

South West Devon Waste Partnership

Thursday 22 July 2010

PRESENT:

Councillor Croad, in the Chair (Minute Number 1 – 3)
Councillor Butt, in the Chair (Minute Number 4 – 15)
Councillor Michael Leaves, Vice Chair.
Councillor Hart.

Observer Members:

Councillor Vincent.

Apologies for absence: Councillors Bowyer, Brazil, Carroll and Doggett

Also in attendance:

Peter Smith, Health Protection Practitioner, Health Protection Agency; Kate Spencer, Scrutiny Lead Officer, Torbay Council; Mark Turner, Project Director; Martin Pollard, Project Manager; Anthony Payne, Director for Development and Regeneration (Plymouth City Council); Ben Jennings, County Waste Manager (Devon County Council); Sally Farley, (Torbay Council); Charles Uzzell, Environment Commissioner (Torbay Council), Rachel Galbraith, PFI Project Co-ordinator; Ross Johnston, Democratic Support Officer (Plymouth City Council)

The meeting started at 10.00 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 Roger Croad welcomed members to the meeting.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. APPOINTMENT OF CHAIR AND VICE-CHAIR

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

- (1) Councillor Dave Butt be appointed as Chair until the first meeting of the Joint Committee after the 1 May 2011;
- (2) Councillor Michael Leaves be appointed as Vice-Chair until the first meeting of the Joint Committee after the 1 May 2011.

4. MINUTES

Agreed that the minutes of the meeting of the South West Devon Waste Partnership Joint Committee held on Thursday 22 April 2010 are confirmed as a correct record.

5. CHAIR'S URGENT BUSINESS

OBSERVER MEMBERS

The Chair referred to Councillors Brazil, Doggett and Vincent who had been appointed as

observers to the South West Devon Waste Partnership and indicated that he would welcome the views of the councillors on agenda items.

Agreed that approval is given for the councillors appointed as observers to the South West Devon Waste Partnership, to participate on agenda items in all meetings.

6. PROJECT UPDATE

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

- (a) the Partnership recently undertook a visit of the Veolia EfW facility at Marchwood, Southampton in order to provide members with an insight into how an EfW facility operated;
- (b) a site visit was undertaken by the Partnership to the Viridor/Grundon EfW facility at Lakeside, Slough. This visit allowed the Partnership to review Viridor's role in the development and operation of the facility;
- (c) local MPs were provided with an update on the project at a recent MPs briefing. Three MP's attended;
- (d) the Project Delivery Team had commenced engagement with Defra's Waste Infrastructure Development Programme (WIDP) Commercial Unit to review negotiated commercial positions within each bid. Defra's sign-off that positions are acceptable needs to be in place before the Partnership can close the Competitive Dialogue process, currently scheduled to close during September 2010.

Members commented that the Marchwood visit had been very useful and the way that the process of the plant was explained should be considered by the Partnership in future public roadshows when explaining issues to members of the public.

7. OVERVIEW OF PROJECT COMMUNICATIONS

The Project Director presented a report on recent and upcoming communication activity. Members were informed that –

- (a) four public roadshows were held in June and July allowing local residents to receive an update on the project and ask questions to Partnership Officers and technical experts from the Health Protection Agency and the Environment Agency (EA). The main concerns raised by residents were –
 - traffic and increased congestion;
 - potential health implications;
 - height of the stack;
 - potential light and noise pollution;
 - potential impact on recycling;
- (b) the Partnership had given the EA a three monthly update on the procurement process;
- (c) the Partnership had attended a meeting of CAVIL, a local opposition group, in Ivybridge. This was a helpful meeting as it provided an opportunity to listen to

their concerns and provide explanatory information regarding the project and wider waste management policies;

- (d) over the past three months there had been five written enquiries and two Freedom of Information requests; the written communications received by the Partnership were technical in nature; the Partnership had provided a response to all enquiries;
- (e) there is an all councillor briefing session scheduled to be held in Exeter on 27 July 2010 to provide councillors with an update on the project and processes.

8. PRESENTATION BY THE HEALTH PROTECTION AGENCY

The Partnership received a presentation from the Health Protection Agency (HPA) on energy from waste facilities. In attendance to present to the Partnership was Peter Smith, Health Protection Practitioner from the South West Peninsula Health Protection Unit. Members were advised that –

