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A G E N D A

- 1 **AGENDA - NORTH WALES RESIDUAL WASTE JOINT COMMITTEE** (Pages 1 - 20)

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Gareth Owens LL.B Barrister/Bargyfreithiwr
Head of Legal and Democratic Services
Pennaeth Gwasanaethau Cyfreithiol a Democraidd

To: Councillor Brian Jones (Chair)

CS/NG

Councillors: Glyn Banks, Richard Dew, Dafydd Meurig, Bob Parry, Greg Robbins, Sam Rowlands, Carolyn Thomas, Julian Thompson-Hill and Catrin Wager

22nd January, 2021

Nicola Gittins 01352 702345
nicola.gittins@flintshire.gov.uk

Dear Sir / Madam

A virtual webex meeting of the **NORTH WALES RESIDUAL WASTE JOINT COMMITTEE** will be held on **FRIDAY, 29TH JANUARY, 2021** at **9.00 AM** to consider the following items.

Yours sincerely

Robert Robins
Democratic Services Manager

AGENDA

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST**
- 3 **APPROVAL OF PREVIOUS MINUTES** (Pages 3 - 8)
- 4 **MATTERS ARISING FROM PREVIOUS MEETING**

County Hall, Mold. CH7 6NA
Tel. 01352 702400 DX 708591 Mold 4
www.flintshire.gov.uk
Neuadd y Sir, Yr Wyddgrug. CH7 6NR
Ffôn 01352 702400 DX 708591 Mold 4
www.siryfflint.gov.uk

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Mae'r Cyngor yn croesawau gohebiaeth yn y Cymraeg neu'r Saesneg

5 **SERVICES UPDATE REPORT** (Pages 9 - 14)

To update Members on the Operational and Financial aspects of the Parc Adfer contract.

6 **WASTE TRANSFER STATIONS REPORT** (Pages 15 - 18)

To update Members on progress in relation to the Waste Transfer Stations in Conwy and Denbighshire and the status of the capital funding.

7 **CONTRACT MANAGEMENT AND STAFFING (VERBAL)**

To update Members on the progress on commercial discussions with Wheelabrator Technologies Inc (WTI).

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC

The following item is considered to be exempt by virtue of Paragraph(s) 14 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

The reports contain details relating to the financial affairs of the 5 councils. Those details are commercially sensitive and the public interest in protecting that commercial position outweighs the public interest in revealing the information during the lifetime of the contract.

8 **COMMERCIAL ITEMS** (Pages 19 - 24)

To update Members on the commercial, legal and contractual aspects of the Parc Adfer contract.

9 **ANY OTHER BUSINESS**



NORTH WALES RESIDUAL WASTE JOINT COMMITTEE

Thursday 18th June 2020 at 2pm – virtual meeting hosted via Webex video conferencing service

PRESENT:

Councillor Brian Jones (Chair)
Councillor Greg Robbins
Councillor Carolyn Thomas
Councillor Catrin Wager
Councillor Richard Dew

Denbighshire County Council
Conwy County Borough Council
Flintshire County Council
Gwynedd County Council
Isle of Anglesey County Council

ALSO PRESENT:

Flintshire County Council

Colin Everett (Lead Chief Executive)
Tina Roberts (Project Accountant)

Denbighshire County Council

Tara Dumas (Waste and Recycling Manager)

Conwy County Borough Council

Andrew Wilkinson (Head of Neighbourhood Services)

Gwynedd Council

Steffan Jones (Head of Highways and Municipal)

Isle of Anglesey County Council

Meirion Edwards (Chief Waste Management Officer)

North Wales Residual Waste Treatment Project

Steffan Owen (Regional Contract Manager)

1. **APOLOGIES**

Apologies for absence were received from Gary Ferguson (Flintshire County Council), Lisa Brownbill (Flintshire County Council), Stephen O Jones (Flintshire County Council), Gareth Owens (Flintshire County Council), Councillor Julian Thompson-Hill (Denbighshire County Council), Tony Ward (Denbighshire County Council).

2. **DECLARATIONS OF INTEREST**

No declarations of interest were made.

