

Newhurst Local Liaison Committee (LLC)

Terms of Reference

1. Introduction

Newhurst Energy Recovery Facility (ERF) is a joint venture (JV) partnership between Biffa and Encyclis.

- Encyclis hereafter referred to as “the Operator” is contracted by the JV, and responsible to Operate and Maintain the facility (O&M).
- Biffa is contracted by the JV to provide the majority of the Fuel Supply into the facility.

The Newhurst Local Liaison Committee was established as part of the planning consent under the provisions of the Section 106 agreement, dated, DDMMYY

2. Objectives:

2.1 The objectives of the Newhurst Local Liaison Committee (LLC) are:

- To be a consultative forum to encourage constructive dialogue and general discussion between all interested parties (The Stakeholders).
- To improve understanding of the relevant processes and plant operations of the Newhurst facility.
- To ensure that relevant issues and concerns of the local community are heard and understood and, where appropriate, addressed.
- To allow for any other issues of importance raised, but which are outside the scope of the LLC, to be referred to appropriate agencies.

2.2 The LLC has a non-executive role and has no formal enforcement or decision-making power, either within the Operator or the community as a whole. It is, however, able to raise issues with key Stakeholders as required and as may benefit the Group’s objectives.

3. Representation and Membership

3.1 The LLC shall comprise no more than 22 individuals. The individuals will be either “members” or “representatives” of the relevant regulatory bodies and representatives of the Operator. The actual number shall depend on the particular local situation and requirement at any one time and can be varied subject to approval by the LLC.

3.2 “Members” of the group shall comprise:

- local residents who are active in the community in which they live and who live within a 3-mile radius of the site.
- Elected members of the County Council, Borough Council and Town Council who are nominated to serve on the Committee by each Authority.
- By agreement with the LLC, representatives of major stakeholders within the 3-mile radius and who have or are expected to have a relationship to Newhurst by virtue of the supply of heat or power.

3.3 The Members in the group shall comprise the following:

- Local Residents 6 representatives.
- Shepshed Town Council 2 representatives
- Charnwood Borough Council Members 2 representatives
- Leicestershire County Council Members 2 representatives

3.4 Other representatives on the Committee shall comprise the following:

- Environment Agency 2 representatives
- Encyclis as the Operator 2 representatives
- Biffa and Encyclis JV 2 representatives
- Charnwood Borough Council Officers 2 representatives
- Leicestershire County Council Officers 2 representatives

The representatives may change, dependent on availability and the issues under discussion.

2.4 The actual makeup of the LLC shall depend on the situation prevailing at the time, but in order for any meeting to be quorate there must be at least five members present who shall include two local resident and one member each from Shepshed Town Council, Charnwood BC and Leicestershire CC and at least one member representing the Operator.

2.5 The LLC shall be able to co-opt additional temporary or permanent members as deemed necessary by the Group and by a member majority vote.

4. Election of Members:

4.1 The selection/reselection of local resident members shall be undertaken by a panel consisting of two local resident members, two elected members and the independent facilitator. The criteria for selection will be expressed as guidance to the candidates and shall be agreed at the time of reselection. Applications to join the committee may be encouraged, for example, by placing adverts for nominations in the local press or through the project's community newsletters. Guidance to candidates shall, for example, and *inter alia*, encourage inclusion and diversity, representativeness of the local communities and a willingness to represent a broad range of opinions.

4.2 All local resident members should be subject to selection or re-selection every three years. Membership is on a voluntary basis. Should a local resident representative wish to leave the LLC during their term of service, the need for an appropriate replacement will be discussed within the LLC and a replacement then selected using the process identified in paragraph 3.1 above. Consideration should be given to ensuring that (consistent with the numbers of applicants) local members are representative of the area as a whole. Resident members standing down after their term of office may put themselves forward for reselection.

