

Correspondence

From: DEFRA OFFICIAL
Sent: 09 August 2011 12:53
To: NCC OFFICIAL; 'Tyas, Adrian'
Cc: 3 x DEFRA OFFICIAL
Subject: RE: Norfolk Waste PFI - FBC - clarifications

Hi NCC OFFICIAL,

The second bullet relates to planning and to the response of bullet 1.
Say if in one of the scenarios in bullet 1, a clear planning outcome is not yet known in June 2013, what will happen to the PFI Contract and the funding availability (failure to obtain planning by planning longstop date is usually an event of default under a financing agreement)?

Regards,

DEFRA OFFICIAL

From: NCC OFFICIAL
Sent: 09 August 2011 12:21
To: DEFRA OFFICIAL Tyas, Adrian
Cc: 3 x DEFRA OFFICIALS
Subject: RE: Norfolk Waste PFI - FBC - clarifications

Hello DEFRA OFFICIAL

Thank you for the e-mail below. Could you confirm whether the second bullet point relates to planning or whether it is a separate issue for consideration?

Kind regards

NCC OFFICIAL

From: REDACTED DEFRA OFFICIAL
Sent: 09 August 2011 12:07
To: NCC OFFICIAL; Tyas, Adrian
Cc: 3 x DEFRA OFFICIALS
Subject: RE: Norfolk Waste PFI - FBC - clarifications

Dear NCC OFFICIAL/Adrian,

We are currently reviewing the full clarification responses that you have provided us and will e-mail you an updated version with either "issues closed/noted" or "still open with further clarification question".

With regards to the planning long stop date (question no 21 on the log), we thought it might be useful to set out below our further clarification response in advance of the other questions because you might need some time to analyse and consider the response.

You confirmed that Planning Long Stop Date is 10 June 2013, which is 2 years from the actual planning submission date. We noted that you also assume that planning determination is expected to be made in Feb 2012.

- In lights of the public reaction on the proposal, have you considered in the context of planning timetable (i.e. when a clear planning outcome will be obtained), scenarios such as
 - o a) a negative planning outcome in February 2012,

- b)the application being called in prior to determination by the Planning Authority,
 - c)others.
- In addition, what will happen to the PFI contract and private sector funding availability (noting that there are significant costs involved if a new funding package will need to be brought in).

Just to give an example, in a recent waste PFI's planning application approved by the SoS, it took 6 months for the appeal to be prepared and submitted. From that point it took around 1yr 8 month for the public inquiry etc until the SoS decision.

Regards,

DEFRA OFFICIAL

From: NCC OFFICIAL
Sent: 03 August 2011 19:01
To: DEFRA OFFICIAL Tyas, Adrian
Cc: 3 x DEFRA OFFICIALS
Subject: RE: Norfolk Waste PFI - FBC - clarifications

Hello DEFRA OFFICIAL

Please find attached the clarifications requested with your e-mail below. We are currently working on your further clarification requested yesterday. 2 August.

WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED REST OF EMAIL AS IT IS OUT OF SCOPE OF THE REQUEST

Kind regards

NCC OFFICIAL

From: DEFRA OFFICIAL
Sent: 28 July 2011 20:59
To: Tyas, Adrian
Cc: NCC OFFICIAL; 2x DEFRA OFFICIALS
Subject: Norfolk Waste PFI - FBC - clarifications

Hi Adrian,

As per DEFRA OFFICIAL's e-mail below, please find attached the financial and commercial clarifications. Please feel free to call if you have any questions.

Regards,

DEFRA OFFICIAL
 TELEPHONE NUMBER

From: DEFRA OFFICIAL
Sent: 23 July 2011 21:34
To: Hull, Joel; Tyas, Adrian; NCC OFFICIAL
Cc: 4 x DEFRA OFFICIALS
Subject: Norfolk Waste PFI - FBC - clarifications

Hello Joel,

Please find attached our first batch of clarifications.

WIDP PROGRAMME OFFICE NOTE FOR EIR: EXTRACT REMOVED AS IT IS OUT OF SCOPE OF THE REQUEST

The financial and commercial clarifications will follow early next week.

<Norfolk final FBC review clarifications- v1_0.doc>>

WIDP PROGRAMME OFFICE NOTE FOR EIR: REGULATION 12(4)(a) RELATING TO INFORMATION NOT BEING AVAILABLE WHEN A REQUEST IS RECEIVED HAS BEEN APPLIED AS DEFRA DOES NOT HOLD THE ATTACHMENTS REFERRED TO.


