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Gareth Owens LL.B Barrister/Bargyfreithiwr
Head of Legal and Democratic Services
Pennaeth Gwasanaethau Cyfreithiol a Democraidd

To: Councillor Eryl Williams - Denbighshire County Council (Chairman)
Councillors: Council, Council, Council, Council, Council, Cowans, Jones, Kevin Jones and Aaron Shotton

CS/NG

Date Not Specified

Nicola Gittins 01352 702345
nicola.gittins@flintshire.gov.uk

Dear Sir / Madam

A meeting of the **NORTH WALES RESIDUAL WASTE JOINT COMMITTEE** will be held in the **COUNCIL CHAMBER, BODLONDEB, CONWY** on **TUESDAY, 17TH MARCH, 2015** at **6.00 PM** to consider the following items.

Yours faithfully

Democracy & Governance Manager

AGENDA

- 1 **AGENDA - ENGLISH** (Pages 3 - 8)
- 2 **AGENDA - WELSH** (Pages 9 - 14)

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Mae'r Cyngor yn croesawau gohebiaeth yn y Cymraeg neu'r Saesneg

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Agenda Item 1



Gareth Owens LL.B Barrister/Bargyfreithiwr
Chief Officer (Governance)
Prif Swyddog (Llywodraethu)

To: Councillor Eryl Williams (Chairman)

CS/NG

Councillors: Aaron Shotton, Kevin Jones, Dave Cowans, Michael Priestley, David Smith, John Wynn Jones, Richard Dew and J. Arwel Roberts

9 March 2015

Nicola Gittins 01352 702345
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Dear Sir / Madam

The Meeting of the **NORTH WALES RESIDUAL WASTE JOINT COMMITTEE** will be held in the **COUNCIL CHAMBER, BODLONDEB, CONWY LL32 8DU** on **TUESDAY 17 MARCH 2015** at **6.00PM** to consider the following items.

WTI will be available at the location to be called into the meeting as required

Yours faithfully

A handwritten signature in black ink, appearing to be 'R. Jones', written over a horizontal line.

Democracy & Governance Manager

AGENDA

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST**
- 3 **APPROVAL OF PREVIOUS MINUTES**

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4 **MATTERS ARISING FROM PREVIOUS MEETING**

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - TO
CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC**

The following item is considered to be exempt by virtue of Paragraph(s) 14 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

The contract process is still underway and would be prejudiced by making public at this stage.

5 **PROCUREMENT UPDATE (PRESENTATION TO BE GIVEN ON THE DAY)**

6 **ANY OTHER BUSINESS**



NORTH WALES RESIDUAL WASTE JOINT COMMITTEE

Minutes of the meeting of the Joint Committee held at Conwy Business Centre, Llandudno Junction on Thursday, 29 January 2015

PRESENT:

Councillor Eryl Williams (Chairman) – Denbighshire County Council
Councillor Mike Priestley (Vice-Chairman) – Conwy County Borough Council
Councillor Dave Cowans – Conwy County Borough Council
Councillor Richard Dew – Isle of Anglesey County Council
Councillor Kevin Jones – Flintshire County Council
Councillor Aaron Shotton – Flintshire County Council
Councillor William G. Roberts – Gwynedd County Council
Councillor David Smith – Denbighshire County Council

ALSO PRESENT:

Flintshire County Council

Colin Everett (Lead Chief Executive), Gary Ferguson (Section 151 Officer), Gareth Owens (Monitoring Officer) and David Webster (Internal Audit Manager)

Denbighshire County Council

Steve Parker (Head of Environment)

Conwy County Borough Council

Andrew Wilkinson (Head of Neighbourhood Services)

Gwynedd Council

Medwyn Williams (Senior Manager (Waste Treatment))

Isle of Anglesey County Council

Meirion Edwards (Lead Technical Officer) and Dewi Williams (Head of Service – Highways and Waste Management).

North Wales Residual Waste Treatment Project

Steffan Owen (Project Manager)

Frank Smith (Project Director)

Local Partnerships UK

Huw Roberts (Advisor)

1. APOLOGIES

Apologies for absence were received from Dilwyn Williams, (Chief Executive (Gwynedd Council))

2. DECLARATIONS OF INTEREST

Councillor Aaron Shotton declared a personal interest due to comments made in the press in the past related to the project.



3. APPROVAL OF PREVIOUS MINUTES

The minutes of the meeting of the North Wales Residual Waste Joint Committee held on the 31 July, 2014 were submitted for approval.

