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SOUTH WEST DEVON WASTE PARTNERSHIP

DATE: THURSDAY 5 NOVEMBER 2009
TIME: 11.00 AM
**PLACE: POTTER ROOM, COAVER CLUB, COUNTY HALL,
TOPSHAM ROAD, EXETER**

Members –

Councillor Croad, Chair
Councillor Butt, Vice Chair
Councillors Bowyer, Carroll, Hart and Michael Leaves

Observers –

Councillors Brazil, Doggett and Gordon

Members are invited to attend the above meeting to consider the items of business overleaf

Members and Officers are requested to sign the attendance list at the meeting.

BARRY KEEL
CHIEF EXECUTIVE

SOUTH WEST DEVON WASTE PARTNERSHIP

1. INTRODUCTIONS AND APOLOGIES (Pages 1 - 6)

To introduce attendees and receive apologies for non-attendance submitted by Members.

2. DECLARATIONS OF INTEREST

Members will be asked to make any declarations of interest in respect of items on this agenda.

3. MINUTES (Pages 7 - 10)

To sign and confirm as a correct record the minutes of the meeting held on 16 July 2009.

4. PROJECT UPDATE (Pages 11 - 12)

Members will receive an update on the project from the Project Director.

5. OVERVIEW OF PROJECT COMMUNICATIONS (Pages 13 - 14)

Members will receive an update on recent and proposed project communications.

6. ANY OTHER BUSINESS

The Committee will discuss any other items of business.

7. DATE AND LOCATION OF NEXT MEETING

The next Committee meeting is proposed for 21 January 2010 in Torbay at a venue to be confirmed.

8. EXEMPT BUSINESS

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve the likely disclosure of exempt information as defined in paragraph(s) of Part 3 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

PART II (PRIVATE MEETING)

9. SUMMARY OF THE INVITATION TO SUBMIT DETAILED SOLUTIONS (ISDS) FIRST STAGE SUBMISSIONS AND BIDDERS TO BE SHORTLISTED

Members will be informed of the bidders going through to the ISDS main stage and receive a summary of the solutions submitted by each of the bidders.

10. APPROVAL OF SPECIFIC EVALUATION CRITERIA AND METHODOLOGY FOR JUDGING BIDDERS RESPONSES TO THE INVITATION TO SUBMIT DETAILED SOLUTIONS (ISDS) MAIN STAGE **(Pages 15 - 52)**

Members will receive a summary presentation from the Project Manager explaining the ISDS evaluation process and will be asked to consider an associated decision report submitted to the Joint Committee for the approval of specific evaluation criteria and methodology.

11. REVIEW OF LATEST PROJECT PROCUREMENT PROGRAMME

Members to receive the latest updated project procurement programme.

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AD	Anaerobic Digestion is the break down of organic materials in the absence of oxygen. The carbon content of the material is released as methane or biogas (Similar to landfill gas), rather than carbon dioxide. The gas may be captured and used to generate electricity.
AONB	Area of Outstanding Natural Beauty
BMW	Biodegradable Municipal Waste is the waste collected or disposed of by the Local Authority, which will decompose through the action of living organisms to produce carbon dioxide or methane. It typically represents 68% of all Municipal Waste.
BREEAM	Building Research Establishment Environmental Assessment Model. A system used to measure the impact of non-domestic buildings on the environment.
CapEx	Capital Expenditure
Competitive Dialogue (CD)	Competitive Dialogue is for use in the award of particularly complex contracts where the technical, legal and financial structure cannot be determined and considers the use of the open or restricted procedure will not allow the award of that contract without dialogue with suppliers.
CFT	Call for Final Tenders
CHP	Combined Heat and Power. An energy generating plant which maximises efficiency by recovering usable heat as well as generating electricity.
CIWM	Chartered Institute of Waste Management
Compost	The material that results from the composting process and is a dark, moist soil-like substance that enriches the nutrient content of soil and helps soil structure.
Composting	Composting is the controlled breakdown or decomposition of organic materials under aerobic (ie with air) conditions. High temperature generated during large scale or commercial composting is sufficient to kill harmful bacteria, so it can also be used to treat animal by-products Domestic compostors are very important in terms of waste reduction and produce a good quality compost. They do not reach a sufficient temperature to kill harmful bacteria, however, so they are only suitable for garden and vegetable based food waste.
DEFRA	Department for Environment, Food and Rural Affairs
DEFRA's PFI Criteria	The criteria which waste projects must meet to be considered for PFI credits.
DPD	Development Plan Document
EfW	Energy from Waste. Use of waste material to generate energy.
EoI	Expression of Interest. Initial approach by a contractor to say that they may wish to bid for a forthcoming contract.
Food waste	Food waste is waste that comes from the preparation of food and consists of fruit/vegetable scraps, dairy, meats and breads and other starchy foods.
Gasification	Gasification is the process whereby carbon based waste is heated in the presence of air or steam to produce a chemically stable solid and a gas. This may