3rd ITERATION OF THE DOCUMENT IS ATTACHED TO EMAIL OF 31 August 2011 09:39

thanks,

DEFRA OFFICIAL

Project Development Team - WIDP

GTN TELEPHONE NUMBER

 Help us save paper - do you need to print this e-mail?

END OF EMAIL CHAIN

From: DEFRA OFFICIAL

Sent: 31 August 2011 09:39

To: NCC OFFICIAL; DEFRA OFFICIAL

Cc: 2 x DEFRA OFFICIALS; Tyas, Adrian; Hull, Joel

Subject: RE: FW: Norfolk Waste PFI - FBC - comp on term clarifications

Hello NCC OFFICIAL,

Please find attached the updated clarifications table; you will note that the outstanding items are 13, 22 (which will be dealt with through sign-off of the final derogations table) and 21 (which includes an update requested from CW).

Grateful if you can also provide an update on the item we discussed yesterday (i.e. KLWN withdrawal from JMWMS). WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED REST OF EMAIL AS IT IS OUT OF SCOPE OF THE REQUEST

<< File: Norfolk final FBC review clarifications- 3rd iteration.doc >>


WIDP PROGRAMME OFFICE NOTE FOR EIR: SEE DOCUMENT *NORFOLK FINAL FBC REVIEW CLARIFICATION.PDF* FOR THE DOCUMENT REFERRED TO

thanks,

DEFRA OFFICIAL

Project Development Team - WIDP

TELEPHONE NUMBER

 Help us save paper - do you need to print this e-mail?

From: NCC OFFICIAL
Sent: 22 August 2011 11:03
To: 2 x DEFRA OFFICIALS
Cc: 2 x DEFRA OFFICIALS; Tyas, Adrian; Hull, Joel
Subject: RE: FW: Norfolk Waste PFI - FBC - comp on term clarifications

Hello DEFRA OFFICIAL,

Please find attached the Authority's responses to the 2nd iteration of the Widp Clarifications Matrix.

Kind regards

NCC OFFICIAL

From: DEFRA OFFICIAL
Sent: 15 August 2011 13:44
To: DEFRA OFFICIAL; NCC OFFICIAL
Cc: 2 x DEFRA OFFICIALS; Tyas, Adrian; Hull, Joel
Subject: RE: FW: Norfolk Waste PFI - FBC - comp on term clarifications

NCC OFFICIAL;

As promised, see attached follow-up clarifications.

<<Norfolk final FBC review clarifications- 2nd iteration.doc>>


WIDP PROGRAMME OFFICE NOTE FOR EIR: ATTACHMENT WITHHELD UNDER REGULATION 12(4)(d).
3rd ITERATION OF THE DOCUMENT IS ATTACHED TO EMAIL OF 31 August 2011 09:39

thanks,

DEFRA OFFICIAL

Project Development Team - WIDP

TELEPHONE NUMBER

 Help us save paper - do you need to print this e-mail?

From: DEFRA OFFICIAL
Sent: 15 August 2011 12:45
To: NCC OFFICIAL
Cc: 2 x DEFRA OFFICIALS; Tyas, Adrian
Subject: RE: FW: Norfolk Waste PFI - FBC - comp on term clarifications

Hi NCC OFFICIAL,

Yes, definitely.

I am cc-ing this to DEFRA OFFICIAL because I thought DEFRA OFFICIAL was planning to e-mail it to you on Friday last week.

Regards,

DEFRA OFFICIAL

From: NCC OFFICIAL
Sent: 15 August 2011 11:09
To: DEFRA OFFICIAL
Cc: DEFRA OFFICIAL; Tyas, Adrian
Subject: RE: FW: Norfolk Waste PFI - FBC - comp on term clarifications

Hello DEFRA OFFICIAL

We are now working on the clarifications below.

Is it still the intention to send us an updated template indicating which issues are closed/noted/still open as indicated in your e-mail of 9 August?

WIDP PROGRAMME OFFICE NOTE FOR EIR: 3rd ITERATION OF THE DOCUMENT IS ATTACHED TO EMAIL OF 31 August 2011 09:39

Kind regards

NCC OFFICIAL

END OF EMAIL CHAIN

From: NCC OFFICIAL
Sent: 05 August 2011 14:58
To: DEFRA OFFICIAL
Cc: DEFRA OFFICIAL
Subject: FW: FW: Norfolk Waste PFI - FBC - clarifications

Hello DEFRA OFFICIAL

In the attachment, in answer to (b) and (c), FIRM OFFICIAL has REDACTED REG 12(5)(e) and indicated that all the REDACTED REG 12(5)(e) (shown below) can be attributed to REDACTED REG 12(5)(e):

In response to my e-mail FIRM OFFICIAL distinguishes between the fees associated with REDACTED REG 12(5)(e)

Kind regards

NCC OFFICIAL

From: FIRM OFFICIAL
Sent: 05 August 2011 14:30
To: NCC OFFICIAL
Cc: Tyas, Adrian; 2 x FIRM OFFICIALS
Subject: Re: FW: Norfolk Waste PFI - FBC - clarifications

NCC OFFICIAL

Please find attached a simple s/s which answers DEFRA OFFICIAL'S queries (b) and (c) below.