RESOLVED *that the minutes of the meeting of the North Wales Residual Waste Joint Committee held on 31 July, 2014 be approved as a correct record.*

4. MATTERS ARISING FROM THE PREVIOUS MEETING

There were no matters arising.

5. PROGRESS REPORT

The Project Manager presented the progress report and advised that Wheelabrator Technologies Inc. (WTI) had been brought out by an American private equity firm called Energy Capital Partners (ECP). As part of the buyout, ECP undertook a review of all WTI's projects outside the United States, and as a result the review discussions have continued with WTI with a resultant day in the timetable.

The Project Board have been updated and met regularly to discuss the implications of the delay in the timetable. Members were advised that key actions would be covered in the remaining agenda items.

RESOLVED *that the report be noted.*

6. COMMUNICATIONS UPDATE

The Project Manager updated members on communication matters concerning the North Wales Residual Waste Treatment Project (NWRWTP).

The Project Manager reported that following submission of the planning application, a two formal objections had been received from Friends of the Earth (one from Friends of the Earth Cymru and a combined one from two local Friends of the Earth groups. The objections had been sent to the Planning Officers to provide a formal response.

Councillor Aaron Shotton asked whether representations had been received from residents of Burton. The Project Manager said that he was aware of their objections but had not seen any particular details as yet.

RESOLVED *that the communications update be noted.*

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 – TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC



The following item was considered to be exempt by virtue of Paragraph(s) 14 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

The balance of public interest is against disclosure of the report as this could prejudice the procurement process.

7. **RIR – RISK STATUS UPDATE**

The Project Manager presented the Risk Register report which highlighted some of the amendments to the risk register that had been made to reflect the current understanding of risks and mitigation measures that were in place.

The Project Manager reported that there were a number of new risks or amended risks from that reported to the Project Board, as shown in the report. Members were advised that the new risks would be covered in the remaining agenda items.

RESOLVED *that the updated Risk Register for the project be noted.*

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 – TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC

The following item was considered to be exempt by virtue of Paragraph(s) 14 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

The contract process is still underway and would be prejudiced by making public at this stage.

8. **PROCUREMENT UPDATE**

Colin Everett, Chief Executive (Flintshire County Council) gave a detailed presentation on the procurement position update, and responded to the questions and comments made.

Following the presentation, representatives of WTI were invited to give a detailed presentation on their revised proposals, and responded to the questions and comments made.

RESOLVED *to provide specific feedback to WTI on their bid, and request WTI consider that feedback in further revising their offer to the Partnership. The Project Team to continue discussions with WTI in the light of the Joint Committee's specific feedback..*

9. **ANY OTHER BUSINESS**

The next Joint Committee meeting would be convened following further feedback and discussions with WTI, but likely to be in March 2015.

The meeting concluded at 5.20 p.m.



NWRWTP

North Wales Residual Waste Treatment Project



Gareth Owens LL.B Barrister/Bargyfreithiwr
Chief Officer (Governance)
Prif Swyddog (Llywodraethu)

Y Cynghorydd Eryl Williams (Cadeirydd)

CS/NG

Y Cynghorwyr: Aaron Shotton, Kevin Jones, Dave Cowans, Michael Priestley, David Smith, John Wynn Jones, Richard Dew and J. Arwel Roberts

9 Mawrth 2015

Nicola Gittins 01352 702345
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Annwyl Syr / Fadam

Cynhelir Cyfarfod **CYD-BWYLLGOR GWASTRAFF GWEDDILLIOL GOGLEDD CYMRU yn SIAMBR y CYNGOR, BODLONDEB, CONWY LL32 8DU ar DYDD MAWRTH, 17 MAWRTH 2015 am 6.00 y.p** i drafod y materion canlynol.

Fe fydd WTI ar gael ar leoliad i'w alw mewn i'r cyfarfod fel bo angen

Yr eiddoch yn gywir

Rheolwr Democratiaeth a Rheolaeth

AGENDA

- 1 **YMDDIHEURIADAU**
- 2 **DATGAN DIDDORDEB**
- 3 **CYMERADWYO COFNODION BLAENOROL**

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4 **MATERION YN CODI O'R CYFARFOD BLAENOROL**

DEDDF LLYWODRAETH LEOL (MYNEDIAD AT WYBODAETH) 1985 – I GYSIDRO EITHRIO'R WASG A'R CYHOEDD

Mae'r eitemau isod yn cael ei gysdrio fel eitem i'w eithrio dan paragraff(au) 14 o Rhan 4 o Atodlen 12A o Ddeddf Llywodraeth Lleol 1972 (fel a ddiwygwyd)

Mae'r proses cytundeb yn fyw a byddai'n rhagfarnllyd i'w wneud yn gyhoeddus ar hyn o bryd.