3. **ELECTION OF CHAIR TO THE JOINT COMMITTEE**

Councillor Greg Robbins was nominated as Chair to the North Wales Residual Waste Joint Committee by Councillor Brian Jones. This was seconded by Councillor Richard Dew.



Colin Everett thanked Greg Robbins for taking on the role.

RESOLVED:

- (a) *That Councillor Greg Robbins be appointed Chair of the North Wales Residual Waste Joint Committee.*

4. **VICE CHAIR TO THE JOINT COMMITTEE**

Councillor Brian Jones was nominated as Vice Chair to the North Wales Residual Waste Joint Committee by Councillor Greg Robbins. This was seconded by Councillor Carolyn Thomas.

RESOLVED:

- (a) *That Councillor Brian Jones be appointed Vice Chair of the North Wales Residual Waste Joint Committee.*

5. **APPROVAL OF PREVIOUS MINUTES**

The minutes of the meeting of the North Wales Residual Waste Joint Committee held on the 28th November 2019 were submitted for approval.

RESOLVED:

- (a) *That the minutes of the meeting of the North Wales Residual Waste Joint Committee held on the 28th November 2019 be approved as a correct record.*

6. **MATTERS ARISING FROM PREVIOUS MINUTES**

No matters arising were raised from the previous meeting.

7. **ANNUAL ACCOUNTS**

Steffan Owen went the Annual Accounts Report, and highlighted that the accounting treatment of the project had changed following a review by Flintshire County Council to include the costs of servicing the Joint committee only.

No comments were raised.

RESOLVED:

- (a) *That the Joint Committee approve the Annual Return for the year ended 31st March 2020.*

EXEMPT ITEMS: LOCAL GOVERNMENT ACT 1972, SECTION 100A AND SCHEDULE 12A (ACCESS TO INFORMATION)

RESOLVED *that the Public and Press be excluded from the meeting under the provisions of Section 100A of the above Act during consideration of the*



following items as they involves the likely disclosure of exempt information as defined in paragraph 14 of Part 4 of Schedule 12A to the Act and that in all the relevant circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

8. **SERVICES UPDATE REPORT**

Steffan Owen went through the Services Update Report, and noted that waste deliveries continued to site with no significant or recurring issues, noting that this was, of course, during the Covid 19 pandemic. The plant is also performing very well in terms of its efficiency, emissions etc with emissions well below permitted levels.

Steffan Owen highlighted the effect that Covid-19 and the lockdown in the spring / early summer of 2021 had had on tonnage throughputs into Parc Adfer. He noted that tonnages had dropped into April and May, however that these were expected to increase in the summer as restrictions may be eased further. He noted that recycling performance of the site (of the Incinerator Bottom Ash (IBA) and metals from the IBA) was good and well above the contractual levels.

Councillor Brian Jones thanked Parc Adfer and the lead authority for their assistance in dealing with the waste that was left as a result of a fire at Denbighshire's Waste Transfer Station in Ruthin.

Steffan continued through the report and noted that the financial procedures put in place have worked well during 2019/20 ensuring that payment flows all take place within required timescales and are accurate.

RESOLVED:

(a) *That the report be noted.*

9. **COMMERCIAL ITEMS REPORT**

Steffan Owen went through the report as issued in the papers, with updates on the progress on discussions with WTI in relation to two contractual matters. A discussion was held on progress on dialogue with WTI, the next steps and basis for reaching agreement with WTI.

RESOLVED:

(a) *That the report be noted.*

(b) *Receive a written update on the outcome of discussions on both aspects.*

10. **WASTE TRANSFER STATIONS UPDATE (VERBAL)**

Steffan Owen gave an update in relation to Waste Transfer Stations (WTS) and that an application had been put in to Welsh Government for capital funding for the WTS's at Conwy and Denbighshire. The two authorities



provided a more detailed update in relation to progress within their authorities.

Both authorities also informed Members that they had been given verbal indication from WG that their applications been successful, however the award letters had not been received yet. When the award letters are received, it will mean that the capital funding put aside by the authorities for the development of the WTS's would no longer be required and could therefore be retained by the individual partner authorities for their own use.

On the assumption that the letters are received from WG, the Joint Committee will be asked to formally approve the release the capital funding back to the partner authorities at the next meeting.