In relation to her point (a), apologies if I've cause any confusion. My intention was to refer to hedge

breakage costs in relation to REDACTED REG 12(5)(e). I've double checked the REDACTED REG 12(5)(e) submitted with their CFT submission and it states:

REDACTED REG 12(5)(e).

The CW calculation of the caps on breakage costs in cases of Planning Failure at the CFT stage are consistent with this treatment.

Happy to discuss.

FIRM OFFICIAL

Office: TELEPHONE NUMBER | EMAIL ADDRESS

Mobile: TELEPHONE NUMBER

Website:

Assistant: FIRM OFFICIAL

Thank you for considering the environmental impact of printing emails.

From: DEFRA OFFICIAL
Sent: 04 August 2011 17:15
To: NCC OFFICIAL
Cc: DEFRA OFFICIAL
Subject: RE: Norfolk Waste PFI - FBC - clarifications

Hi NCC OFFICIAL,

Thank you.

The current format is fine.

When I spoke to FIRM OFFICIAL a couple of days ago, he believed that REDACTED REG 12(5)(e)

But from FIRM OFFICIAL's e-mail below:

Arrangement and commitment fees
Based on:

REDACTED REG 12(5)(e)

- a. Can you clarify which one is the correct position REDACTED REG 12(5)(e)?
- b. What is covered by the REDACTED REG 12(5)(e)?
- c. REDACTED REG 12(5)(e)?

Regards,

DEFRA OFFICIAL

From: NCC OFFICIAL
Sent: 04 August 2011 15:46
To: DEFRA OFFICIAL
Cc: DEFRA OFFICIAL
Subject: FW: Norfolk Waste PFI - FBC - clarifications

Hello DEFRA OFFICIAL

Below is my e-mail to FIRM OFFICIAL and FIRM OFFICIAL's response to me. Does this provide you with the information you need? Is the format acceptable? Should I send it to anyone else?

Kind regards

NCC OFFICIAL

From: FIRM OFFICIAL
Sent: 04 August 2011 15:39
To: NCC OFFICIAL
Cc: FIRM OFFICIAL
Subject: Fw: Norfolk Waste PFI - FBC - clarifications

Hi NCC OFFICIAL

The responses to DEFRA OFFICIAL clarification are as follows,

REDACTED REG 12(5)(e)

Kind regards
FIRM OFFICIAL

Office: TELEPHONE NUMBER | EMAIL ADDRESS
Mobile: TELEPHONE NUMBER
Website:
Assistant: FIRM OFFICIAL
Thank you for considering the environmental impact of printing emails.

----- Forwarded 04/08/2011 15:18 -----

"NCC OFFICIAL">

02/08/2011 12:07

To <FIRM OFFICIAL>
cc
Subject FW: Norfolk Waste PFI - FBC - clarifications

From: NCC OFFICIAL
Sent: 02 August 2011 11:42
To: FIRM OFFICIAL
Subject: FW: Norfolk Waste PFI - FBC - clarifications

Hello FIRM OFFICIAL

REDACTED REG 12 (5)(e)

Could you provide the details DEFRA OFFICIAL asks for.

I assume REDACTED REG 12 (5)(e)?

How much, if any, of the Bid and Development costs are incurred post financial close?

Kind regards

NCC OFFICIAL

From: DEFRA OFFICIAL
Sent: 02 August 2011 11:27
To: NCC OFFICIAL
Cc: DEFRA OFFICIAL
Subject: RE: Norfolk Waste PFI - FBC - clarifications

Hi NCC OFFICIAL,

With regards to the planning failure comp on term cap of £20.3mn, can you also provide us with the updated details/breakdowns on the following heads of losses that can be accommodated within the cap

REDACTED REG 12(5)(e)

Regards,

DEFRA OFFICIAL

From: NCC OFFICIAL
Sent: 29 July 2011 14:50
To: DEFRA OFFICIAL; Tyas, Adrian
Cc: 2 x DEFRA OFFICIALS
Subject: RE: Norfolk Waste PFI - FBC - clarifications

Hello DEFRA OFFICIAL

Just to confirm receipt of the commercial and financial clarification questions which we are now working on.