5 **DIWEDDARIAD PWRCASU (CYFLWYNIAD I'W RHOI AR Y DIWRNOD)**

6 **UNRHYW FATER ARALL**



CYDBWYLLGOR GWASTRAFF GWEDDILLIOL GOGLEDD CYMRU

Cofnodion cyfarfod y Cydbwyllgor a gynhaliwyd yng Nghanolfan Fusnes
Conwy, Cyffordd Llandudno ar Ddydd Iau, 29 Ionawr 2015

PRESENNOL:

Y Cyngorydd Eryl Williams (Cadeirydd) - Cyngor Sir Ddinbych
Y Cyngorydd Mike Priestley (Is-Gadeirydd) - Cyngor Bwrdeistref Sirol Conwy
Y Cyngorydd Dave Cowans - Cyngor Bwrdeistref Sirol Conwy
Y Cyngorydd Richard Dew - Cyngor Sir Ynys Môn
Y Cyngorydd Kevin Jones - Cyngor Sir y Fflint
Y Cyngorydd Aaron Shotton - Cyngor Sir y Fflint
Y Cyngorydd William G. Roberts - Cyngor Gwynedd
Y Cyngorydd David Smith - Cyngor Sir Ddinbych

HEFYD YN BRESENNOL:

Cyngor Sir y Fflint

Colin Everett (Prif Weithredwr Arweiniol), Gary Ferguson (Swyddog Adran 151), Gareth Owens (Swyddog Monitro) a David Webster (Rheolwr Archwilio Mewnol)

Cyngor Sir Ddinbych

Steve Parker (Pennaeth yr Amgylchedd)

Cyngor Bwrdeistref Sirol Conwy

Andrew Wilkinson (Pennaeth Gwasanaethau Cymdogaeth)

Cyngor Gwynedd

Medwyn Williams (Uwch Reolwr (Trin Gwastraff))

Cyngor Sir Ynys Môn

Meirion Edwards (Swyddog Technegol Arweiniol) a Dewi Williams (Pennaeth Gwasanaeth - Priffyrdd a Rheoli Gwastraff).

Prosiect Trin Gwastraff Gweddilliol Gogledd Cymru

Steffan Owen (Rheolwr Prosiect)
Frank Smith (Cyfarwyddwr y Prosiect)

Partneriaethau Lleol y DU

Huw Roberts (Ymgynghorydd)

1. YMDDIHEURIADAU

Derbyniwyd ymddiheuriadau am absenoldeb oddi wrth Dilwyn Williams, (Prif Weithredwr (Cyngor Gwynedd))

2. DATGANIADAU O DDIDDORDEB

Datganodd y Cyngorydd Aaron Shotton ddiddordeb personol o ganlyniad i sylwadau a wnaed yn y wasg yn y gorffennol yn ymwneud â'r prosiect.



3. CYMERADWYO COFNODION BLAENOROL

Cyflwynwyd cofnodion cyfarfod Cydbwyllgor Gwastraff Gweddilliol Gogledd Cymru a gynhaliwyd ar 31 Gorffennaf 2014 i'w cymeradwyo.

PENDERFYNWYD *cymeradwyo cofnodion cyfarfod Cydbwyllgor Gwastraff Gweddilliol Gogledd Cymru a gynhaliwyd ar 31 Gorffennaf 2014 fel cofnod cywir.*

4. MATERION YN CODI O'R CYFARFOD BLAENOROL

Nid oedd unrhyw faterion yn codi.

5. ADRODDIAD CYNNYDD

Cyflwynodd y Rheolwr Prosiect adroddiad cynnydd a dywedodd fod Wheelabrator Technologies Inc. (WTI) wedi cael eu prynu gan gwmni ecwiti preifat Americanaidd o'r enw Energy Capital Partners (ECP). Fel rhan o'r pryniant, cynhaliodd ECP adolygiad o holl brosiectau WTI y tu allan i'r Unol Daleithiau, ac o ganlyniad mae trafodaethau adolygu wedi parhau gyda WTI, gydag oedi dilynol yn yr amserlen.

Diweddarwyd y Bwrdd Prosiect, ac mae wedi cyfarfod yn rheolaidd i drafod goblygiadau'r oedi yn yr amserlen. Hysbyswyd yr Aelodau y byddai camau allweddol yn cael eu cynnwys yn yr eitemau yng ngweddill yr agenda.

