

**ALL MEMBER  
RESIDUAL WASTE SEMINAR**

**Thursday 28<sup>th</sup> November 2012  
at 10.00 am**

**PRESENT:**

Councillors: Kevin Jones (in the Chair),  
Glyn Banks, Haydn Bateman, Chris Bithell, Clive Carver, Dave Cox,  
Adele Davies-Cooke, Jim Falshaw, Veronica Gay, Robin Guest  
Alison Halford, Patrick Heesom, Cindy Hinds, Ray Hughes,  
Joe Johnson, Christine Jones, Stella Jones, Colin Legg, Brian Lloyd,  
Mike Lowe, Dave Mackie, Nancy Matthews, Hilary McGill, Mike Peers,  
Mike Reece, Aaron Shotton, Paul Shotton and Carolyn Thomas.

**OFFICERS PRESENT:**

Jasper Roberts – Deputy Director, Waste Resource and Efficiency Division,  
Welsh Government  
Huw Roberts – Transactor - Local Partnerships (Communication Bridge  
between the project and WG)  
Hywel Jones – Waste Procurement Programme  
Colin Everett – Chief Executive  
Carl Longland, Director of Environment  
Stephen Penny – Project Director  
Steffan Owen , Project Manager  
Margaret Parry-Jones, Learning & Social Care Overview & Scrutiny Facilitator  
Janet Kelly, Overview & Scrutiny Support Officer

**APOLOGIES**

Councillors: Dennis Hutchinson, Rita Johnson, Richard Lloyd,  
Gareth Roberts, Nigel Steele Mortimer, David Wisinger, and Matt Wright

Item	Discussion	Action
	<p>Councillor Kevin Jones welcomed everyone to the Seminar and thanked Jasper Roberts and his team for their attendance. Cllr. Jones informed Members had met with Jasper Roberts earlier in the year and following a request from the Environment Overview &amp; Scrutiny Committee this All Member Seminar was convened.</p> <p>Cllr Jones asked for questions to be raised at the end of both presentations as time with limited and invited Carl Longland to commence his presentation.</p>	

Item	Discussion	Action
	<p>Q.</p> <p>Cllr. Carolyn Thomas asked the following:-</p> <ul style="list-style-type: none"> <li>• With regard to the two site plan which was now down to one in Deeside had the implications of all transport going to the one site in Deeside been looked at?</li> <li>• Has Anglesey been penalised for pulling out?</li> <li>• With regard to the Community Benefits were they local to Deeside?</li> </ul> <p>Carl Longland responded</p> <p>Two sites were looked at as potential options, and the Anglesey option was a privately owned site (private company called Anglesey Aluminium) not the County Council. As regards the environmental impact the issue of whether it was better to have one or two sites was looked at as part of this project with the site dictating which routes vehicles take. Bidders were free to propose their own site or sites. The size and capacity of the site with figures of approximately 130,000 - 180,000 tones per annum (approximately 115,000 tonnes from the Partnership).</p> <p>Stephen Penny added the waste projection looking at the 115,000 figure assumes recycling would continue and increase, the figures were robust with the larger risk being failure to recycle or if recycling becomes more difficult. The added capacity ensures the facility will work at optimum efficiency providing a cost effective solution with a third party income (e.g. sale of electricity).</p> <p>As regards local business waste, similar to household waste, there would be more capacity if needed in the future which ensures it stays a municipal facility, locally collected waste with the result the gate fees go down.</p> <ul style="list-style-type: none"> <li>• Penalties - Given that the Anglesey site was owned by a private company, not part of the Partnership, the Inter Authority Agreement did not cover them and hence no penalties would be applied to them.</li> <li>• Community Benefits - this was a question for the Project Board to look at what could be delivered</li> </ul>	

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	<p>Jasper Roberts, Deputy Director, Waste Resource and Efficiency Division, Welsh Government introduced himself and his team and gave a brief overview of what was hoped to be achieved today prior to commencing his presentation.</p>	
	<p>Q. Cllr David Mackie raised concerns on the potential health warnings on particulates emitted from the facility, in particular pm2.5's and made reference to Professor Vyvyan Howard's reports and asked what health advice and guidance was made available.</p> <p>Jasper Roberts responded saying the Project Gwyrdd (a similar project in South East Wales) receives updates from the Health Protection Agency but confirmed he would refer back to them to allay concerns. The project recently held a joint Scrutiny Panel which heard evidence from a number of experts and individuals on the subject of health effects from municipal waste incinerators, which included Professor Howard's evidence. The Panel concluded that there was no credible evidence to suggest that modern, well managed municipal waste incinerators posed a risk to human health.</p> <p>Cllr. Mackie added that evidence to support this would need to be provided and referred to the tobacco industry which could be used as a comparison.</p> <p>Jasper Roberts responded saying this was not the same as the tobacco industry but there was a need look at the evidence and understand the public concern. He reported that there will be two meeting with Dr David Russell from the Health Protection Agency in February for North Wales which will include detailed information on health effects. Communication with the public was important and he confirmed he was willing to speak to Community Groups if requested.</p>	
	<p>Q. Cllr Glyn Banks asked:</p> <ul style="list-style-type: none"> <li>• Will Flintshire have a Scrutiny Panel individually or collectively</li> <li>• What are the social impacts of this</li> </ul>	