5. Waiting list

5.1 Should membership of the LLC become oversubscribed, the contact details of interested parties will be held on a waiting list (with the applicant's permission)

until a vacancy on the LLC becomes available.

6. Substitutes

- 6.1** LLC Members and representatives who are unable to attend a meeting will be entitled to nominate a substitute to represent them or their organisation on their behalf. The secretariat should be informed of the substitution no fewer than two working days before the meeting in question occurs.

7. Repeated non-attendance

- 7.1** In the event of a member failing to attend two consecutive meetings without sending a substitute or apologies, their place will be offered to a person on the waiting list or advertised as appropriate.

8. Meeting Frequency and Format:

- 8.1** Meetings will be held on a quarterly basis or more frequently if required. The frequency of meetings may decrease by agreement with LLC members. In the event that the LLC decides that a meeting is not necessary for one quarter, an Operations and Maintenance update shall be provided by the management of the ERF. Notwithstanding this the LLC shall meet at least twice a year either face to face or remotely.
- 8.2** Wherever possible, meetings will be held face to face at a suitable venue arranged by Biffa/Encyclis. In the event that this is not possible then the meeting will be held virtually using Teams, Zoom, or another suitable platform. All members will be expected to be able to attend either in person or by a video or audio facility.
- 8.3** LLC members will be offered site visits around the Newhurst facility. This will be dependent on weather and site-safety conditions.

9. The role of LLC Members and Representatives:

9.1 The Role of Committee Members:

LLC members commit to undertake the following:

- To discuss the issues raised at the meetings with others within the community they represent and bring their views to the meetings.
- To disseminate responses and outcomes of meetings back to their communities
- To work with Biffa/Encyclis to identify key topics of interest to the local community that might be the subject of 'themed' LLC meetings or additional workshops as appropriate.
- To identify to the LLC secretariat items that they wish to be included on the Agenda for an LLC meeting no later than 15 working days before the meeting.

9.2 The role of Biffa/Encyclis Representatives:

Biffa/Encyclis commits to undertake the following responsibilities in relation to the LLC:

- To undertake all administrative duties necessary to organise the meetings and site visits.
- To cover the cost of venue hire.
- To provide scribing services so that proceedings are fully recorded.
- Where meetings are virtual, to carry out audio recording for the purposes of accurately producing draft meeting minutes. Members will be required to give their permission for the meeting to be recorded and such recordings will only be used only for the purpose of producing minutes and will be erased upon approval of the minutes by the LLC at the next meeting.
- To circulate draft meeting minutes within 20 working days of the meeting taking place. Minutes to be formally agreed by Members at the next meeting.

- To circulate the agenda and all documentation in relation to forthcoming LLC meetings at least 5 working days before the meeting date and to publish such information on the project website '[Welcome to Newhurst ERF](#)' at the same time.
- To publish the confirmed minutes on the project website [Community | Newhurst ERF](#) within 48 hours of approval.
- To respond to questions arising during LLC meetings and to distribute answers to questions with the agenda for each meeting unless an urgent response is required ahead of that deadline.
- To provide relevant, project-specific speakers to answer questions relating to the Newhurst project and, if called on, be prepared to involve 'subject specialists' to provide expert opinion on a given issue.

10. Meeting Protocol:

10.1 The meetings will be chaired by an Independent Facilitator provided by Biffa/Encyclis with the agreement of the LLC. In the event the Independent Facilitator is unavailable for a meeting, then a Chair drawn from those present will be appointed by the agreement of the Committee.

10.2 Ground rules for behaviour at the meetings are to be agreed by the committee to ensure the meetings run smoothly. Currently these rules should include:

- Mobiles turned off during meetings.
- One person speaks at a time in the meeting.
- Listen as well as talk.
- During the presentations, make a note of your questions and ask when invited by the Independent Facilitator.

11. Review of Terms of Reference

11.1 The LLC will review the Terms of Reference on a 3-yearly basis.

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Final Version

Due for Review March 2028.