

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Leader and Cabinet 11 January 2007
AUTHORS: Executive Director / Environmental Services Manager

APPROVAL OF THE WASTE PFI PARTNERING AGREEMENT

Purpose

1. To approve the final draft of the Waste PFI Partnering Agreement (the Agreement), attached as an **Appendix** to this report, for future waste disposal arrangements in the County and to delegate authority for signature of the Agreement to the Environmental Heath Portfolio Holder.

Background

2. The Agreement sets out the arrangements to be put in place between the five Cambridgeshire Waste Collection Authorities (WCA's) and Cambridgeshire County Council as Waste Disposal Authority (WDA) in the context of the WDA's Waste PFI project for the future waste disposal arrangements in the County. It covers arrangements such as the type of materials to be delivered, and their manner of delivery, to specified PFI treatment facilities.
3. In July 2005, prior to the issue of the Waste PFI Invitation to Tender, the Environmental Health portfolio holder approved in principle the draft Agreement. It was anticipated at this time that Cabinet would be asked to sign the final Agreement slightly in advance of the signing of the PFI contract by the WDA and their chosen contractor.
4. The Waste PFI project is now at an advanced stage of development. In September 2006 the WDA appointed Donarbon Ltd as its preferred bidder and both sides are now working towards signature of the PFI contract at the end of March 2007. It is therefore appropriate that Cabinet should consider the final Agreement, attached to this report as appendix A.

Considerations

5. The final Agreement is in line with the previously approved draft, differing in some of the finer detail that has been agreed by all the parties during the PFI negotiations.
6. In particular, the details of the contractor are now included together with specified delivery points for each WCA. The coming into use of these delivery points varies for each WCA and so the dates are not specified at this stage. These will be added before any formal signing with any minor amendments agreed by the Legal Panel (comprising the legal officers from all parties), which has been responsible throughout for drafting the Agreement and negotiating changes.
7. The Cambridgeshire Waste Authorities Waste and Environment Forum considered and endorsed the final Agreement on 13 December 2006 and referred it back to individual partner authorities for approval.
8. Subject to the satisfactory formal approval of the Agreement by all parties it is proposed to have a formal signing ceremony with appropriate publicity, possibly coincident with the signing of the PFI Contract.

Options

9. The option before Cabinet is to approve the final draft of the Waste PFI Partnering Agreement for future waste disposal arrangements in the County as endorsed by the Cambridgeshire Waste Authorities Waste and Environment Forum.

Implications

10. Financial	None
Legal	As detailed in the Partnering Agreement
Staffing	None
Risk Management	None
Equal Opportunities	None

Consultations

11. The Council's legal officers, as part of the Legal Panel, have been fully consulted as has the Cambridgeshire Waste Authorities Waste and Environment Forum.

Effect on Annual Priorities and Corporate Objectives

12. Affordable Homes	The County Council taxpayer and this Council's objectives are best served by a cost effective and efficient waste management service delivered in partnership with the County Council and District partners, utilising sustainable waste management delivery options. The Partnering Agreement facilitates these arrangements.
Customer Service	
Northstowe and other growth areas	
Quality, Accessible Services	
Village Life	
Sustainability	
Partnership	

Conclusions/Summary

13. The final Agreement satisfactorily sets out the arrangements to be put in place between the five Cambridgeshire Waste Collection Authorities (WCA's) and Cambridgeshire County Council as Waste Disposal Authority (WDA) in the context of the WDA's Waste PFI project for the future waste disposal arrangements in the County.

Recommendations

14. It is recommended that Cabinet:
- (a) Approve the final draft (v6.1, 01/12/06) of the Waste PFI Partnering Agreement (the Agreement) for future waste disposal arrangements in the County, and
 - (b) Delegate authority for signature of the Agreement to the Environmental Health Portfolio Holder.

Background Papers: the following background papers were used in the preparation of this report: None

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