RESOLVED:

- (c) *That the verbal update be noted.*
- (d) *The decision in relation to the capital funding for WTS's be put to the Joint Committee at the next meeting.*

11. **COMMUNITY BENEFIT FUND UPDATE**

Steffan Owen noted that a consultation on the Community Benefit Fund was going to be carried out over the coming months.

Colin Everett added to Steffan's comments and noted good progress had been made on the education and visitor centre development prior to the covid pandemic, and that the consultation paper on the fund was ready to go subject to going through Flintshire's Cabinet.

He also noted that consideration would need to be given to doing more in-school curriculum based work whilst the Visitor Centre at Parc Adfer is unavailable due to the pandemic, and that the Partnership will work with WTI on it.

Cllr Greg Robbins noted the above and highlighted how important the educational side is to the whole project.

Colin Everett clarified that the consultation document outlined that a proportion of the fund is to be put aside for the purpose of the education and visitor centre for the whole contract period.

Tara Dumas welcomed the funding for education and pointed out that with the current trend for online learning, could we look at on line learning be part of the experience?

Colin Everett responded that this was an aspect that had always been the intention, but that current situation may accelerate the world of on line resources and that it was a positive that we have some resource dedicated to it. He noted that it can be developed when time allows, hopefully during 2021 and beyond.



12. **ANY OTHER BUSINESS**

No other items were noted.

(The meeting ended at 3.30 pm)

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REPORT TO: **NWRWTP JOINT COMMITTEE**

DATE: **29th JANUARY 2021**

REPORT BY: **CONTRACT MANAGER**

SUBJECT: **SERVICES UPDATE REPORT**

1. PURPOSE OF REPORT

- 1.1. To update the Joint Committee on progress on the first year of full Services at Parc Adfer, including operational and financial aspects.

2. BACKGROUND

- 2.1. Parc Adfer has now been in Full Services for a full year, and accepting waste since August 2019, with services now at a “settled” state, despite the on going Covid-19 pandemic.
- 2.2. This report provides a summary of the operational and financial performance of Services at Parc Adfer for the Services period.

3. CONSIDERATIONS

Operations

- 3.1. As outlined in 2.1 above Parc Adfer reached the significant milestone of completing the first full year of Services at Parc Adfer (full Services commenced on 20th December 2019).
- 3.2. Whilst Covid has placed pressure on Parc Adfer, the protocols and processes put in place on site have ensured that the site has remained fully operational throughout the Covid pandemic to treat partner authority waste.
- 3.3. Waste deliveries have continued to site with no significant or recurring issues, with Partner Authority waste deliveries given priority over third party waste on arrival on site. The plant is also performing very well in terms of its efficiency, emissions etc with emissions well below permitted levels.
- 3.4. The Partner Authorities continue to deliver circa 550 vehicles per month (around 140 per week) to Parc Adfer, with the majority of the tonnage coming in via Heavy Goods Vehicles (HGV's), along with Flintshire's Refuse Collection Vehicles (RCV's) delivering to the site.



Tonnage throughput and the impact of Covid-19

- 3.5. Following a small reduction in partner authority tonnages into Parc Adfer during April and May of 2020 during the first national lockdown (as reported to the Joint Committee in June 2020), tonnages increased significantly throughout the summer of 2020, to very high levels in July, August and September. Tonnages fell and have stabilised into the autumn and winter, however appear to have remained at level higher than pre-covid, even with tighter restrictions coming back into force. This has meant that, overall, for the year to date the authorities have in general seen higher household waste tonnages in 2020/21 than the previous year. This is thought to be a result of more people working from home and generally spending more time at home due to Covid restrictions.
- 3.6. A table showing the monthly tonnage throughput into Parc Adfer from the partner authorities is shown in Appendix 1 below, along with graphs showing the tonnage throughput both as a partnership and individual authorities.