PENDERFYNWYD *nodi'r adroddiad.*

6. DIWEDDARIAD CYFATHREBU

Diweddarodd y Rheolwr Prosiect yr aelodau ar faterion cyfathrebu sy'n ymwneud â Phrosiect Trin Gwastraff Gweddilliol Gogledd Cymru (PTGGGC).

Adroddodd y Rheolwr Prosiect fod dau wrthwynebiad ffurfiol wedi eu derbyn yn dilyn cyflwyno'r cais cynllunio, gan Gyfeillion y Ddaear (un gan Gyfeillion y Ddaear Cymru ac un cyfunol gan ddau grŵp lleol o Gyfeillion y Ddaear). Roedd y gwrthwynebiadau wedi eu hanfon at y Swyddogion Cynllunio i roi ymateb ffurfiol.

Gofynnodd y Cynghorydd Aaron Shotton a oedd sylwadau wedi dod i law gan drigolion Burton. Dywedodd y Rheolwr Prosiect ei fod yn ymwybodol o'u gwrthwynebiadau, ond nad oedd wedi gweld unrhyw fanylion penodol eto.

PENDERFYNWYD *nodi'r diweddariad cyfathrebu.*

DEDDF LLYWODRAETH LEOL (MYNEDIAD AT WYBODAETH) 1985 - YSTYRIED EITHRIO'R WASG A'R CYHOEDD



Ystyriwyd yr eitem ganlynol fel un wedi'i heithrio yn rhinwedd paragraff(au) 14 Rhan 4 Atodlen 12A o Ddeddf Llywodraeth Leol 1972 (fel y'i diwygiwyd).

Mae cydbwysedd diddordeb y cyhoedd yn erbyn datgelu'r adroddiad, gan y gallai hyn niweidio'r broses gaffael.

7. RIR – DIWEDDARIAD STATWS RISG

Cyflwynodd y Rheolwr Prosiect yr adroddiad Cofrestr Risg a oedd yn amlygu rhai o'r newidiadau i'r gofrestr risg a wnaed i adlewyrchu'r ddealltwriaeth bresennol o'r risgiau a mesurau lliniaru sydd ar waith.

Adroddodd y Rheolwr Prosiect fod nifer o risgiau newydd neu risgiau diwygiedig yn ychwanegol at yr hyn a adroddwyd i Fwrdd y Prosiect, fel y dangosir yn yr adroddiad. Dywedwyd wrth yr Aelodau y byddai'r risgiau newydd yn cael eu cynnwys yn yr eitemau yng ngweddill yr agenda.

PENDERFYNWYD *nodi'r diweddariad ar Gofrestr Risg y prosiect.*

DEDDF LLYWODRAETH LEOL (MYNEDIAD AT WYBODAETH) 1985 - YSTYRIED EITHRIO'R WASG A'R CYHOEDD

Ystyriwyd yr eitem ganlynol fel un wedi'i heithrio yn rhinwedd paragraff(au) 14 Rhan 4 Atodlen 12A o Ddeddf Llywodraeth Leol 1972 (fel y'i diwygiwyd).

Mae'r broses gcontract yn dal i fod ar y gweill, a byddai'n cael ei niweidio drwy ei gwneud yn gyhoeddus ar hyn o bryd.

8. DIWEDDARU CAFFAEL

Rhoddodd Colin Everett, Prif Weithredwr (Cyngor Sir y Fflint) gyflwyniad manwl ar y sefyllfa gaffael ddiweddaraf, ac ymatebodd i'r cwestiynau a'r sylwadau a wnaed.

Yn dilyn y cyflwyniad, gwahoddwyd cynrychiolwyr WTI i roi cyflwyniad manwl ar eu cynigion diwygiedig, ac ymateb i'r cwestiynau a'r sylwadau a wnaed.

PENDERFYNWYD *rhoi adborth penodol i WTI ar eu cais, a gofyn i WTI ystyried yr adborth hwnnw wrth adolygu ymhellach eu cynnig i'r Bartneriaeth. Mae'r Tîm Prosiect i barhau trafodaethau gyda WTI yng ngoleuni adborth penodol y Cydbwyllgor.*

9. UNRHYW FATER ARALL

Byddai cyfarfod nesaf Cydbwyllgor yn cael ei alw yn dilyn adborth a thrafodaethau pellach gyda WTI, ond mae'n debygol o fod ym mis Mawrth 2015

Daeth y cyfarfod i ben am 5.20 p.m.

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