- (a) the function of the HPA was to "to protect the community (or any part of the community) against infectious diseases and other dangers to health" (HPA Act, 2004);
- (b) the HPA identify and respond to health hazards and emergencies and give advice to the public on how to stay healthy and avoid health hazards. It also provides data and information to government to help inform its decision making;
- (c) particulates and dioxins are already part of the environment and are naturally present in the atmosphere, however, manmade actions including EfWs can increase their levels;
- (d) an EfW stack height limits the concentration of any pollutants on the ground as emissions are dispersed and diluted in the air such that increases are limited to a maximum of 1% on the ground which wouldn't pose a threat to humans;
- (e) EfW facilities contribute to dioxins being produced into the atmosphere but the amount is very limited. For example, based on 2004 data, fireworks let off in the UK accounted for 14% of the UK's dioxin levels, EfW facilities in comparison accounted for 0.53%;
- (f) EfW facilities also contribute to particulates in the atmosphere but the amount is also very limited. For example, based on 2004 data, road transport in the UK accounted for 15% of the UK's fine particle levels, EfW facilities in comparison accounted for 0.05%;
- (g) taking all pollutants into account from EfW facilities the HPA state that "Provided the plant complies with the requirements of the statutory environmental permitting process there is no evidence that emissions will cause adverse health effects in the local population";
- (h) the HPA also state that "no absolute assurance of a zero effect on public health can be provided, but modern incinerators emit only small amounts of chemicals to air and the additional burden on the health of the local population is likely to be very small".

Following questions from members it was reported that –

- (i) there wasn't an increased risk to people with respiratory problems in near EfW locations as the percentage of particulates in the atmosphere was not

significant;

- (j) currently there are air quality standards in the UK for PM10s, but there are plans for a standard to be introduced for PM2.5s by 2020;
- (k) air quality and air dispersion modelling undertaken as part of the planning and permit approval process will need to consider topography and atmospheric conditions local to any proposed site.

The Chair thanked Peter Smith, Health Protection Practitioner for his attendance.

Agreed that a report be presented to the next meeting of the Partnership Committee comparing impacts of EfW technology against landfill and other technologies in a format that can be used for public information.

9. **JOINT SCRUTINY REVIEW**

The Partnership received an update on the joint scrutiny review from Kate Spencer, Scrutiny Lead Officer at Torbay Council. Members were advised that –

- (a) on the 21 July 2010 the first joint scrutiny review was held to discuss the scope of the review and agree a project plan. It was felt that the scrutiny process could add value and provide a check and balance to the project;
- (b) it was hoped that the scrutiny project would be concluded by September 2010 and in order to achieve this deadline a schedule of meetings would be confirmed to take place throughout August.

The Chair thanked Kate Spencer, Scrutiny Lead Officer for her attendance.

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

This item was taken under Part II.

11. **EXEMPT BUSINESS**

Agreed 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.

12. **OVERVIEW OF CURRENT SOLUTIONS AND BIDDERS INVITED TO CONTINUE CALL FOR FINAL TENDER (CFT) (E3)**

The Project Director gave an update including a short presentation on the key developments and changes of each solution proposed by the short listed bidders. Members were informed that –

- (a) the Competitive Dialogue process had continued over the last three months to refine the participants proposals to the acceptance of the Partnership and meet the Partnership's needs;
- (b) dialogue was still ongoing;
- (c) MVV had submitted their scoping report to Plymouth City Council Planning department;
- (d) Viridor had submitted their planning application in January 2010 and had recently received consultation responses from Devon County Council planners

which they were working at answering.

13. **APPROVAL OF SPECIFIC EVALUATION CRITERIA, WEIGHTINGS AND METHODOLOGY FOR JUDGING BID SOLUTIONS IN RESPONSE TO CALL FOR FINAL TENDERS (E3)**

The Project Director and the Project Manager presented a report and presentation on 'approval of specific evaluation criteria and methodology for judging bidders' responses to the Call for Final Tender'. The partnership was informed that –

- (a) the 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 Call for Final Tenders (CFT) stage;
- (b) the latest scoring weightings were within the banding levels agreed at the beginning of the procurement.

Agreed that –

- (1) the evaluation procedure, criteria and scoring methodology as set out in the report which will be used to assess the bids submitted by participants as part of the CFT stage is approved;
- (2) the finalisation of the CFT Bid Evaluation Procedure document (annexed to the Part II report) is delegated to the South West Devon Waste Partnership Project Executive.

14. **PROPOSED REVISED PROJECT PROCUREMENT AND CONTRACT SIGN-OFF PROGRAMME (E3)**

The Project Manager gave a presentation summarising the contract finalisation and sign-off process for Member's information and the Project Director presented the current and a proposed revised Project Programme to the end of the procurement process. The project Director explained that, in order to meet the deadlines of selecting the preferred bidder and receiving approvals from the three authorities Executive's and WIDP of the final business case, it was necessary to bring the Partnership Committee meeting in January 2011 forward to December 2010 to meet the proposed project schedule.

Agreed to –

- (1) endorse the revised project programme;
- (2) distribute copies of all presentations given at Partnership meetings to all members two days prior to the meeting;
- (3) receive a more detailed programme at the next Partnership Committee meeting setting out the various approval and sign-off stages and roles.

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

Agreed that –

- (1) the next meeting will be held at 10am on Thursday 28 October 2010 in Torbay at a venue to be confirmed;
- (2) the meeting scheduled for 27 January 2010 would be brought forward to take place on 16 December 2010;

- (3) an additional meeting would be organised for November 2010 after final tenders were received.