Kind regards
NCC OFFICIAL

END OF EMAIL CHAIN

From: NCC OFFICIAL
Sent: 04 August 2011 09:30
To: DEFRA OFFICIAL; Tyas, Adrian
Cc: 3 x DEFRA OFFICIALS
Subject: RE: Norfolk Waste PFI - FBC - clarifications

Hello DEFRA OFFICIAL

Please find the "NCC first responses" attached with the following changes:

1. They are now in plum (I hope) and dated
2. In 18 changes are all shown as point rather than percentage movements

Again, would it be possible to forward a copy to DEFRA OFFICIAL?

Kind regards

NCC OFFICIAL

END OF EMAIL CHAIN

From: DEFRA OFFICIAL
Sent: 16 August 2011 11:21
To: NCC OFFICIAL; JOEL HULL
Cc: 3 x DEFRA OFFICIALS
Subject: Re: FBC clarification for CW

NCC OFFICIAL/Joel

Can we chat about this?

My view is that the risk of incurring that £20m is uncomfortable but it is an Authority decision to delay FC. You mentioned a letter from CLG (SoS?) stating that this was a local decision. Are we relying on this to give us comfort the NCC decision won't be called in? If so, can I see a copy of this?

I am available for the next hour.

Kind regards

DEFRA OFFICIAL

From: NCC OFFICIAL
To: DEFRA OFFICIAL
Cc: Tyas, Adrian; Hull, Joel
Sent: Tue Aug 16 10:52:41 2011
Subject: FW: FBC clarification for CW

Hello DEFRA OFFICIAL

This is the issue which DEFRA OFFICIAL raised last week and which you clarified last Thursday at SOLICITORS. As can be seen from my e-mail below, the mark up of the Credit Agreement implied that we may be on fertile ground here with respect to the Lenders extending the longstop date. Before I get back to FIRM OFFICIAL do you want to add any further clarification?

Kind regards

NCC OFFICIAL

From: CORY OFFICIAL
Sent: 16 August 2011 10:39
To: NCC OFFICIAL
Cc: 3 x FIRM UNKNOWN OFFICIALS; 2 x FIRM OFFICIALS; SOLICITOR OFFICIAL; CORY OFFICIAL
Subject: RE: FBC clarification for CW

NCC OFFICIAL,

Yes we did indeed raise this. Whilst the banks did not reject the idea they did point out that they would need to consider it carefully and, effectively, conduct a round of due diligence on the extended period to understand: extent and nature of contractual drafting; impact on sensitivities; and risk profiling of the project generally. They also pointed out, as we did, that we would need to reopen the negotiation with HZI to extend the price fix period which may in itself come at a cost. They would be happy to explore but suggested that at this late stage, with weeks to go to FC, it would certainly introduce delay.

I can imagine the price discussions with HZI slowing things by a two weeks on its own, and agreement on drafting and the underlying principles could well be longer. I have copied SOLICITOR OFFICIAL and FIRM OFFICIAL (who is covering for FIRM OFFICIAL) in case there are any further points that I might have missed.

Before we go much further it would be helpful to have a view from WIDP/Authority if this is sufficiently important to delay FC. If the answer is yes then I will seek to define what work the banks would need undertaken so that we can better judge what we would be letting ourselves in for.

Kind Regards, CORY OFFICIAL

Cory Environmental

3-6 Greyfriars Business Park, Frank Foley Way, Stafford, ST16 2ST


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www.corvenvironmental.co.uk

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END OF EMAIL CHAIN

From: NCC OFFICIAL

Sent: 18 August 2011 17:24

To: DEFRA OFFICIAL

Cc: DEFRA OFFICIAL

Subject: RE: FW: Norfolk Waste PFI - FBC - comp on term clarifications

WIDP PROGRAMME OFFICE NOTE FOR EIR: ATTACHMENTS ARE BEING WITHHELD UNDER REGULATION 12(5)(e)

Hello DEFRA OFFICIAL

Responses to your questions below are in the two attachments above.

We are also working up the responses REDACTED REGULATION 12(5)(e).