	be burned to recover electricity and /or heat.
Gate fee	Gate fee is the amount charged by a waste management contractor at a facility to deal with waste, measured by the tonne.
Green waste	Green waste includes garden trimmings, leaves, shrubs, plants, grass, street trees, or tree trunks, park trees or twigs etc. that arise from households, Council parks and garden maintenance, and commercial premises.
Hazardous waste	Hazardous waste is defined by the Hazardous Waste England and Wales Regulations 2005 and comprises those materials that could pose a threat or risk to public health, safety or to the environment (eg batteries, paints, solvents, engine oils and fluids, cleaners etc).
HHWRC	Household Waste Recycling Centre, also known as Civic Amenity Site Facilities. Public recycling or waste disposal facilities for household waste.
Incinerator Bottom Ash (IBA)	Incinerator Bottom Ash is the ash which remains in the incinerator furnace after combustion. This material is discharged from the grate to be quenched in a water bath prior to further processing or disposal.
ISDS	Invitation to Submit Detailed Solutions
ISOS	Invitation to Submit Outline Solutions
ISRS	Invitation to Submit Revised Solutions
JWA	Joint Working Agreement
Kerbside recycling	Kerbside recycling is where materials for recycling are collected from individual households by the waste collection authority or their contractors
Landfill	Landfill is a site where waste is disposed of by burying it. Sites are prevented from contaminating the surrounding environment by means of a plastic and clay liner and leachate* collection systems with strict pollution controls, Modern landfill sites collect methane gas and often use it for electricity generation. However a large proportion of the gas will escape from the site during operation or following closure when it is no longer practicable to collect and burn the gas. Methane from landfill is a significant contributor to greenhouse gas emissions.
LATS - Landfill Allowance Trading Scheme	LATS is a government scheme arising from the Waste and Emissions Trading Act to ensure the UK meets the European Landfill Directive that allocates a decreasing allowance for local authorities landfilling biodegradable waste (BMW). If this target is exceeded, councils must either purchase permits from other authorities or pay considerable penalties, which could result in increased council tax bills.
*Leachate	Leachate is a hazardous liquid solution that forms as water percolates through waste, such as rain falling on refuse in a landfill. It may contain any chemicals that can be dissolved, particles, and even live micro-organisms. Leachate entering surface water can cause serious environmental damage. If leachate contaminates ground water the effect is long lasting and little can be done to decontaminate the aquifer.
Local Development Framework (LDF)	LDF is a set of documents that will shape planning and development for a local authority area for the longer term, eg Plymouth's LDF will run until 2021.



MBT	Mechanical Biological Treatment. MBT systems combine the mechanical sorting of materials for recycling and the biological treatment of the remaining waste that will have a high organic content. MBT may use composting or anaerobic digestion to treat the remaining waste.
MRF - Materials Reclamation (or Recovery) Facilities	MRF is a centre that receives and separates recyclable materials such as plastic, steel, aluminium and paper collected from household recycling bins. Recyclable materials at a MRF are separated and sent away to be processed into new products.
Municipal Solid Waste (MSW)	MSW is household waste (and some commercial and industrial waste) that is under the control of the Local Authority. This includes a wide range of waste such as regular kerbside collections or deliveries to a waste facility. MSW also includes other types of waste such as bulky household waste (e.g. appliances, furniture and residential garden waste), household hazardous waste or waste generated from local Council operations (e.g. waste from street sweeping, litter bins and parks).
OBC	Outline Business Case. The document produced by the Waste Partnership to support its application. The OBC showed that a proposed facility was required, and could be sited in an appropriate location, providing an effective and affordable means of treating residual waste.
Private Finance Initiative (PFI)	PFI is a partnership between the public and private sector and provides a way of funding major capital investment without immediate repayment from the Government. Typically, a PFI project involves a contract of 25 – 30 years.
PIN	Prior Information Notice
PPP	Public Private Partnership
PQQ	Pre-qualification Questionnaire
Pyrolysis	The heating of waste in a closed environment (i.e. in the absence of oxygen) to produce a secondary fuel product and a carbon char which may then be subjected to gasification.
Recyclables	Recyclables are generally those materials that can be recycled into the same or new products. Currently these include glass, metals, paper, cardboard, textiles and other materials as well as some plastics. Recyclables are often referred to as those materials that are placed in household recycling bins and collected through Council collections. Recyclables can also be collected from public place recycling bins and recycling bins used by commercial premises.
Recycling	Recycling is the process where recyclable materials (e.g. paper, plastic, glass, metal, aluminium, steel etc.) are converted into new products, which are suitable to replace the same or new products made from virgin materials (eg waste paper and cardboard into new paper and cardboard, aluminium soft drink cans into new aluminium products, plastic bottles into plastic utensils etc.).
Recycling Bring Banks	Local public recycling facilities eg bottle or paper banks typically situated in car parks, supermarkets etc.
Refuse-Derived-Fuel	RDF is a fuel made from (municipal) solid waste. RDF typically consists of pelletised or fluff MSW that is the by-product of a material recovery operation or

