

PROSIECT GWYRDD JOINT COMMITTEE MEETING

Monday 17 December, 2012 – 5.00pm

LOCATION: Room 3, County Hall, Cardiff

Present:	Initials
Elected Members:	
Councillor Russell Goodway, Cardiff City Council	RG
Councillor Ashley Govier, Cardiff City Council	AG
Councillor David Poole, Caerphilly County Borough Council	DP
Councillor Bryan Jones, Monmouthshire County Council	BJ
Councillor Phil Murphy, Monmouthshire County Council	PM
Councillor Rob Curtis, Vale of Glamorgan CC	RC
Councillor Neil Moore, Vale of Glamorgan CC	NM
Officers:	
Mike Williams, Project Director, Prosiect Gwyrdd	MW
Sian Humphries, Lead Legal Officer, Cardiff City Council	SH
Elizabeth Weale, Chief Legal Officer, Cardiff City Council	EW
Tara King, Business Advisor, Cardiff City Council	TK
Christine Salter, Treasurer, Prosiect Gwyrdd, Cardiff City Council	CS
Dave Harris, Business Advisor, Monmouthshire County Council	DH
Marc Falconer, Finance Officer, Prosiect Gwyrdd	MF
Andrew Morris, Newport City Council	AM
Mark Williams, Caerphilly County Borough Council	MW
Clifford Parish, Business Advisor, Vale of Glamorgan	CP
Ian Lloyd-Davies, Communications Officer, Prosiect Gwyrdd	ILD
Miriam Durkin, Democratic Services Officers, Newport City Council	MD

No	Item	Action
55	Apologies for Absence	
	Apologies for Absence were received from Councillors Truman and Giles (Newport City Council) and Councillor Reynolds (Caerphilly County Borough Council) and S Davies (Newport City Council)	Noted
56	Declarations of Interest	
	None received.	Noted
57	<u>Minutes</u>	
	The Minutes of 17 September, 2012 were confirmed as a true record and signed by the Chair.	Noted
58	<p><u>2013-14 Budget, Month 7 Monitoring Position & Projected Out-Turn</u></p> <p>Consideration was given to a report providing:-</p> <ul style="list-style-type: none"> - an update of the financial position and projected out-turn for the Prosiect Gwyrdd budgets based on the first seven months of the 2012-13 financial year - the proposed 2013-14 Revenue Budget to the end of the procurement phase, projected to the end of July, 2013 - estimates of transitional monitoring costs from August, 2013 onwards to be recommended to partnering Councils - early indicative estimates for the transitional monitoring and contract management period from 2014-15 onwards <p>MF reported that the projected outturn was broadly the same as that reported in September, 2012 with the securing of a £15,000 grant from Waste Awareness Wales being the most significant change. A request for additional funding had been made to the WG but a response was still awaited. The Month 7 projection forecast a funding shortfall of £100,000, which would require additional Partner contributions of £20,000 per partner to fully fund 2012-13 expenditure after the full utilisation of the Joint Committee Reserve Account Balance. This compared with £25,000 per partner reported at Month 4.</p> <p>The JWA permitted the Joint Committee to draw down from the Reserve up to a cap of 5% of the annual approved budget. The recommended action of drawing down from the Reserve an additional amount of £124,238 to ensure expenditure was fully funded represented 12.8% of the annual approved budget for 2012-13. This would require formal approve from the Partner councils.</p>	<p>1. That the actual spend to date and the projected outturn forecast including the requirement for a full drawdown of the Reserve Account and increased Partner Contributions for 2012-13 be noted.</p> <p>2. That the Partnering Councils be asked to approve the following:-</p> <p>(i) the increase in individual Partner Contributions of £20,000 for 2012-13.</p> <p>(ii) the full drawdown of the Reserve Account in 2012-13 as part of the 2012-13 funding package.</p> <p>3. That the 2013-</p>

	<p>With the 2013-14 Budget Partner Contributions would be required to support two areas of activity namely, procurement activity until the projected Financial Close date at the end of July, 2013 and the transitional monitoring of the post-procurement programme from August, 2013 onwards.</p> <p>Total Partner Contributions required for 2013-14 would be £416,667 which was £83,333 for each individual partner. The two elements for this 2013-14 contribution was firstly the procurement contribution of £59,333 per partner as outlined in paragraphs 4.1 to 4.3 and secondly the transitional monitoring contribution of £24,000 per partner as outlined in paragraphs 4.4 to 4.5.</p> <p>Indicative budgets for the transitional monitoring and contract management activities were outlined for the period 2014-15 to 2016-17. Indicative contributions per partner for these financial years were:-</p> <ul style="list-style-type: none"> • 2014-15: £36,000 • 2015-16: £50,250 • 2016-17: £55,000 	<p>14 budgets be recommended to Partnering Councils as part of their respective budget planning frameworks for 2013-14 requiring individual Partner Contributions of £83,333.</p> <p>4. That Partnering Councils be asked to note the indicative post procurement and contract management budgets, and associated partner contributions, outlined for the financial years 2014-15 to 2016-17.</p>
59	<p><u>Prosiect Gwyrdd Timeline to Contract Award</u></p> <p>Members were updated by way of a presentation on the proposed programme moving toward contract award.</p> <p>The Project Gwyrdd procurement project was entering its final stages. It was currently in the Final Tender evaluation stage which would lead to a recommendation of Preferred Bidder. Following the approval of Preferred Bidder, the final stage was ensuring that all the contractual documentation was in a fit and proper state to sign. Under the procurement rules, no further</p>	<p>Noted and if necessary the Joint Committee meet to consider the views of the Joint Scrutiny Panel</p>