Annual Maintenance Shutdown

- 3.7. All plants such as Parc Adfer require an annual maintenance shutdown to ensure the safety, efficiency and longevity of the plant. As such, Parc Adfer arranged for the first such shutdown to take place in September 2020. This process involves shutting down the plant's waste processing for a period of two working weeks whilst the essential maintenance works and safety checks take place.
- 3.8. During such periods, the plan is to continue to accept Contract Waste (partnership waste) at Parc Adfer, utilising the capacity of the waste bunker on site. Once the waste processing is re-started, third party waste is accepted at Parc Adfer once bunker levels are back to normal working levels.
- 3.9. Parc Adfer stopped processing waste from the 7th September 2020 until 20th September 2020 for their first annual maintenance shutdown. Due to the high levels of partnership waste during September as noted in 3.5 – 3.6 above, in order to assist with managing bunker levels, Parc Adfer initiated their Diversion Plan for a proportion of Authority waste during this period. This means that 1,000 tonnes of authority waste was diverted during this period. All of the waste was taken to another Energy from Waste facility, ensuring diversion from landfill for all authority waste during the period.
- 3.10. The shutdown was carried out successfully with no significant issues experienced on site and completed within the timetable. There was no disruption to Authority waste acceptance.

Other operational matters

- 3.11. As noted in 3.3 above, waste deliveries have continued to site with no significant or recurring or recurring issues, with the site performing within its required parameters. Turnaround times of vehicles on site have been well below contractual limits throughout the period.
- 3.12. The Partnership have worked constructively with Parc Adfer to resolve small day to day issues that inevitably occur during the operation of a plant such as Parc Adfer including waste acceptance criteria, vehicle entry to site, staffing etc.



with the constructive approach ensuring the continuation of the safe treatment of partner authority waste at Parc Adfer.

Recycling and waste diversion performance

3.13. Parc Adfer contributes to the Partner Authorities' recycling and landfill diversion figures through the recycling Incinerator Bottom Ash (IBA), which includes metals. For the year to date (Apr to December 2020), the overall recycling levels is circa 22%, which is comfortably above contractual levels.

Operational Summary

3.14. In summary, operations and performance at Parc Adfer have continued to do well, despite the on-going Covid pandemic. There have been no disruptions to Partner Authority deliveries, low overall turnaround times with minimal delays to deliveries, emission levels have been well below permitted levels and other performance measures have been good. The above has all been achieved whilst in the midst of the on-going Covid 19 pandemic.

4. RECOMMENDATIONS

- 4.1. The Joint Committee is asked to:-
1. Note the content of the report.

5. FINANCIAL IMPLICATIONS

- 5.1. N/A

6. ANTI-POVERTY IMPACT

- 6.1 N/A

7. ENVIRONMENTAL IMPACT

- 7.1 The environmental impact of the Parc Adfer facility has previously been reported to the Joint Committee.

8. EQUALITIES IMPACT

- 8.1 N/A

9. PERSONNEL IMPLICATIONS

- 9.1. As described in the body of this report

10. CONSULTATION REQUIRED

- 10.1 None.



11. CONSULTATION UNDERTAKEN

11.1. As outlined in the report.

LOCAL GOVERNMENT ACCESS TO INFORMATION ACT 1985

Background Documents:

