

## WRITTEN STATEMENT OF A KEY DECISION CABINET

<b>ITEM:</b>	<b>TO CONSIDER FUTURE OPTIONS FOR WASTE CONTRACT</b>
Members Present:	Councillors: JG Jarvis (Leader), H Bramer, RB Hamilton, AW Johnson, PM Morgan, RJ Phillips, GJ Powell, PD Price (Deputy Leader)
Date of Decision:	13 December 2012
Exempt:	No
Confidential	No
<p>This is a key decision because:</p> <p>It is likely to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.</p> <p>And/or</p> <p>It is likely to be significant in terms of its effect on-</p> <p>Two or more Wards or electoral divisions;</p> <p>One Ward (unless the number of those affected is very small or it is impractical to treat this as a key decision).</p>	
Urgency/Special Urgency: (As defined in Constitution)	No
Purpose:	The proposals being made by Mercia Waste Management for the treatment of residual waste are considered.
<b>Decision:</b>	<p><b>THAT:</b></p> <p style="padding-left: 40px;"><b>Subject to Worcestershire County Council giving approvals substantially in the same form as those contained in the recommendations of this report</b></p> <p style="padding-left: 40px;">(a) <b>Notes, pursuant to the Cabinet Report of 16<sup>th</sup> February 2012 relating to a variation to the existing waste contract to provide for an Energy from Waste plant at Hartlebury Trading Estate (the EfW Plant), the ongoing discussions with Mercia Waste Management Limited (Mercia) in relation to their proposals and the current status of satisfaction of the Parameters identified in that report;</b></p> <p style="padding-left: 40px;">(b) <b>Cabinet authorised the Director for Places and Communities in consultation with the Cabinet Member for Major Contracts, the Chief Officer</b></p>

	<p>Finance and Commercial and Worcestershire County Council and through the joint governance arrangements between the two authorities to pursue terms for alternative methods of finance for the EfW plant;</p> <p>(c)</p> <ul style="list-style-type: none"><li>(i) authorised the Director for Places and Communities in consultation with the Cabinet Member for Major Contracts and Worcestershire County Council and through the joint governance arrangements between the two authorities, to consider how the commissioning and operation of the EfW Plant could be integrated into the existing arrangements with Mercia, and</li><li>(ii) if the Director for Places and Communities considered there are no satisfactory resolution in respect of point (i) above then (subject to f) below) he is authorised if he considers it necessary (in consultation with the Cabinet Member for Major Contracts and Worcestershire County Council and through the joint governance arrangements between the two authorities) to launch a tendering exercise to commence the direct procurement by the 2 Councils of the EfW Plant in accordance with paragraph 9.9 below;</li></ul> <p>(d) Notes that Worcestershire County Council is authorised to procure and commence enabling works up to a maximum capital cost of £1.8m at Hartlebury in order to maintain the programme for the EfW Plant;</p> <p>(e) Requires the Director of Places and Communities to report back during the summer of 2013 with proposals for financing and procuring the EfW plant (by variation of the existing PFI contract or fresh procurement) to enable Cabinet to take a final decision; and</p>
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	<p>(f) Notes that Worcestershire County Council is expected to approve similar recommendations and that c ii) is subject to satisfactory negotiation and agreement with Worcestershire County Council of necessary amendments to the current Joint Working Agreement in place between the Councils; and</p> <p>(g) Requires the Director for Places and Communities to report back to the Cabinet in the report referred to in (e) on the decisions taken by Worcestershire County Council on waste contract management and any implications for Herefordshire Council.</p>
Reasons for the Decision:	The recommendations allow the Councils to explore options that potentially deliver better value for money and reducing any adverse effects of programme delay by commencing enabling works at Hartlebury.
Options Considered:	The purpose of this report is to allow Officers to explore alternative options for the financing the EfW at Hartlebury.
Conflict of Interest ■ (See below):	
Date the key decision is due to take effect:	20 December 2012

**COUNCILLOR J JARVIS:** .....Date: 13 December 2012  
**LEADER OF THE COUNCIL**

■ a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;

And

■ in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service.

<b>To be completed by officer:</b>	
Date consent received from Chairman of Overview and Scrutiny Committee:	
Subject to Call-in:	This Decision was not called in.
Was the decision modified?	No
If no any comment(s) to be noted	
Date original decision took effect:	20 December 2012