

WRITTEN STATEMENT OF A NON-KEY DECISION CABINET
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ITEM:	WASTE CONTRACT - VARIATION
Members Present	Councillors: AJM Blackshaw, H Bramer, RJ Phillips, PD Price (Deputy Leader), DB Wilcox
Date of Decision:	16 February 2012
Exempt:	No
Confidential	No
Urgency/Special Urgency: (As defined in Constitution)	No
Purpose:	To authorise the parameters of negotiations with our contractors concerning the variation to the integrated waste contract and to note progress to date in those negotiations.
Decision:	<p>THAT:</p> <p style="margin-left: 40px;">(a) Cabinet noted progress since the reports to Cabinet in September 2009 and January 2010;</p> <p style="margin-left: 40px;">(b) subject to recommendation (d) below the Director for Places and Communities be authorised, in consultation with the Chief Officer Finance and Commercial and Worcestershire County Council, to agree the negotiated form of a variation to the existing waste contract with Mercia Waste Management Ltd (Mercia) to put into effect Mercia's proposals for:</p> <p style="margin-left: 80px;">i) the provision of a residual waste treatment facility (RWTF) using Energy from Waste technology at Hartlebury Trading Estate; and</p> <p style="margin-left: 80px;">ii) such other ancillary issues as are appropriate in relation to the waste contract (collectively 'the contractor's proposals') provided such a variation is in compliance with</p> <p style="margin-left: 120px;">a) the planning parameters</p>

	<p>b) the financial parameters</p> <p>c) the contractual parameters and</p> <p>d) the technical parameters.</p> <p>(all are set out in this report and collectively the ‘parameters’); and</p> <p>(c) the Director for Places and Communities provided a further report to Cabinet seeking formal authority to execute such a variation when he considers, having regard to any advice from the appointed advisors, that the parameters have been materially satisfied; and</p> <p>(d) the authorisation under (b) is subject to Worcestershire County Council giving approvals substantially in the same form as those contained in the recommendations of this report and the two councils agreeing in principle to extend the joint working agreement in so far as it relates to the Energy from Waste facility for a period commensurate with the intended life of the facility.</p>
<p>Reasons for the Decision:</p>	<p>The recommendations give officers authorisation to continue negotiations with Mercia within the context of the parameters in Appendices 1 – 5.</p>
<p>Options Considered:</p>	<p>At this stage there are no alternative options to consider and the recommendations will require further ratification by Cabinet at the conclusion of the negotiations.</p>
<p>Declaration of Interest:</p>	
<p>Date the decision is due to take effect:</p>	<p>23 February 2012</p>

<p>COUNCILLOR PD PRICE:</p> <p>DEPUTY LEADER OF THE COUNCIL</p>	<p>Date: 16 February 2012</p>
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To be completed by officer:	
Date consent received from Chairman of Overview & Scrutiny Committee:	
Subject to Call-in:	This Decision was not called in
Was the decision modified?	No
If yes Cabinet Member (.....) decision reference:	
If no any comment(s) to be noted	
Date original decision took effect:	23 February 2012