None

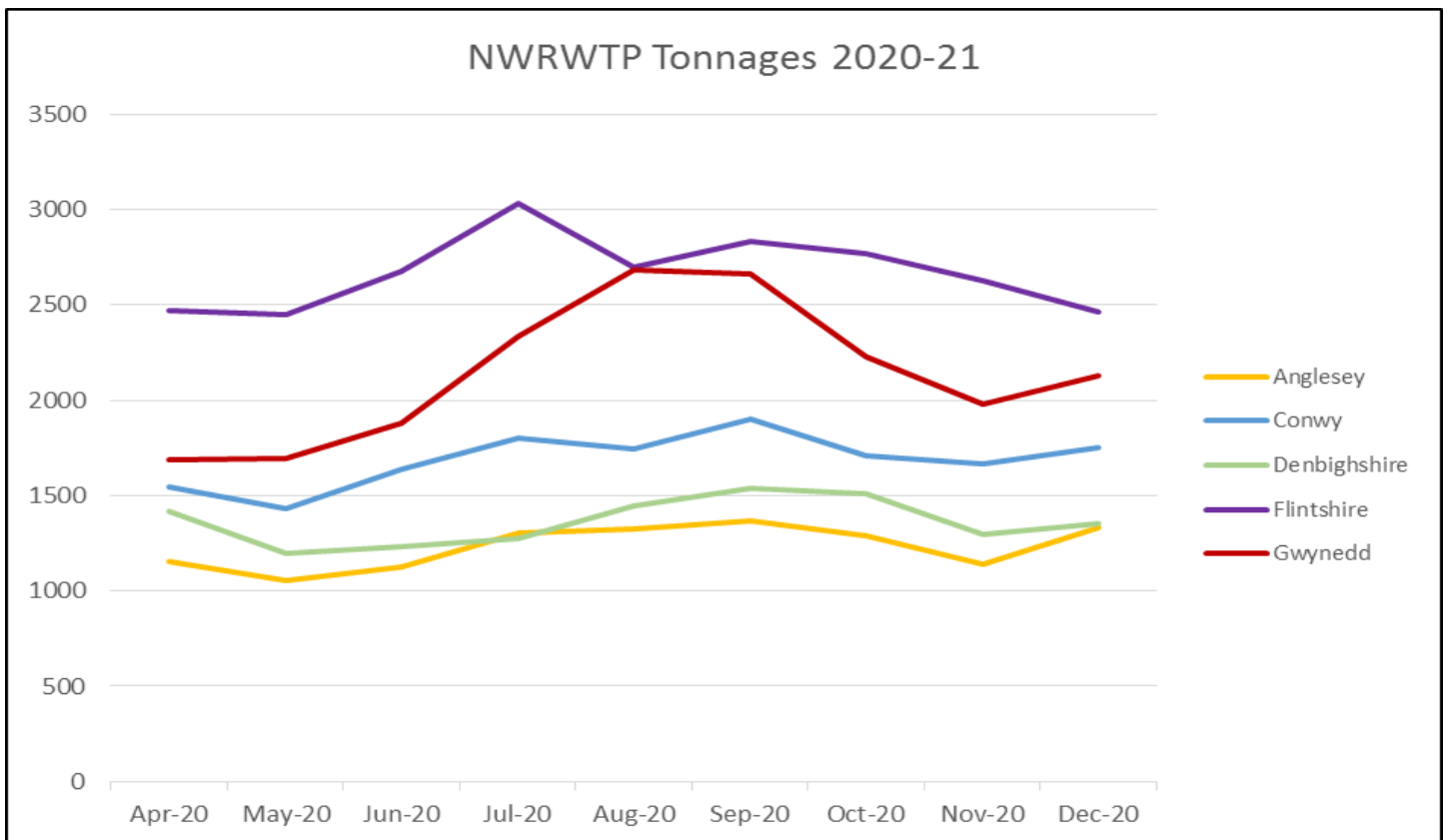
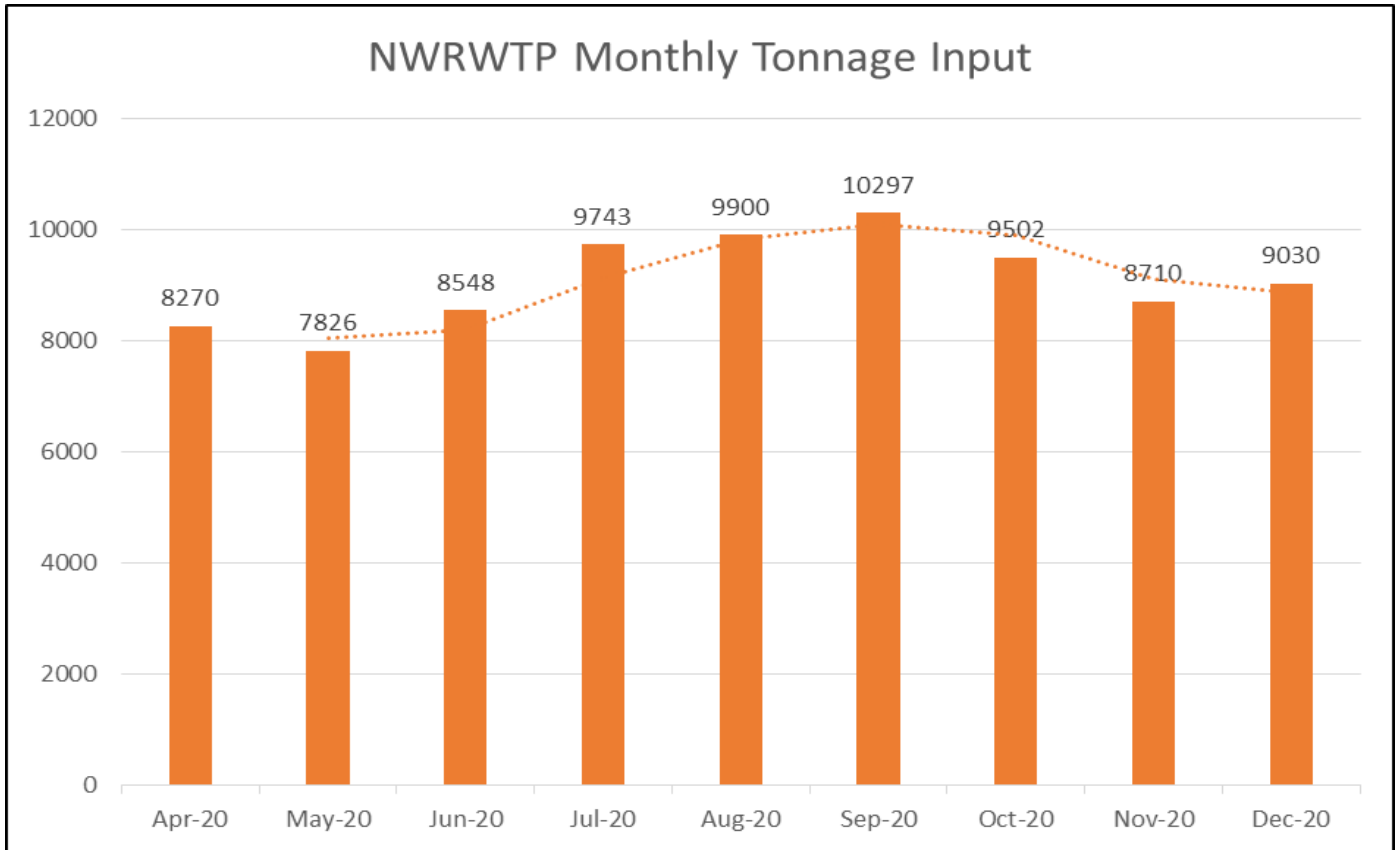
Contact Officer: Steffan Owen
Regional Contract Manager
Steffan.r.owen@flintshire.gov.uk