Glossary and Abbreviations



(RDF)	MBT, whereby the majority of the non-combustible materials such as rocks, glass and metals are removed, and the remaining combustible portion of the solid waste is dried and chopped or shredded.
Reference Project	This is a theoretical model or plan that describes how the project might take shape. It is designed to show that all factors have been taken into account so it uses real facts and figures. It covers elements such as the scope and content of the project, the cost and time frames involved, and environmental factors.
Residual Waste	Residual waste is the material in people's rubbish bins after they 'do the right thing' through reducing, re-using, recycling, home composting and/or garden waste collections and waste delivered to recycling centres of MRFs which is unsuitable for recycling.
RNAD	Royal Navy Armaments Depot
Resource Recovery	Resource Recovery is a process that takes out anything of any value from the waste stream, which could be anything from steel to aluminium, glass to paper.
Strategic Waste Management Facility	A Strategic Waste Management Facility is used to treat, keep and / or dispose of waste, which is usually the hub of a larger set up.
SWDWP	South West Devon Waste Partnership. The partnership of Plymouth City Council, Devon County Council and Torbay Council.
Transfer stations	Transfer stations are facilities where collection vehicles deposit waste and/or recyclables collected from elsewhere. Waste or recyclables taken to a transfer station may be loaded into bulk haulage vehicles or compacted before being transported usually by haulage to a landfill site or resource recovery facility. Transfer stations can also include recycling facilities.
TUPE	Transfer of Undertakings Protection of Employment Regulations. A legal requirement that means where a service such as waste disposal is transferred to a different contractor, the jobs and service conditions of any personnel who were employed to deliver that service must be transferred to the new contractor.
Unitary Charge	Unitary charge is the annual payment made to the PFI contractor for undertaking the services within the PFI contract.
Waste Collection Authority (WCA)	The Waste Collection Authority is the local council charged with a statutory duty for the collection of municipal waste.
Waste Development Plan Document (Waste DPD)	The Waste DPD is a document prepared as part of the Local Development Framework and looks at possible locations and policies for future waste management facilities.
Waste Disposal Authority (WDA)	The Waste Disposal Authority is the body or council that has the statutory duty to manage the treatment and disposal of the waste that is collected by the Waste Collection Authority. They also provide and manage recycling centres, and act as the waste planning authority, considering all planning applications associated with

Glossary and Abbreviations



	waste management activities.
Waste Local Plan	The Waste Local Plan is a document that identifies possible locations for future waste management facilities.
Waste minimisation	Waste minimisation means those activities that aim to reduce the amount of waste that is generated and the amount of waste that is disposed of or land filled. Waste minimisation includes avoiding and/or reducing the generation of waste in the first place, reusing waste, recycling waste and recovering waste through resource recovery.
Waste stream	Waste stream is the flow or movement of wastes from the point of generation (ie household or commercial premises) to final disposal (ie landfill). A waste stream may reduce significantly over time as valuable items are separated for recycling and are recovered through resource recovery.

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South West Devon Waste Partnership

Thursday 16 July 2009

PRESENT:

Councillor Michael Leaves, in the Chair (minute numbers 1 – 3)
Councillor Croad, in the Chair (minute numbers 4 – 12)
Councillor Butt, Vice Chair.
Councillors Bowyer and Hart.

Observer members: Councillors Brazil, Doggett and Gordon

Apologies for absence: Councillors Carroll and Brazil

The meeting started at 11.00 am and finished at 12.30 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

1. INTRODUCTIONS AND APOLOGIES

Councillor Michael Leaves welcomed members to the meeting.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. APPOINTMENT OF CHAIR AND VICE-CHAIR

Resolved that in accordance with the Joint Working Agreement Schedule C clause 4 –

- (1) Councillor Roger Croad be appointed as Chair until the first meeting of the Joint Committee after the 1st May 2010;
- (2) Councillor Dave Butt be appointed as Vice-Chair until the first meeting of the Joint Committee after the 1st May 2010.

