



# Residual Waste Working Group Fallback Strategy

2pm-4pm Wednesday 4<sup>th</sup> September 2013  
Meeting Room 5 - Shire Hall

## AGENDA

1. **Chairman's introductions**
2. **Apologies**
3. **Introduction and Context Setting**
4. **The draft terms of reference**
5. **Proposed work programme**
6. **Date of next meeting**

**Membership:** Chairman David Jenkins, Cllr Tim Harman, Cllr Sarah Lunnon, Cllr Tracy Millard, Cllr Patrick Molyneux, Cllr Brian Oosthuysen, Cllr Alan Preest, Cllr Simon Wheeler, Cllr Bill Whelan

**Officers:** Duncan Jordan, Lisa Pritchard, Sidgorée Nelson

## **Residual Waste Working Group: Fallback Strategy**

### **Draft Terms of Reference for consideration at the first meeting of the Working Group**

#### **Summary**

The county council has a legally binding contract with Urbaser Balfour Beatty (UBB) for the treatment of Gloucestershire's residual waste. As identified by the county council and in line with best practice, a fallback strategy should be developed in the event the residual waste solution proposed by UBB cannot be delivered.

#### **Background**

In February 2013, the residual waste contract for the delivery of an energy from waste (EfW) facility was signed by the county council with UBB. Their planning application for an energy from waste (EfW) facility at Javelin Park was refused by the county council's planning committee in March 2013. In May 2013 the Environment Agency issued the environmental permit for the operation of the EfW facility at Javelin Park. On 18 June 2013 UBB submitted a planning appeal to the Secretary of State. The start date of the planning inquiry is 19 November 2013; this is programmed to run for five weeks until 28 January 2014. It is anticipated that the outcome of this will not be known until mid to late 2014.

As part of the county council's robust strategic planning, we are seeking to develop a fallback strategy in the event that the contract with UBB fails.

*"This Council should immediately establish a 'Plan B' cross-party working group to consider alternatives to the current proposals for a waste incinerator at Javelin Park, to be made available in the event that the Council's current contract proposal with UBB ultimately fails"*  
(Council Motion, 15 May 2013).

#### **Purpose**

As resolved by the county council, this working group, will advise the county council on the approach to managing Gloucestershire's residual waste and in turn the fallback strategy in the event that the residual waste contract with UBB to deliver energy from waste at Javelin Park, fails. It is important that the group has time to reach a fully considered and balanced position on the options for this strategy. Accordingly, all matters relating to waste in Gloucestershire and the development of an effective and economic fallback strategy should be within the scope of the work of this group. To this end the group will:

- be supported by officers from the Residual Waste team, the Joint Waste Team, Waste Planning and Democratic Services;

- be provided with comprehensive information relating to waste in Gloucestershire
- be provided with potential ways of delivering affordable solutions to meet our waste needs; and
- be given as much time as necessary to fully understand all the issues.

The group exists in an advisory capacity and does not have decision making powers. The group will need to ensure that due caution is applied so that the scope of the group's work and its governance arrangements do not prejudice the current residual waste contract with UBB, their planning appeal, or indeed prejudice any future procurement.

### **Scope of the Working Group**

The scope of the working group will include:

- To understand the European and UK legislation and policy in relation to the management and treatment of municipal waste and climate change.
- To understand the waste challenge in Gloucestershire, the roles and responsibilities of the seven local waste authorities and the differences between municipal, commercial and industrial waste.
- To understand the waste management strategy for reduction, re-use, recycling and recovery including local authorities' current service, future plans and targets.
- To understand the content and context of the Gloucestershire Waste Core Strategy including how the strategic sites were established, and the disposal of waste out of county.
- To understand the technology options available to manage Gloucestershire's residual waste:
  - Review and consider all technology options available to manage and treat residual waste that can offer an affordable and deliverable solution for Gloucestershire.
  - Consider risks and costs associated with different technologies including markets for the residues from processing and material classification for onward treatment or disposal.
- To review best practice and experience of other authorities and countries.
- To understand procurement rules and options, contract structure, risk transfer and value for money.