Appendix 1 – Parc Adfer Performance and Tonnage inputs

Monthly tonnages into Parc Adfer

	Anglesey	Conwy	Denbighshire	Flintshire	Gwynedd	TOTAL
Apr-20	1,153.04	1,545.29	1,415.01	2,467.74	1,688.46	8,269.54
May-20	1,055.48	1,429.45	1,193.83	2,452.35	1,695.22	7,826.33
Jun-20	1,124.28	1,634.74	1,233.86	2,676.08	1,878.86	8,547.82
Jul-20	1,300.94	1,798.38	1,273.62	3,033.19	2,336.76	9,742.89
Aug-20	1,327.42	1,747.55	1,446.71	2,696.00	2,682.06	9,899.74
Sep-20	1,365.54	1,903.89	1,536.09	2,832.57	2,659.20	10,297.29
Oct-20	1,286.64	1,707.52	1,509.62	2,770.94	2,227.18	9,501.90
Nov-20	1,138.58	1,663.48	1,299.32	2,625.82	1,982.98	8,710.18
Dec-20	1,330.30	1,754.00	1,354.08	2,461.78	2,130.08	9,030.24





REPORT TO: NWRWTP JOINT COMMITTEE

DATE: 29th JANUARY 2021

REPORT BY: CONTRACT MANAGER

SUBJECT: WASTE TRANSFER STATIONS REPORT

1. PURPOSE OF REPORT

- 1.1. To update the Joint Committee on progress on the development of the Waste Transfer Stations in Conwy and Denbighshire, and the resulting impact on the capital funding put aside by Partner Authorities for those developments..