4. MINUTES

Resolved that the minutes of the meeting of the South West Devon Waste Partnership Joint Committee held on Wednesday 14 January 2009 are confirmed as a correct record.

5. PROJECT UPDATE

The Partnership received an update from Mark Turner, Project Director on the progress of the project so far and members were informed that –

- (i) since the last meeting of the Partnership the procurement process had moved on considerably, the market had been Invited to Submit Outline Solutions (ISOS), the outline solutions had been received, evaluated and participants (bidders) short listed;
- (ii) the ISOS stage had now reached a conclusion and the results would be presented to the Committee as part of Exempt Business prior to formal notification to participants and information release to the public;

- (iii) investigation and negotiations had continued with a potential user of heat from the potential solution;
- (iv) there had been a number of public engagements with the community and in particular with a group called STIFLE (Stop the Incinerator Fouling Land at Ernesettle) who were opposed to the possible site at Ernesettle. There are also public roadshows being planned for the coming months.

6. EVALUATION PROCESS USED TO REVIEW AND SHORTLIST OUTLINE SOLUTIONS

The Partnership received a summary presentation from Martin Pollard, Project Manager on the agreed evaluation criteria and the process used to rank the outline solutions submitted by bidders and members were informed that –

- (i) the Invitation to Submit Outline Solutions (ISOS) bid evaluation procedure was approved by the Partnership Committee on 14 January 2009;
- (ii) it was agreed that three participants would be shortlisted with the option to shortlist a fourth;
- (iii) there had been nine solutions submitted; these were all checked in line with the initial evaluation criteria tests for completeness, affordability, if they contained a thermal element and the biodegradable municipal waste percentage going to landfill;
- (iv) all bids that had been submitted passed the initial evaluation criteria tests;
- (v) each outline solution submitted was then formally evaluated by the Partnership project team against the agreed detailed ISOS evaluation criteria and given a quality score which then formulated the final score which also considered gate fee (price);
- (vi) the process was witnessed and fully audited by a member of the Devon Audit Partnership who had confirmed that the process had been robustly followed and the final score of each solution was valid.

7. ANY OTHER BUSINESS

There were no items of any other business.

8. DATE AND LOCATION OF NEXT MEETING

Resolved that the next meeting will be held at 11am on Thursday 5 November 2009 at County Hall, Devon County Council, Exeter.

9. EXEMPT BUSINESS

Resolved that, under Section 100(A)(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

10. **RESULTS OF EVALUATION OF OUTLINE SOLUTIONS AND THE SHORT LISTED BIDDERS**

Mark Turner, Project Director and Martin Pollard, Project Manager presented a summary of the results from the evaluation process and the bidders' short listed to proceed to the detailed solution stage and members were informed that –

- (i) all bidders submitted a solution that included Ernesettle as its site, with three participants also submitting a variant bid on an alternative site;
- (ii) the three participants with the highest scoring solutions were MVV Umwelt, SITA UK and Viridor and they would be invited to take forward 5 solutions in total;
- (iii) a fourth participant could also be invited.

Resolved that –

- (1) three bidders proposing five solutions would be taken forward to the Invitation to Submit Detailed Solutions (ISDS) stage of the procurement process. The participants being MVV Umwelt, SITA UK and Viridor;
- (2) there would be a press release informing the public which bidders' would be going forward to the ISDS stage.

11. **SUMMARY OF OUTLINE SOLUTIONS SUBMITTED BY BIDDERS**

Mark Turner, Project Director and Martin Pollard, Project Manager presented a summary of the outline solutions proposed by each of the short listed bidders' and members were informed that –

- (i) the Ernesettle site was the reference case site in the outline business case but that the Partnership was open to other site options;
- (ii) MVV Umwelt and SITA UK had each submitted an energy from waste solution located at the Ernesettle site;
- (iii) MVV Umwelt and SITA UK had also each submitted a variant solution proposing an energy from waste facility located on sites within HM Naval Base Devonport;
- (iv) Viridor had submitted an energy from waste solution located on the New England Quarry site at Lee Mill; a site that is owned by Viridor.