Kind regards

NCC OFFICIAL

From: DEFRA OFFICIAL

Sent: 15 August 2011 10:29

To: NCC OFFICIAL

Cc: DEFRA OFFICIAL

Subject: RE: FW: Norfolk Waste PFI - FBC - comp on term clarifications

Hi NCC OFFICIAL,

Thank you very much for the clarification with regards to the planning comp on term (your latest e-mail on this subject is Friday 05/08/11). From several e-mails, we noted the following:

- the overall cap is £20.3mn plus actual hedging breakage cost/revenue
 - REDACTED REGULATION 12(5)(e)
 - REDACTED REGULATION 12(5)(e)
 - REDACTED REGULATION 12(5)(e)
1. On the comparison between tender stage and current level, we assume that some differences are due to the REDACTED REGULATION 12(5)(e). Can you please clarify why there is REDACTED REGULATION 12(5)(e)?
 2. We noted that the current cap has been competed as part of the tender. However, to what extent the Authority and its advisers have looked into the individual head of loss proposed to be compensated, in particular have the Authority and its advisers considered whether it is appropriate and have as a result explicitly agreed to include the following in the compensation
 - REDACTED REGULATION 12(5)(e)
 - REDACTED REGULATION 12(5)(e)
 - REDACTED REGULATION 12(5)(e).
 - REDACTED REGULATION 12(5)(e)?

3. Please confirm whether/to what extent the Authority and its advisers have considered the mitigation on the planning failure liability i.e. the pro/cons of split closing or deferring interest rate swap to reduce the liability? In addition, given the development on the planning related issues since PB appointment, to what extent the Authority is still confident that the project will obtain planning by the Planning Long Stop Date?

END OF EMAIL CHAIN

From: NCC OFFICIAL
Sent: 02 September 2011 12:03
To: 2 x DEFRA OFFICIALS
Cc: 2 x DEFRA OFFICIALS; Tyas, Adrian; Hull, Joel
Subject: RE: FW: Norfolk Waste PFI - FBC - comp on term clarifications

Hello DEFRA OFFICIAL

Please find attached responses to the 3rd iteration of clarifications. These include an update to item 21 and a statement
WIDP PROGRAMME OFFICE NOTE FOR EIR: EXTRACT REMOVED AS IT IS OUT OF SCOPE OF THE
REQUEST

WIDP PROGRAMME OFFICE NOTE FOR EIR: SEE DOCUMENT *NORFOLK FINAL FBC REVIEW CLARIFICATION.PDF* FOR THE DOCUMENT REFERRED TO

Kind regards

NCC OFFICIAL

END OF EMAIL CHAIN

From: DEFRA OFFICIAL
Sent: 04 August 2011 13:03
To: NCC OFFICIAL
Subject: RE: Norfolk Waste PFI - FBC - clarifications

Hi NCC OFFICIAL,

Thank you.

Do you know when you'd be able to provide us with the info on the breakdown of Planning Failure comp on term as per 02.08 e-mail?

(WIDP PROGRAMME OFFICE NOTE FOR EIR: SEE EMAIL OF 03 August 2011 19:01)

Regards,

DEFRA OFFICIAL

END OF EMAIL CHAIN

From: NCC OFFICIAL
Sent: 09 August 2011 12:55
To: DEFRA OFFICIAL; Tyas, Adrian
Cc: 3 x DEFAR OFFICIALS
Subject: RE: Norfolk Waste PFI - FBC - clarifications

Hello DEFRA OFFICIAL

Thank you for the clarification.

Kind regards

NCC OFFICIAL

END OF EMAIL CHAIN

From: Hull, Joel
Sent: 25 July 2008 17:24
To: DEFRA OFFICIAL
Cc: 4 x DEFRA OFFICIALS; Tyas, Adrian; NCC OFFICIAL; FIRM OFFICIAL; FIRM UNKNOWN; SOLICITORS
Subject: WIDP Evaluation of OBC: Action Points and Clarification and Email Responses
Importance: High
Sensitivity: Confidential

Hello DEFRA OFFICIAL

WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED REST OF EMAIL AS IT IS OUT OF SCOPE OF THE REQUEST

Best regards

Joel Hull
Project Manager - Residual Waste Treatment Contract
TELEPHONE NUMBER

WIDP PROGRAMME OFFICE NOTE FOR EIR: See document *Clarifications 25072008 v1.0.pdf*

END OF EMAIL CHAIN

From: Hull, Joel
Sent: 11 July 2008 13:04
To: DEFRA OFFICIAL
Cc: 4 x DEFRA OFFICIALS; Tyas, Adrian; NCC OFFICIALS; FIRM OFFICIAL; SOLICITORS
Subject: 04 July Meeting Norfolk / WIDP: Action Points
Importance: High

Hello DEFRA OFFICIAL

WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED REST OF EMAIL AS IT IS OUT OF SCOPE OF THE REQUEST

WIDP PROGRAMME OFFICE NOTE FOR EIR: See document *Norfolk OBC Clarification Meeting.pdf*

Action Points 2 and 1

I've attached a briefing note on the markets for paper and mixed plastic.

