

South West Devon Waste Partnership

Thursday 21 January 2010

PRESENT:

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

Observer Members: Councillors Doggett and Gordon

Apologies for absence: Councillor Julian Brazil

The meeting started at 11.00 am and finished at 12.50 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.

24. INTRODUCTIONS AND APOLOGIES

Councillor Roger Croad welcomed members to the meeting.

25. DECLARATIONS OF INTEREST

There were no declarations of interest.

26. MINUTES

Resolved that the minutes of the meeting of the South West Devon Waste Partnership Joint Committee held on Thursday 5 November 2009 are confirmed as a correct record.

27. PROJECT UPDATE

The Partnership received a Project Update Report from the Project Director. Members were informed that –

- (i) following the last meeting of the Partnership the ISDS main stage documents were issued to the three successful participants;
- (ii) throughout the past three months the Partnership and the three participants have had regular ongoing dialogue meetings to develop their detailed solutions which were to be submitted in March 2010;
- (iii) it was publicly announced on 8 January 2010 that SITA, one of the three remaining participants, had formally withdrawn their solution from the procurement process;
- (iv) SITA's withdrawal had left two participants, MVV and Viridor, proposing three solutions at Ernesettle, North Yard Devonport and the New England Quarry site;
- (v) Viridor have submitted a planning application for their proposed site at New England Quarry on 19 January 2010;
- (vi) the Partnership have held a series of public exhibitions over the past three months.

Resolved that the Project Director arrange for the Partnership to visit the three proposed sites submitted as solutions from the two remaining participants.

28. OVERVIEW OF PROJECT COMMUNICATIONS

The Partnership received a Roadshow and Community Engagement Report and an overview of recent and forthcoming communications from the Project Director. Members were informed that –

- (i) during November and December 2009 the Partnership had held seven public roadshows in Plymouth, Torbay, Devon and Saltash;
- (ii) the roadshows allowed the Partnership the opportunity to explain the procurement and planning processes involved in awarding the final waste contract;
- (iii) the Environment Agency were present at each of the roadshows and their attendance proved very useful in answering questions from the public about the future waste treatment process, reassuring them that it was safe and explaining how it would be regulated;
- (iv) the roadshows had been successful and were attended by over 200 people in total. Most of the issues raised related to –
 - the site location;
 - transport links and congestion;
 - emissions and potential health impacts;
- (v) over the past three months the Partnership had received 17 written enquiries relating to the project. The topics discussed varied from energy from waste emissions to the PFI contract;
- (vi) a recent email letter had been sent to all councillors from STIFLE highlighting various opposition issues. It was confirmed that the Partnership project team would be responding to this e-mail in the next day or so from a technical point of view and that this would be copied to all councilors.

The Partnerships Communications Adviser gave a presentation on recent and upcoming communications. Members were informed that –

- (vii) the Partnership is being proactive in its approach to dispelling myths and gathering opinions on the waste contract through a number of avenues, including roadshows, briefings and its website;
- (viii) the Partnership are ensuring that the public were being heard by answering queries, holding roadshows and responding to opposition groups;
- (ix) all enquiries received by the Partnership followed a set procedure to ensure a consistent response was being given;
- (x) the website was continuously being reviewed and updated with frequently asked questions to enable complex information on the project to be readily available;
- (xi) the Partnership was regularly providing briefings to MP's, Elected Members, the Media, the Environment Agency and Statutory Planning Organisations;
- (xii) Viridor had held meetings, roadshows, briefings and had developed a website

and distributed leaflets around the Ivybridge and Lee Mill areas to make the public aware of their proposals;

- (xiii) MVV Umwelt had a company website and were now planning public roadshow events to make the public aware of their proposals.

Members were further informed that the Detailed Solutions (ISDS) would be submitted by the two remaining participants by 5 March 2010.

Resolved that the Project Director respond to STIFLE's email on behalf of the Partnership.

29. **ANY OTHER BUSINESS**

Councillor Butt informed the Committee that Torbay Council would like to offer to run a joint scrutiny review of behalf of the three authorities.

Members of the Partnership commented that –

- (i) each authority should be represented on the scrutiny review;
- (ii) the review should ideally take place during the summer;
- (iii) the exact format and scope of the review would need to be decided but the review should focus on the procurement process and not scrutinise the planning process, the site locations or the chosen participants.

Resolved that a report be submitted to the next meeting of the Partnership on the viability of holding a joint scrutiny review.

30. **DATE AND LOCATION OF NEXT MEETING**

Resolved that the next meeting will be held at 10am on Thursday 15 April 2010 in Plymouth at a venue to be confirmed.

31. **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.

32. **OVERVIEW OF CURRENT SOLUTIONS AND BIDDERS INVITED TO SUBMIT DETAILED SOLUTIONS (ISDS)**

The Project Director and the Project Manager gave a detailed verbal update on the detailed solutions proposed by each of the short listed bidders.

33. **REVIEW OF PROCUREMENT STRATEGY OPTIONS**

The Project Director presented a Revised Procurement Strategy and Options Report and explained that –

- (i) SITA's recent withdrawal had not unduly affected the procurement as the Partnership were planning to take only two participants forward from the ISDS stage anyway;
- (ii) the ISDS stage now allows the Partnership to evaluate and review the participants' solutions without having to de-select although the option to deselect a solution is still available should a solution not meet minimum

acceptance levels;

- (iii) SITA's withdrawal has allowed the Partnership to review its procurement strategy and there are three options for how to move forward, these are –
- to continue with full submissions at ISDS stage prior to completing competitive dialogue;
 - remove the ISDS stage and continue solely with competitive dialogue process to completion;
 - to require a partial submission at ISDS stage focusing on key issues and information prior to completing competitive dialogue process .

Resolved to endorse the partial submission at ISDS stage prior to completing the competitive dialogue option.

34. **REVIEW OF PROJECT PROCUREMENT PROGRAMME AND PROJECT BUDGET**

The Project Director presented a current and revised Project Programme on the procurement process and explained that –

- (i) the implementation of the partial ISDS stage and dialogue would bring forward the procurement process by two months;
- (ii) the two months that had been brought forward had been reflected in the revised project programme, showing that the preferred bidder announcement had been moved from March 2011 to January 2011.

Resolved to endorse the revised project programme.