

Agenda Annex

**JOINT WASTE DISPOSAL BOARD
4 AUGUST 2004
(6.30 pm – 8.20 pm)**

Present: Bracknell Forest Borough Council

Councillor T Mills

Reading Borough Council

Councillor R McKenzie
Councillor J Orton

Wokingham District Council

Councillor P Lewis
Councillor R Stanton

Apologies for absence were received from:
Councillor Mrs M P Ballin (Bracknell Forest)

1 Election of Chairman (Item 1)

RESOLVED that Councillor Mills be elected chairman of the Joint Waste Disposal Board for the 2004/2005 municipal year.

COUNCILLOR MILLS IN THE CHAIR

2 Appointment of Vice Chair (Item 2)

RESOLVED that Councillor Orton be elected Vice Chair of the Board for the 2004/2005 municipal year.

3. Minutes (Item 4)

RESOLVED that the minutes of the meeting of the Board held on 26 May 2004 be confirmed as a correct record and signed by the Chairman.

4. Declarations of Interest (Item 5)

There were no declarations of interest in relation to any items on the Board's agenda.

5. **Exclusion of Public and Press (Item 7)**

RESOLVED that pursuant to Section 100A of the Local Government Act 1972, members of the public and press be excluded from the meeting for the consideration of item 8, which involved the likely disclosure of exempt information under the following categories of Schedule 12A of that Act:

- (7) financial affairs of a company;
- (9) terms proposed or to be proposed for a contract for the supply of services.

6 **Pre-Best and Final Offer Negotiation Outcomes (item 8)**

The Board considered a report, containing exempt information, from the Project Director, which advised the Board of the work undertaken since its last meeting on 26 May. The Board was advised that further negotiation and clarification had been undertaken with the two companies in the bidding process, together with ongoing analytical work in relation to the bids and the original reference project.

In addition, the Board noted that work would be commencing in October in developing a 'fall-back' position, which was considered a prudent risk mitigation measure at this stage of the project.

The Board considered the issues relating to decision to invite the companies to the Best and Final Offer (BaFO) stage of the procurement process. Advice was given to the effect that a decision to proceed to the BaFO stage need not necessarily be construed as a key Executive decision in each of the authorities, as it involved no major change in policy or approach to the project, but was rather a logical step in the procurement process. Following this and the other information and advice submitted, the Board concluded that it would endorse the recommendation set out in the report.

The Board then considered particular aspects of the project, such as possible assistance to companies in preparing their BaFO documentation. Whilst acknowledging the resources in compiling such documentation, the Board noted that there was no known precedent for assisting companies in their procurement costs in this sector, although the Board would be consulted, if there were further issues to be considered in this area. There was a possibility of the local authorities undertaking site investigations on the local authority-owned sites with the resultant information being shared with the two companies in the bidding process.

The Board reflected upon the increased waste disposal costs, which had occurred in recent years and were likely to occur in the future, even if the project were not to proceed. As a result it was necessary for other leading Members to take on board these likely increases and associated risks, together with their impact on future budget planning. In this regard it was noted that presentations and information sharing sessions would be arranged for the respective executive members in each authority, to heighten their commitment to the desired outcomes of the project.

The Board also noted that the User Group would continue to be involved in the development of the project, including consideration of a summary of the BaFO documentation.

RESOLVED that

- (i) the recommendations of the Pre Best and Final Offer Negotiation report be endorsed and agreed, as the basis for the Joint Project Team to progress the procurement; and
- (ii) Board Members recommend to their respective authorities that their authority formally approve a decision to issue an invitation to submit a Best and Final Offer to two companies identified in paragraph 2.2 of the report submitted.

CHAIRMAN

This page is intentionally left blank