Cyd-bwyllgor Corfforedig De-Ddwyrain Cymru | South East Wales Corporate Joint Committee

Report for:	NOTING
Contains Confidential or Exempt Information	NO

For Consideration By	Corporate Joint Committee
Report Title	Aberthaw Procurement Action Plan Review
Report of	Kellie Beirne, Chief Executive Officer and Head of Paid Service Jill Byron, Strategic Director of Legal & Governance and Monitoring Officer James Howse, Interim Strategic Director of Resources and Section 151 Officer
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Date to be Considered	12 October 2026
Implementation Date	Not applicable
Affected Council Areas	All

1. Recommendations

1.1 The Corporate Joint Committee is asked to note the report and the progress to date in respect of implementation of the recommendations set out in the Action Plan.

2. Background

2.1 In March 2022 Cardiff Capital Region City Deal purchased the redundant Aberthaw Power Station site. In November 2022, the contract for the demolition of the power station was advertised. The 2023 decision to award the contract resulted in a legal challenge which was settled in 2025.

2.2 Having taken responsibility for the City Deal in April 2024, in May 2025 the CJC commissioned Deloitte LLP to carry out an Independent Review of the circumstances relating to the procurement and the litigation and provide recommendations for change and improvement. Their Independent Review Report was considered at an extraordinary meeting of the Corporate Joint Committee on 12 February 2026.

2.3 Having considered the Independent Review report in exempt session, the CJC resolved, amongst other things, to (a) approve an abbreviated summary version of the Independent Review for publication and (b) agree an Action Plan. Oversight and monitoring responsibilities in respect of the Action Plan sit with the CJC.

2.4 A copy of the Action Plan, updated to 6 October 2026 is attached as an Appendix. Members will note that significant progress has already been made on the recommendations set out in the Action Plan.

3. Comments of the Director of Resources and Section 151 Officer

3.1 As referenced in section 2.1, the CJC (formally established on 1 April 2024), inherited liability for litigation outcomes from Cardiff Council (who before that date were the Accountable Body for the City Deal).

3.2 There are no direct financial implications associated with this report. Furthermore, the CJC now operates in a fundamentally different statutory and organisational context and has an entirely different control environment to the one it had under legacy (and transitional) arrangements. This includes entirely different procurement arrangements. It remains important that appropriate action is taken to ensure that appropriate lessons are learnt with regard to this matter.

4. Comments of the Director of Legal & Governance and Monitoring Officer

4.1 The Independent Review Report was a thorough and painstaking review of the procurement process with the full co-operation of all concerned. It is important to note that the full Report includes details that are subject to legal privilege belonging to a third party which has not been waived.

4.2 The Action Plan published in February 2026 was previously updated in a report to the Governance and Audit Committee in May 2026 and will continue to be reported on until all actions are completed.

Report Author: Jill Byron

Date of Meeting: 12 October 2026

Independent Review Action Plan – Update for the Corporate Joint Committee – 12 October 2026

Public Procurement				
	What	**When**	**Who**	**Progress**
1	Review SEWCJC procurement processes in the light of the recommendations set out in the Independent Review and report findings and any remedial actions taken to Governance & Audit Committee (GAC) Although not directly involved in the procurement process for Aberthaw, there are generic key learning points and takeaways that as a responsible public body, SEWCJC should consider and apply learnings to existing frameworks.	By end of May/June 2026	Director of Legal and Governance	1) An Internal Audit Review of the CJCs procurement arrangements provided a 'Robust' controls assurance conclusion in February 2026. 2) Following publication of the Summary Report, the CJC formally wrote to RCTCBC (as our procurement services provider under an SLA) to ask for a review of procurement processes (in light of the Summary Report Findings) to ensure they are fit for purpose and apply any lessons learned. The RCTCBC review concluded that processes were robust and further review was not necessary. **This action is now complete**
2	*Share the recommendations set out in the Independent Review with the Chief Executives of the councils within South East Wales region for information*	*Immediately*	*Chief Executive*	*Complete*

	There are generic key learning points and takeaways that that should be made available to all partner LAs in the region			
3	*Share the recommendations set out in the Independent Review with the Chairperson of CCR Energy Ltd with a shareholder request that they undertake a full review of the company's procurement processes in the light of the recommendations and report their findings and any remedial actions taken to the shareholder to be reported to the shareholder* *The review has identified issues where practice should be improved. As a publicly owned company, CCR Energy should consider and apply learnings to their existing frameworks and policies and ensure that standards, protocols and culture set clear expectations of those involved in these processes*	*Immediately*	*Chief Executive*	*Complete*
3A	**New** Receive and consider the report of the Chairperson of CCR Energy Ltd on the findings and remedial actions to be taken following their full review of the company's procurement processes in the light of the recommendations set out in the Independent Review		Corporate Joint Committee	This review is on-going and external advisers have been engaged
Legal Action				
	What	**When**	**Who**	
4	Continue to pursue all available legal recourses in respect of action to mitigate loss	Immediately and ongoing	Cardiff Council Monitoring Officer SEWCJC Director of Legal and Governance	On-going. **Note:** action in respect of legal advice recourse is being led and undertaken by Cardiff Council as the former Accountable Body and Contracting Authority

5	Regular reports to SEWCJC on progress in respect of any legal action to mitigate the loss		SEWCJC Director of Legal and Governance	
Stakeholder Engagement				
	What	***When***	***Who***	
6	*Proactively provide the summary to various stakeholders*	*Immediately*	*SEWCJC Head of Communications and External Affairs*	*Complete*
CCR Energy Ltd				
	What	**When**	**Who**	
7	*Share the summary of the Independent Review with the Chairperson of CCR Energy Ltd*	*Immediately*	*Chief Executive*	*Complete*
8	*Issue a shareholder request that CCR Energy undertake a review of the impact and implications of the Independent Review (if any), including on existing or former contracts and employees and report findings and any further or remedial actions taken or required to the shareholder*	*Immediately*	*Chief Executive*	*Complete*
8A	**New** Receive and consider the report of the Board of CCR Energy Ltd on their review of the impact and implications of the Independent Review (if any), including on existing or former contracts and employees, including details of their findings and any further or remedial actions taken or required	By end of July 2026	Corporate Joint Committee	This review was delayed pending the appointment of an new Interim Managing Director, who is due to report to the CCR Energy Board during October. The formal response will be reported to the next meeting of the CJC.