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	<p>Jasper Roberts responded saying Flintshire was not alone; Wrexham had its own facility in place but does not have capabilities to burn and was sending its waste to Kent. He also noted that it was up to Flintshire and the Partnership to decide if they will have a scrutiny panel individually or collectively.</p> <p>As regards the health impacts the Welsh Government take guidance from the Chief Medical Officer, Environment Agency, Public Health Wales and the Health Protection Agency. Dr David Russell would be able to elaborate more regarding health concerns in February.</p>	
	<p>Q. Cllr. Patrick Heesom asked whether this was affordable.</p> <p>Jasper Roberts responded saying the affordability of the whole project including gates fees, how these are measured against alternatives and the need to have clear price comparisons highlighting the options for dealing with waste.</p> <p>Stephen Penny added each Authority had approved the Outline Business Case, which outlined the cost of procuring the solution and the costs of the contract.</p> <p>Financial consequences could potentially be up to £50m for Flintshire for pulling out of the Partnership. This includes having to pay back to Welsh Government's funding and paying for the costs for the other partner authorities of re-procuring. There were also issues with the bidders who could potentially charge Flintshire County Council millions of pounds each for their costs of bidding through legal challenge.</p>	
	<p>Cllr Clive Carver referred to penalties and with Anglesey withdrawing asked if Deeside was privately owned</p> <p>Carl Longland confirmed these were different sites and that the Deeside site was in the Council's ownership and was a deliverable site. He added the bidders were free to go wherever they wanted looking for suitable sites.</p>	

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	<p>Cllr. Chris Bithell referred to the Community Benefits and asked if this goes ahead in Deeside and the local area receives the benefit could they trade it to have improvements to roads for example.</p> <p>Cllr. Kevin Jones commented that this was a question for the Project Board to look at what could be delivered. Jasper added this was a specific project and would have to go to planning to look at planning issues. There is a potential for 106 agreements.</p>	
	<p>Cllr. Aaron Shotton reported on his involvement in the project since May. He felt there was no developed argument on the planning aspects but that this could provide opportunities for new business with tangible benefits looking at what can be built into the legal framework.</p>	
	<p>Q. Cllr. Hilary McGuill</p> <ul style="list-style-type: none"> <li>• Referred to the UPM site and asked if this would be a bigger version of this in the same area.</li> <li>• What do neighbours over the border think of this – will it affect the proposal</li> <li>• Why isn't Welsh Government putting more pressure on manufacturers who produce these harmful chemicals used in plastics to produce less harmful plastics.</li> </ul> <p>Jasper and Carl responded:</p> <ul style="list-style-type: none"> <li>• Plant size – Carl reported the main process building would be half the size of Asda in Queensferry's footprint</li> <li>• Carl referred to the second point confirming neighbours would be informed as part of the formal consultation of the Planning process</li> <li>• Jasper commented with regard to chemicals in packaging reporting talks are taking place albeit in the early stages discussing eco designs and taking hazards out of plastics and better ways of dealing with plastics</li> </ul> <p>Cllr. McGuill asked could financial pressure be used on businesses to ensure the elimination of the harmful chemicals.</p>	