WIDP PROGRAMME OFFICE NOTE FOR EIR: See document *Briefing Note on Paper and Plastics v1.pdf*

WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED REST OF EMAIL AS IT IS OUT OF SCOPE OF THE REQUEST

Best regards

Joel Hull
Project Manager - Residual Waste Treatment Contract
TELEPHONE NUMBER

END OF EMAIL CHAIN

From: DEFRA OFFICIAL
Sent: 07 July 2008 13:21
To: 'Hull, Joel'; DEFRA OFFICIAL
Cc: 3 x DEFRA OFFICIALS; 'Tyas, Adrian'; NCC OFFICIAL; FIRM OFFICIAL; 2 x FIRM UNKNOWN OFFICIALS
Subject: RE: 04 July Meeting Norfolk / WIDP: Action Points

Joel

Thanks - Just to re-iterate that I am not asking for re-modelling just for the sake of it as I have no wish to waste your time (nor that of your advisors) or mine on this. If you re-model the cost assessment as suggested it will have an impact on the WRATE output the magnitude of which is uncertain but is likely to be significant. In particular the following will contribute to a different outcome: mixed paper going to landfill; mixed plastic going to landfill; change in power output of efw (from CHP to power only); change in power output for AD (from the high end output to the mid range output). Hence the need to re-work.

Regards
DEFRA OFFICIAL

From: Hull, Joel
Sent: 07 July 2008 12:28
To: 2 x DEFRA OFFICIALS
Cc: 3 x DEFRA OFFICIALS; 'Tyas, Adrian'; NCC OFFICIAL; FIRM OFFICIAL; 2 x FIRM UNKNOWN OFFICIALS
Subject: RE: 04 July Meeting Norfolk / WIDP: Action Points

Hello DEFRA OFFICIAL

Point taken - we will do this and add it to the action list although I'm sure it will be in the next round of clarifications questions too.

Although as discussed at the meeting on Friday:

1. Wrate - most of the considerations identified will have no effect on Wrate.
2. Financial model - we had tried to explain our reasoning behind adopted positions providing answers / justification in our response which reduced / removed the need for a new financial model.

However, we now appreciate that this approach was not appreciated and was seen by some as unhelpful / symptomatic of resource issues and without warning has led to us being delayed by a further month, consequently we will do precisely what you want this time so that nothing can be misconstrued or cause need for further delay.

Best regards

Joel Hull
Project Manager - Residual Waste Treatment Contract
TELEPHONE NUMBER

From: DEFRA OFFICIAL
Sent: 07 July 2008 12:16
To: Hull, Joel; DEFRA OFFICIAL
Cc: 3 x DEFRA OFFICIALS; 'Tyas, Adrian'; NCC OFFICIAL; FIRM OFFICIAL; 2 x FIRM UNKNOWN OFFICIALS
Subject: RE: 04 July Meeting Norfolk / WIDP: Action Points

Joel

In addition we will require a re-modelling of WRATE/Costs based on the clarifications originally sought i.e. questions 18/19.

Regards

DEFRA OFFICIAL

From: Hull, Joel
Sent: 07 July 2008 10:22
To: DEFRA OFFICIAL
Cc: 3 x DEFRA OFFICIALS; 'Tyas, Adrian'; NCC OFFICIAL; FIRM OFFICIAL; 2 x FIRM UNKNOWN OFFICIALS
Subject: 04 July Meeting Norfolk / WIDP: Action Points

Hello DEFRA OFFICIAL

Thank you for steering us through the process on Friday and we appreciated your help and guidance. Here are the action points that we have picked out of the meeting, can you let me know whether you agree:

1. Provide PB letter and Payment Mechanism for Contract A marked as confidential (to address uncertainty and concern about markets and risks profile for two outputs: CLO and mixed plastics).
2. WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED AS IT IS OUT OF SCOPE OF THE REQUEST
3. WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED AS IT IS OUT OF SCOPE OF THE REQUEST
4. WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED AS IT IS OUT OF SCOPE OF THE REQUEST
5. Provide an updated Wrate model (to address problems in model provided around transport elements in AD scenario).
6. Provide briefing paper on CHP, to include details of discussions with potential off takers (to address concern that CHP potential for the project is understated).
7. WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED AS IT IS OUT OF SCOPE OF THE REQUEST
8. Write to Defra on possibility of increasing capex and associated PFI credits for CHP solutions where more than reference project is delivered (to address scenario of higher capex cost than reference project).
9. WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED AS IT IS OUT OF SCOPE OF THE REQUEST
10. WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED AS IT IS OUT OF SCOPE OF THE REQUEST

11. WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED AS IT IS OUT OF SCOPE OF THE REQUEST

12. WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED AS IT IS OUT OF SCOPE OF THE REQUEST

I hope that helps and things will start coming through today.