12. **APPROVAL OF SPECIFIC EVALUATION CRITERIA AND METHODOLOGY FOR JUDGING BIDDERS RESPONSES TO THE INVITATION TO SUBMIT DETAILED SOLUTIONS (ISDS) FIRST STAGE**

Mark Turner, Project Director and Martin Pollard, Project Manager introduced the report on 'approval of specific evaluation criteria and methodology for judging bidders' responses to the Invitation to Submit Detailed Solutions' First Stage'. In addition to the detailed overview of the report the partnership was informed that –

- (i) this report was in accordance with the SWDWP Joint Working Agreement, in that it required members to understand, influence and agree all criteria that was to be used to assess and evaluate detailed solutions;
- (ii) the scoring weightings had been amended to make the detailed solutions submitted relevant and viable to the ISDS stage.

Resolved that –

- (1) the evaluation procedure, criteria and scoring methodology as set out in the report is approved;
- (2) the finalisation of the Bid Evaluation Procedure document (annexed to the report) is delegated to the South West Devon Waste Partnership Project Executive.

SWDWP Joint Working Committee meeting - 5th November 2009
Project update report

16th July – Agreement of shortlisted bidders (Participants) to proceed through to the Invitation to Submit Detailed Solutions (ISDS) First Stage

In July 2009 three companies and five solutions were shortlisted by the Partnership to go forward to the ISDS First Stage.

The private companies that were shortlisted and invited to submit more detailed solutions were:

- MVV Umwelt
- SITA UK
- Viridor

The shortlisted proposals involve facilities based at four locations; Ernesettle, HM Naval Base Devonport North Yard, HM Naval Base Devonport South Yard and New England Quarry. MVV Umwelt and SITA have offered proposals for both Ernesettle and Devonport whilst Viridor has put forward its own site at New England Quarry.

August and September 2009 – Ongoing dialogue with Participants

Throughout August and September the Partnership had regular dialogue and update meetings with the Participants to develop their solutions further with particular focus on site deliverability, planning and energy sales arrangements. Similar dialogue meetings will continue throughout the procurement process until the Partnership Call for Final Tenders (CFT).

15th August 2009 – 1 day Public Exhibition

As part of the ongoing public information and communication process, the Partnership held a one day event in the Guildhall Plymouth to provide an update on the project. The event provided a brief project update to the public prior to a more comprehensive series of roadshows across the SW Devon region in November. Over 200 people attended the briefing to ask questions about the proposals, including the potential locations, technology and timescale for the project.

2nd October 2009 - Participants submitted their updated solutions in response to the Invitation to Submit Detailed Solutions (ISDS) First Stage

On the 2nd October the Invitation to Submit Detailed Solutions First Stage submissions were received. The Partnership has been reviewing the proposals during October against the Partnership's requirements. The shortlisted solutions and bidders to proceed through to the ISDS main stage will be reviewed by the Joint Working Committee on the 5th November in Part II prior to this information being formally released into the public domain on the 6th November.

9th October 2009 – MP briefing

The partnership held a MP briefing on the 9th October to provide an update on the project. All MP's from the Partnership area were invited. Alison Seabeck, Gary Streeter and Hugo Swire attended.

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SWDWP Joint Working Committee meeting - 5th November 2009
Recent and Forthcoming Communication Programme

- 2nd Oct** **ISDS First Stage submissions received**
- 9th Oct** **MP briefing meeting**
 All MP's were invited with Alison Seabeck, Gary Streeter and Hugo Swire attending.
- 6th Nov (am)** **All Partnership Councillors informed of the companies going through to the ISDS main stage**
 All councillors will be informed via email of the successful participants.
- 6th Nov (pm)** **Press release**
 A press release will be issued by the Partnership detailing the participants going through to the next stage of the procurement
- Other key stakeholders informed**
 Key stakeholders such as the Environment Agency will be informed of the participants going through to the next stage of the procurement
- 6th Nov** **All Councillor briefing at Devon County Hall in Exeter**
 All Partnership Councillors have been invited to a briefing on the project in Exeter. These meetings take place every 3 months approx and rotate around the three partnership locations.
- 9th Nov** **Public exhibitions commence**
 A series of public exhibitions have been organised. These will take place from the 9th November to the 14th November. Locations are as follows:
- 9th November 5pm - 8pm at Ernesettle Community School, Biggin Hill, Ernesettle, Plymouth
 - 10th November 4pm - 8pm at Torbay Town Hall, Castle Circus, Torquay
 - 11th November 4pm - 8pm at City College Plymouth, Kings Rd, Devonport, Plymouth
 - 12th November 5pm - 8pm at Ashtorre Rock, Waterside, Old Ferry Rd, Saltash
 - 13th November 4pm - 8pm at The Watermark, Leonards Rd, Ivybridge
 - 14th November 10am - 2pm at Plymouth Guildhall

These events will be advertised in the local media and a press release will be issued by the partnership.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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