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	<p>Jasper agreed in principle but added we were dealing in a worldwide market which in practice makes it very difficult and complex. The best way to proceed was by persuasion promoting bio waste treatment, movement away from fossil based plastics and eco waste packaging directives.</p>	
	<p>Q. Cllr. Mike Peers referred</p> <ul style="list-style-type: none"> <li>• To the carrier bag tax and wondered if something similar could be done between the manufacturers and retailers.</li> <li>• From Flintshire County Council's point of view how much would this cost over a 25 year period.</li> </ul> <p>Jasper referred to the second point and commented the capital cost will be born by the bidder with Local Authorities and Welsh Government - gate fees. WG support is 25%.</p> <p>Carl referred to the meeting in 2010 when 2 reports were presented for discussion, the second was a Part 2 on affordability</p>	
	<p>Cllr. Kevin Jones referred to the gate price will be reflected in the value of the community benefit with all authorities making a contribution. The other 4 authorities accept the argument of a proportion of the gate fee going towards a community benefit.</p>	
	<p>Q. Cllr. Patrick Heesom</p> <ul style="list-style-type: none"> <li>• Asked for clarification why Anglesey Aluminium were not penalised</li> <li>• As regards planning he had concerns over planning constraints already in place in this dense developed area with 3 plants already in the Connah's Quay area and had concerns over infrastructure and asked what happens if planning do not approve this</li> </ul> <p>Jasper responded</p> <ul style="list-style-type: none"> <li>• Anglesey Aluminium was not subject to a penalty as it was private company – bidding companies were able to bring their own sites to the table. It was not a partner authority site.</li> </ul>	

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	<ul style="list-style-type: none"> <li>Regarding the planning question if this was rejected then the project would follow the same process as all other applications. Welsh Government's Waste Policy Unit would not be involved in any way.</li> </ul>	
	<p>Q. Cllr. Alison Halford commented that the Planning was important for the whole council's decision, with 17 planning members sitting on the Planning Committee, if they refused, this would cause problems.</p> <p>Jasper replied saying we operate in the public sector and were subject to legal challenge but this would be dealt with independently.</p> <p>Carl added the planning process was robust enough to handle this.</p> <p>Cllr. Kevin Jones commented there would be more information available by that point.</p>	
	<p>Q Cllr. Paul Shotton</p> <ul style="list-style-type: none"> <li>Wanted clarification on gasification</li> <li>He referred to air quality and commented it would affect Buckley, Mold and the Wirral</li> <li>Community benefits – referring to the steel works which used waste to heat the boilers but then referred to Stoke on Trent and the problems there.</li> </ul> <p>Jasper commented Stoke on Trent got the capacity wrong and had taken steps to minimise waste.</p> <p>As regards gasification, this was looked at in 2009 but unfortunately they were not in a position to bid. I understand the situation has changed but a bid cannot now be introduced, as we're now some way after the start of the procurement process.</p>	
	<p>Q Cllr. Stella Jones referred to the incineration of waste and asked would there be better monitoring of the process.</p> <p>Jasper reassured Cllr Jones that the Environment Agency will regulate this robustly and added that Dr David Russell was also closely involved with this.</p>	

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	<p>Cllr. Aaron Shotton thanked Jasper and his team for their attendance which enabled the issues to be debated properly. He referred to concerns raised by so many members on pm2.5 particulates in the report by Dr. Mark Broomfeld on the subject of any links between incinerators and health effects and the need for a truly independent expert to be used.</p> <p>Jasper agreed but added there were limited number of experts available who could advise, the agencies relied on for advice are the Environment Agency Wales, Chief Medical Officer, Public Health Wales, Health Protection Agency (HPA) and Defra, all of which are trustworthy and independent bodies.</p> <p>A discussion followed on whether there was a flaw in the monitoring process with concerns especially with Castle Cement being raised and if filtrations systems could capture pm2.5'a and be regulated to that level.</p> <p>Jasper added that Dr. David Russell from the HPA was truly independent, he was aware of the evidence and that he would go through all the details regarding Health concerns at the February sessions.</p> <p>Cllr. Kevin Jones added there would only be a slight additional costs for the equipment to measure the pm2.5 particulates</p>	
	<p>Colin Everett, Chief Executive, thanked Jasper and his team for their attendance at this important seminar adding he had worked closely with Welsh Government on the project. Flintshire had led for over 10 years and had to balance the role of lead authority and conflicts within Flintshire as host of the main facility's site. He added that there was a real challenge of balancing policy and environmental issues within the business case.</p> <p>The Chief Executive added that at this stage it was not possible to change the procurement scope of the project as an agreement has been signed and significant penalties would be incurred if the Council was to withdraw.</p> <p>The Chief Executive emphasised that Community Benefits were not a planning issue, however every effort would be made to ensure that the people of Deeside would be the major benefactor. The Project Board will be giving this important issue further consideration in due course.</p>	



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	<p>He added the project was consistent with the Unitary Development Plan and referred to the good road and rail networks available for the proposed site.</p> <p>The Chief acknowledged that the three main areas of concern continue to be the need for robust assurances regarding air quality and maximising Community Benefits for the area, and the costs associated with Flintshire County Council withdrawing from the process, should Members decide to do so.</p>	
	<p>Members were reminded that if they had any further questions, these should be sent to Carl Longland, Director of Environment.</p>	