Best regards and thanks for your help on Friday.

Joel Hull
Project Manager - Residual Waste Treatment Contract
TELEPHONE NUMBER

END OF EMAIL CHAIN

From: Hull, Joel
Sent: 09 July 2008 08:36
To: DEFRA OFFICIAL
Cc: 3 x DEFRA OFFICIALS; 'Tyas, Adrian'; NCC OFFICIAL; FIRM OFFICIAL; 2 x FIRM UNKNOWN OFFICIALS
Subject: RE: 04 July Meeting Norfolk / WIDP: Action Points

Hello DEFRA OFFICIAL

The action list is agreed.

By way of an update:

- We are meeting with our advisors today.
- WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED AS IT IS OUT OF SCOPE OF THE REQUEST
- WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED AS IT IS OUT OF SCOPE OF THE REQUEST.
- The Wrate model should be with you early next week.
- The shadow tariff model will follow later next week.
- We have met with Palm Paper to discuss their likely demands and how far they intend to meet them themselves / by other means and have asked them a range of questions which they will provide answers to. When I have this I can complete the briefing paper, if this element gets delayed we will provide an interim briefing paper.

Consequently it is likely you will receive one email tomorrow, one early next week and at the end of next week. If this progress is causing you any concern please let me know and I will see what we can possibly do to speed things up.

Best regards

WIDP PROGRAMME OFFICE NOTE FOR EIR: See document *Norfolk OBC Clarification Meeting.pdf*

Joel Hull
Project Manager - Residual Waste Treatment Contract
TELEPHONE NUMBER

END OF EMAIL CHAIN

From: Hull, Joel
Sent: 15 July 2008 16:34

To: DEFRA OFFICIAL

Cc: 3 X DEFRA OFFICIALS Tyas, Adrian; NCC OFFICIAL; FIRM UNKNOWN; FIRM OFFICIAL; SOLICITORS

Subject: WIDP Evaluation of OBC: Action Points and Clarification Responses

Importance: High

Sensitivity: Confidential

Hello DEFRA OFFICIAL

I've attached more information that addresses action points arising from our meeting on 04 July and the Second Round of Clarification questions received on 12 July. Can you please confirm you have received this email and the attachments okay?

WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED AS IT IS OUT OF SCOPE OF THE REQUEST

Clarification Point 11

I think this may have been addressed by the briefing paper on plastics and paper provided as Action Point 2.

Clarification Point 12

Unfortunately at this time I don't think we can progress this much further than our previous response as the Environment Agency will not provide authorisations on the use of CLO until the output from the relevant plant can be tested. We are however mindful of the Environment Agency's position statement 'Compost Like Outputs from MBT of Mixed Source Municipal Waste'.

WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED AS IT IS OUT OF SCOPE OF THE REQUEST

I think that leaves outstanding:

Action Points: 6 and 13.

Clarification Points: 1, 3, 8, 14, 31, 32, 33.

I hope that helps and if you need more any information on nay point please let me know. To help your programming we expect to provide responses to all other points as one block by Wednesday next week.

I look forward to receiving any dates you have in mind for our future meetings.

Best regards

Joel Hull

Project Manager - Residual Waste Treatment Contract

TELEPHONE NUMBER

END OF EMAIL CHAIN

From: Hull, Joel

Sent: 10 July 2008 16:29

To: DEFRA OFFICIAL

Cc: 3 X DEFRA OFFICIALS; Tyas, Adrian; NCC OFFICIAL; 2 X FIRM UNKNOWN; FIRM OFFICIAL; SOLICITORS

Subject: 04 July Meeting Norfolk / WIDP: Action Points

Importance: High

Sensitivity: Confidential

Hello DEFRA OFFICIAL

For ease of reference I've referred to the numbers in your action points summary below.

I've also provided the commentary provided by Enviro to go with these. As I mentioned before the Wrate analysis, once it has been through the approval process, will be with you early next week, you can see where this will slot in at the end of the Clarification Note No 1, which will be re-sent then.