<p>negotiation was permitted and any contractual amendments must be limited to 'fine tuning'.</p> <p>The presentation referred to the meeting sequence and dates for key decisions (from Project Board to full Council in each Authority from January to March, 2013:</p> <ul style="list-style-type: none"> - The approvals that would be requested - Approach to confidentiality; - Link to Welsh Government funding support; - Moving forward to contract award. <p>The decision as to the appointment of Preferred Bidder (and other approvals) would be brought back to Joint Committee (for recommendation to each Partner Council) and for approval by each Partner Council as per the details set out in the Report and presentation. Further legal implications would be contained within those reports.</p> <p>The Project Board would meet on 30 January, 2013 to review final tender evaluation and the agenda papers (including a recommended final business case) for 7 February, 2013 meeting and public announcement would be made on 1 February, 2013. A Joint Working Agreement 2 (JWA2) would also be recommended to the Joint Committee. Joint Scrutiny Panel would meet on 13 February and between 26 February and 6 March, 2013 there were full Council meetings for the Partnering Councils.</p> <p>The Councils would be recommended to appoint the recommended Preferred Bidder, approve the signing of the Contract (subject to the satisfactory conclusion of any "fine tuning" during the preferred bidder period), approve the signing of JWA2 (subject to any minor amendments resulting from "fine tuning" of the Contract during the preferred bidder period, and formal approval of the FBC and each Council's associated affordability position.</p> <p>It was proposed that the Joint Scrutiny Panel would receive the same papers as the Joint Committee with a remit to review the evaluation process and pass advisory comments onto each Council meeting if decided.</p> <p>Prosiect Gwyrdd commissioning was due to start in September, 2015 with planned service commencement in April, 2016.</p> <p>In response to a question from the Chair MW confirmed that</p>	
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	<p>the meeting of the Joint Committee arranged for 31 January would not be required as it was proposed that Board members would brief individual Partnering Councils.</p> <p>Members considered that there should be an additional meeting of the Joint Committee to consider any views from the Joint Scrutiny Panel prior to their submission to individual Authorities.</p>	
60	<p><u>Prosiect Gwyrdd Second Joint Working Agreement (JWA2)</u></p> <p>Members were updated on the progress of the second Joint Working Arrangement (JWA2) i.e .the agreement that would govern the Partnership during the operational phase of the Prosiect Gwyrdd Project Agreement.</p> <p>The first Joint Working Agreement (JWA) was signed in October, 2009 and governed the relationship between the Partner Councils in relation to the procurement phase. JWA1 ran throughout the procurement phase and ended when the Project Agreement (between the Contractor and Host Council) was signed (currently planned for July, 2013). JWA2 would govern the relationship between the Partner Councils regarding the operation of the project Agreement and would remain in force throughout the duration of the Project Agreement.</p> <p>It was envisaged that JWA2 would be approved by each Partner Council at the same time as the approval of the PG Preferred Bidder, in February/March, 2013.</p> <p>The presentation comprised:-</p> <p>Joint Working Agreements Key Principles Governance</p> <ul style="list-style-type: none"> - Role of Host Authority - Governance - Decision Making <p>Minimum/maximum tonnage</p> <p>Financial Aspects</p> <ul style="list-style-type: none"> - Budgets - Payment Mechanism - Cost & benefit sharing <p>Particular reference was made at the meeting to the fact that Prosiect Gwyrdd could not contract directly with the successful</p>	Noted

	<p>bidder and the need to select a “Host Authority”. Governance would be through a Contract Management Board (Senior Officer) and Joint Committee. With regard to payment terms the Host Authority would receive funds from other partners in advance of payment to Contractor and this payment to include the VAT share of the Contractors invoice.</p> <p>MW responded to Members’ questions on various aspects of the JWA2 including the role of the Joint Committee and Contract Manager, transport plans and good communications in respect of the publicising of the successful tenderer.</p> <p>In response to a question, MW also confirmed that two bids had been received.</p> <p>With regard to communications RW stated that it was important to emphasise the total tender process which had been gone through.</p> <p><i>(Councillor Moore left the meeting during consideration of the above item)</i></p>	
61	Date of Next Meeting	
	7 February, 2013 at County Hall, Cardiff	Noted

Partnership of Councils



Supporting partner