- To understand all of the factors that need to be considered when developing a fallback strategy.

## Outside of Scope

As determined by the resolution of the county council, the scope of the group's work is specifically to "...*consider alternatives to the current proposals for a waste incinerator at Javelin Park...*" and make its conclusions "...*available in the event that the council's current proposal with UBB ultimately fails.*" (Council Motion, 15<sup>th</sup> May 2013)

Therefore, all matters related to the contract between UBB and the county council, and UBB's planning application and appeal to the secretary of state, are out of scope of the working group.

## Outcomes

To make recommendations for a fallback strategy to dispose of Gloucestershire's residual household waste in the event that the contract with UBB fails.

## Membership, and governance arrangements

Membership of the group will comprise:

<b>Group affiliation</b>	<b>Name</b>
2 Conservative county councillors	Tim Harman, Patrick Molyneux
2 Liberal Democrat county councillors	Simon Wheeler, Bill Whelan
2 Labour county councillors	Tracy Millard, Brian Oosthuysen
1 UKIP county councillor	Alan Preest
1 Independent county councillor	Sarah Lunnon

David Jenkins has been appointed as the independent chair for the group.

Duncan Jordan, Chief Operating Officer, will be the Lead Director. Officers (residual waste, joint waste, waste planning and democratic services,) will provide professional advice. Democratic Services will act as the secretariat for the working group.

Independent advisors and/or expert witnesses will be sought at appropriate points in the review process.

## Residual Waste Working Group: Fallback Strategy

### Proposed Work Schedule

Meeting	Date	Area & description
1	4 September 2013	<p><b>Session 1: Purpose of the Group</b></p> <p>Context setting for the group            Agree the Terms of Reference for the Working Group            Agree the draft Schedule of Work</p>
		<p><b>Session 2 and 3: Waste Management</b></p> <ul style="list-style-type: none"> <li>• <b>The waste challenge - Legislation, Policy and Strategy</b></li> <li>• <b>Gloucestershire current performance &amp; waste management strategy</b></li> </ul> <p>This session will review:</p> <ul style="list-style-type: none"> <li>• EU &amp; UK Legislation &amp; Policy (to cover Waste/Climate change/Energy)</li> <li>• The seven waste authorities</li> <li>• the current Gloucestershire Joint Municipal Management Strategy</li> <li>• its overall strategy and performance in comparison to local authorities and other countries.</li> </ul>
		<p><b>Session 4 and 5: Waste Planning – the Waste Core Strategy</b></p> <ul style="list-style-type: none"> <li>• An overview of what the Waste Core Strategy is.</li> <li>• Policies (including dealing with site in county)</li> <li>• Sites</li> <li>• Technologies</li> <li>• The process (including the examination)</li> <li>• Waste tonnages &amp; requirement for treatment capacity               <ul style="list-style-type: none"> <li>○ Gloucestershire C&amp;I and municipal</li> <li>○ Regional tonnage and capacity</li> </ul> </li> </ul>
		<p><b>Session 6, 7 and 8: OPTIONS APPRAISAL</b></p> <p><b>Technologies and Capacity</b></p> <p>These sessions will provide an overview of the residual waste technologies available. This will cover:</p> <ul style="list-style-type: none"> <li>• Track record and whether partial or complete solution</li> <li>• Mass balance and energy;</li> <li>• the outputs from each process, markets and risk</li> <li>• bankability</li> <li>• Health impacts</li> <li>• Environmental sustainability/Carbon savings?</li> </ul> <ul style="list-style-type: none"> <li>• To agree site visits to facilities in operation (Optional).</li> </ul>
		<p><b>Optional: Site visits to various facilities.</b></p>
		<p><b>Session 9: OPTIONS APPRAISAL Sites and Locations</b></p>

## Draft

		To discuss the sites and locations of potential facility (ies)
		<b>Session 10 and 11: OPTIONS APPRAISAL Procurement and Funding</b> Contract structure and Procurement Options Financial Appraisal to achieve VfM and risks
		<b>Session –12 + : Delivery of a Fallback strategy</b> Discussion and debate to agree a fallback strategy.