Action Point 7

WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED UNDER REGULATION 12(5)(E) RELATING TO COMMERCIAL CONFIDENTIALITY

WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED AS IT IS OUT OF SCOPE OF THE REQUEST

To Come

- WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED AS IT IS OUT OF SCOPE OF THE REQUEST.
- Briefing paper on CHP is in hand - we now have Palm Papers technical requirements for CHP.
- WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED AS IT IS OUT OF SCOPE OF THE REQUEST.
- Wrate analysis - to come early next week.

I hope this progress helps in your assessment and if you need to discuss any element of this email please let me know asap.

Best regards

Joel Hull
Project Manager - Residual Waste Treatment Contract
TELEPHONE NUMBER

END OF EMAIL CHAIN

From: Hull, Joel

Sent: 07 July 2008 17:12

To: DEFRA OFFICIAL

Cc: 3 x DEFRA OFFICIALS; 'Tyas, Adrian'; NCC OFFICIAL; FIRM OFFICIAL; 2 x FIRM UNKNOWN OFFICIALS

Subject: 04 July Meeting Norfolk / WIDP: Action Points CONFIDENTIAL

Importance: High

Sensitivity: Confidential

Hello DEFRA OFFICIAL

To follow up on our draft action list I've attached:

1. Contract A Preferred Bidder letter and Payment Mechanism for Contract

A, both marked as confidential. WIDP PROGRAMME OFFICE NOTE FOR EIR: REGULATION 12(4)(a) RELATING TO INFORMATION NOT BEING AVAILABLE WHEN A REQUEST IS RECEIVED HAS BEEN

APPLIED AS DEFRA DOES NOT HOLD THE ATTACHMENTS REFERRED TO In the Preferred Bidder letter the issue of plastics is addressed in Section 20 (i) to (iii) and 22; CLO is covered in Section 24 (i) to (x). Within the Payment Mechanism (Part A) the references to third party income and CLO flow through the payment mechanism but this essentially just reflects the commercial positions agreed in the PB letter. If you need to discuss either document or their interpretation please contact me as quickly as possible - as you can imagine they are both documents we are very familiar with! We can also provide a further guidance note if you think this is necessary.

2. WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED AS IT IS OUT OF SCOPE OF THE REQUEST

3. WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED AS IT IS OUT OF SCOPE OF THE REQUEST

4. WIDP PROGRAMME OFFICE NOTE FOR EIR: REMOVED AS IT IS OUT OF SCOPE OF THE REQUEST

All other work streams are underway. Further information will be provided on plastics later in the week, models are being re-run, and the work on CHP work is underway - we are meeting Palm Paper first thing tomorrow!

I hope this helps and I look forward to your next round of clarifications.

Best regards

Joel Hull

Project Manager - Residual Waste Treatment Contract

TELEPHONE NUMBER

<<Attachments: 20071221 Preferred Bidder letter FINAL v1.0 MJ.doc; Pay Mech 090608 EY.doc; Evaluation Model - Draft.doc; comms strategy_rev7.doc; cabinet140408minspdf.pdf>>

WIDP PROGRAMME OFFICE NOTE FOR EIR: REGULATION 12(4)(a) RELATING TO INFORMATION NOT BEING AVAILABLE WHEN A REQUEST IS RECEIVED HAS BEEN APPLIED AS DEFRA DOES NOT HOLD THE ATTACHMENTS REFERRED TO.

END OF EMAIL CHAIN

From: Hull, Joel

Sent: 17 June 2008 17:42

To: DEFRA OFFICIAL

Cc: Tyas, Adrian; 3 X DEFRA OFFICIALS; NCC OFFICIAL

Subject: RE: WIDP Evaluation of OBC - Clarification Questions

WIDP PROGRAMME OFFICE NOTE FOR EIR: See documents

Norfolk OBC review Initial Queries v1.0.pdf

And

Norfolk GWP Summary Updated. xls

Hello DEFRA OFFICIAL

As promised I've attached our responses to your questions and a few supporting files too that relate to the Wrate assessment questions.

I hope these prove okay and if there are any issues you want to develop further please let me know.

I look forward to seeing you in early July - as I said I'm hoping you can make it the 04 July in the afternoon - if possible, but please let me know your preference when you have it. So that you know the intention is to bring:

Joel Hull - Project Manager, NCC

Adrian Tyas - Deputy Project Manager, NCC

REDACTED - Financial Projects Manager, NCC

FIRM

Grant McKelvie - Enviros

I look forward to seeing you then.

Best regards

Joel Hull

Project Manager - Residual Waste Treatment Contract

TELEPHONE

