

**PROSIECT GWYRDD JOINT SCRUTINY PANEL**

**SUBJECT: CALL FOR EVIDENCE – INITIAL EVIDENCE EVALUATION**

**REPORT BY: PROSIECT GWYRDD SCRUTINY OFFICERS**

**DATE: 30TH JANUARY 2012**

**VENUE: SIRHOWY ROOM, PENALLTA HOUSE**

**START TIME : 2.00 P.M.**

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**PURPOSE OF REPORT**

1. To confirm details for the initial part of the 'Call for Evidence' exercise which is to be included as part of the Joint Scrutiny Panel's Forward Work Programme. The report sets out how evidence was requested and provides Members with an opportunity to assess which witnesses will be invited to deliver oral evidence at the next stage of the 'Call for Evidence'.

**LINKS TO STRATEGY**

2. Prosiect Gwrydd is a key part of partner authorities' strategy to secure a solution for the treatment of waste after composting and recycling have been maximised and ensure compliance with landfill divergence targets.

**BACKGROUND**

3. Members approved the Joint Scrutiny Panel's Forward Work Programme at a meeting held on the 7<sup>th</sup> October 2011. The work programme included an item entitled 'Call for Evidence', this was proposed to enable the Panel to explore potential Health and Environmental concerns associated with incineration (energy from waste) plants.
4. At a meeting on the 7<sup>th</sup> November proposed arrangements for the 'Call for Evidence' were discussed. This included an explanation on how such exercises are normally undertaken, the terms of reference for the 'Call for Evidence', a timetable, budget & remuneration and the meeting format. A copy of the report titled 'Call for evidence project plan' which was presented at the meeting is attached as **Appendix 1**.
5. Following discussion of the report the Joint Scrutiny Panel agreed a number of actions for the 'Call for Evidence'. These included:
  - Funding to cover all reasonable expenses was sought from all Prosiect Gwyrdd partner authorities. The figure of a maximum of £500 per partner authority and a maximum of £150 per claimant was agreed.
  - Ensuring that an adequate PA system and video conferencing equipment is made available.
  - Members needed to have an understanding of the type of incineration (energy from

waste) plants before hearing evidence from interested parties, therefore, a visit was proposed to plants run by the two remaining bidders.

- Approving the process and protocols outlined for undertaking a 'Call for Evidence'.
- Approving the Terms of Reference and a draft letter to send to potential witnesses.

Full details of the agreed actions were included in the minutes for the meeting on the 7<sup>th</sup> November. These have been attached to this report as **Appendix 2**.

### **Terms of Reference**

6. The agreed terms of reference which were approved on the 7<sup>th</sup> November are:

*To conduct an investigation to evaluate:*

- a. Is there any validated scientific evidence that an energy from waste incineration plant operating within the UK's current statutory framework causes harm to human Health and Environmental damage?*
  - b. If there are example(s) of validated scientific evidence, what are the causes of/effects on human health and the environment?*
7. The importance of adhering to the terms of reference for the 'Call for Evidence' was noted to prevent the exercise being extended into broader areas.

### **Requests for Evidence**

8. On the 9<sup>th</sup> November letters and emails were sent to individuals and organisations on behalf of the Joint Scrutiny Panel. This invited them to submit a written response; a copy of the letter has been attached as **Appendix 3**. The letter provided an eight-week deadline for receipt of responses to ensure that all interested parties had sufficient time to develop a response. A list of the individuals and organisations that were sent letters or emails is attached as **Appendix 4**.
9. The deadline date for submissions was set as the 3<sup>rd</sup> January 2012. A summary of the responses made by individuals and organisations on or before that date has been attached as **Appendix 5**. The actual replies provided by individuals and organisations is attached as **Appendix 6**.
10. The main aim of this item is to review and consider the evidence submitted and decide which witnesses will be invited to deliver oral evidence at the 'Call for Evidence' meeting. When selecting the potential witnesses for the exercise it is important to ensure that the list presents a balanced list of contributors and stakeholders; while at the same time making sure that the evidence being presented is relevant to the terms of reference of the 'Call for Evidence'.
11. As illustrated in **Appendices 5 and 6** the Joint Scrutiny Panel received a positive response to their request for submissions of written evidence. It is, however, not practical to receive oral evidence from all contributors, therefore, a shortlist needs to be created. As a starting point for discussion an initial shortlist is included within this report for Member consideration, details are listed below:

- Environment Agency
- Deputy Director for Waste & Resource Efficiency – Welsh Government
- Chief Medical Officer for Wales
- Health Protection Agency
- Welsh Environmental Services Association
- Professor Vyvyan Howard – Nano Systems Biology Centre for Molecular Biology, University of Ulster
- Friends of the Earth
- Stop Newport Incinerator Campaign
- Dr D.van Steenis
- Cardiff Against the Incinerator
- South Wales Without Incineration Network
- Prosiect Gwyrdd – Project Team

Ultimately the decision of who to include at the 'Call for Evidence' meeting will be made by Members.

12. It is hoped that the 'Call for Evidence' meeting can be scheduled for early March 2012. Witnesses will be invited to this meeting to discuss their submission of evidence and to take part in a question and answer session.
13. The Call for Evidence process requires Members to remain impartial when considering written and oral evidence. This ensures that the participants who invest time in working with the Joint Scrutiny Panel have confidence that the process is independent and objective.

#### **PERSONNEL IMPLICATIONS**

14. There are no financial implications arising from this report.

#### **FINANCIAL IMPLICATIONS**

15. There are no financial implications arising from this report.

#### **CONSULTATION**

16. There are no consultation responses that have not been reflected in the recommendations of this report.

#### **RECOMMENDATION**

17. Members are asked to approve the list of individuals and organisations to be invited to give oral evidence.

#### **REASONS FOR THE RECOMMENDATIONS**

18. To progress the call for evidence project.

#### **STATUTORY POWERS**

19. Local Government Act 2000

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