2. BACKGROUND

- 2.1. It was agreed as part of the second Inter Authority Agreement that the development of Waste Transfer Stations (WTS) within Conwy and Denbighshire would be funded by the Partnership as a whole. A financial cap was placed on these developments, which was placed at £2.5m, which was to be split equally between the 5 partner authorities (£500k each) as part of their commitment to the Parc Adfer contract.
- 2.2. Conwy had initially identified a preferred site for a new WTS at Blackmarsh Road, Mochdre which was in local authority ownership and was used as a Highways and Fleet Depot. The intention was that this function would be transferred to a new site as part of project to consolidate a number of operational depots to a single site. This project is currently on hold, meaning the Blackmarsh Road site is not available and further work to identify and secure a new preferred site has been ongoing.
- 2.3. Denbighshire had initially identified a suitable site at Kinmel Park Depot, Bodelwyddan for a waste transfer station for the northern parts of the county. Since that site was identified, Denbighshire has carried out work with WRAP (Waste and Resources Action Programme) modelling future collection scenarios and the preferred waste model is to move a weekly kerbside sort recycling system (from the current “comingled” system) and reduce residual collections to every four weeks. This service change means that the requirements for the transfer of both residual waste and recycling materials changed significantly and needed to be considered together.

3. CONSIDERATIONS

Conwy and Denbighshire Waste Transfer Stations

- 3.1. As previously reported to the Joint Committee, both Conwy and Denbighshire plan on developing their own Waste Transfer Stations (WTS) as described in 2.1 to 2.3.



- 3.2. Both authorities have continued with their plans for the WTS's, with Denbighshire developing a combined recycling bulking and WTS site in Denbigh in order to help facilitate the move to kerbside sort recycling. The development of that site is expected to take place over the next 2 years, and should start receiving waste from spring 2023.
- 3.3. Conwy have since identified a new preferred site, which is within the ownership of the Authority. The provision of a WTS at this site, subject to further due diligence, was approved by Conwy's Cabinet on 24 November 2020.

Welsh Government Capital Funding

- 3.4. Following extensive discussions within the Partnership and with the Welsh Government (WG) in the latter part of 2019, a comprehensive application was submitted to WG for capital funding of the WTS's in early 2020.
- 3.5. It was acknowledged that should the application be successful, it would mean that the £2.5m (£500k per authority) the five partner authorities allocated to fund the residual WTS's for Conwy and Denbighshire would be funded by WG and therefore not be required any longer and the partner authorities would retain their £500k for their own use.
- 3.6. In June 2020, both Conwy and Denbighshire received notification from WG that the applications had been successful. Both authorities are now progressing their plans for developing their WTS's during 2021 and 2022 and beyond. Given the above, the capital funding is no longer required and the Joint Committee's approval is sought to allow the individual authorities to retain their own £500k share of the £2.5m for their own use.

4. RECOMMENDATIONS

- 4.1. The Joint Committee is asked to:-
 1. Note the content of the report.
 2. Formally approve that the £2.5m capital funding for Conwy and Denbighshire's WTS's is no longer required, and the individual authorities (£500k per authority) are able to draw on their share for their own use with immediate effect.

5. FINANCIAL IMPLICATIONS

- 5.1. As outlined within this report.

6. ANTI-POVERTY IMPACT

- 6.1 N/A

7. ENVIRONMENTAL IMPACT

- 7.1 The environmental impact of the Parc Adfer facility has previously been reported to the Joint Committee.



8. EQUALITIES IMPACT

8.1 N/A

9. PERSONNEL IMPLICATIONS

9.1. As described in the body of this report

10. CONSULTATION REQUIRED

10.1 None.

11. CONSULTATION UNDERTAKEN

11.1. As outlined in the report.

LOCAL GOVERNMENT ACCESS TO INFORMATION ACT 1985

Background Documents:

None

Contact Officer: Steffan Owen
Regional Contract Manager
Steffan.r.owen@flintshire.gov.uk

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By virtue of paragraph(s) 14 of Part 4 of Schedule 12A of the Local Government Act 1972.

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