

Written statement of a key decision
Cabinet

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| Title | Variation to West Mercia Energy Joint Agreement |
| Decision maker | Cabinet Information about cabinet, including the names and contact details of the cabinet members, can be found here: http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251 |
| Date of decision | 15 February 2018 |
| Report exemption class | Open |
| Reason for being a key decision | This is a key decision because 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. |
| A notice was served in accordance with Part 3 (Key decisions) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. | |
| General exception or special urgency (as defined in the constitution) | No |
| Purpose | From April 2017 the government opened up the non-domestic water supply market to enable businesses, charities and public sector bodies to be able to choose their supplier rather than rely on a supplier within their region This report proposes to vary the Joint Agreement for West Mercia Energy (WME) held by the constituent authorities to enable WME to supply utilities, alongside the supply of energy. This variation does not impact on the council's Constitution. |
| Decision | That: (a) the West Mercia Energy Joint Agreement be varied to include the provision to be able to broker and supply utilities; and (b) the Director for Economy, Communities and Corporate be authorised, following consultation with the Solicitor to the Council, to finalise and execute the variation. |

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| Reason for the decision | As set out in the report. Documents relating to this decision are available at http://councillors.herefordshire.gov.uk/mglIssueHistoryHome.aspx?IId=50024756 |
| Options considered | Do nothing – not to enter the water services market. Research conducted by WME has indicated that not providing an offering for water is considered a business risk as some of WME’s key large customers will be looking in the future to procure a joint gas, electricity and water contract from one provider and not being in this market space could lead to loss of business. As a consequence the recommendation is to take the necessary steps to develop a customer offering for all utilities. |
| Declarations of interest (see below) | |
| Call-in expiry date (decisions are not subject to call-in where special urgency provisions apply) | 21 February 2018 |

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| Councillor: Leader of the Council (Councillor AW Johnson) | Date 15 February 2018 |
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- 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.