolved:- That the report be noted.

26 ANY OTHER BUSINESS

The Chair placed on record his thanks to the outgoing Chair of the Board, Councillor Mark Houlbrook and requested that the Board write a letter of thanks to the former Chair, for their contributions to the Board.

Members of the Board were advised that the minutes of the Community Liaison Group Meeting were attached for information only. The Meeting was an informal group meeting held on-site for members of the community to attend to encourage public engagement. There were no issues or concerns raised during the meeting.

The Chair extended an invite to new members of the Board, to visit the site in Mavers. The invitation was also extended to all other local authority Councillors who may be interested in learning how the plant operates.

Resolved:-

- 1) That a letter of thanks be issued to the out-going Chair of the Board.
- 2) That the minutes of the Community Liaison Group meeting held on 3 December 2024, be noted.
- 3) That any members wishing to visit the Mavers site contact the BDR Waste Partnership Manager, to arrange a visit.