

**Committee: Full Council**

**Agenda Item**

**Date: 31 July 2007**

**10**

**Title: JOINT WASTE MANAGEMENT STRATEGY  
MEMORANDUM OF UNDERSTANDING AND  
LETTER OF SUPPORT**

**Author: Ron Pridham, Head of Street Services, 01799 510597** Item for decision

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## Summary

1. To inform Members of the proposal to join other Essex Councils in endorsing a Memorandum of Understanding and a Letter of Support for the Outline Business Case (OBC) Reference Project that provides a more sustainable approach to waste management in Essex. The OBC Executive Summary is attached.

## Recommendations

2. That Uttlesford District Council adopts and signs the Memorandum of Understanding for the Essex Waste Strategy and that the West Essex Area Joint Committee (WEAJC) member for Uttlesford writes to the Chairman of that Committed to support the Reference Project outlined in the OBC.

## Background Papers

3. Appendix I: Essex Waste Partnership Outline Business Case Executive Summary  
Appendix II: Memorandum of Understanding  
Appendix III: Outline Business Case Private Finance Initiative Letter of Support

## Impact

4.

Communication/Consultation	Essex County Council has consulted on the Joint Municipal Waste Management Strategy for Essex.
Community Safety	None
Equalities	None
Finance	There are financial penalties for failing to meet European and Government targets
Human Rights	None
Legal implications	Whilst the Memorandum of Understanding

	appears to impose obligations upon the Council the document makes it clear that it is not intended to create legal relations between the parties. Failure to abide by the Memorandum of Understanding on the part of any party may lead to reputational damage but cannot lead to a legal sanction.
Sustainability	The Joint Waste Management Strategy will develop a more sustainable approach to the way we treat waste in the future.
Ward-specific impacts	None
Workforce/Workplace	None

## Situation

5. Significant progress has been made on the future of waste management in Essex and Members are now being asked to endorse a Memorandum of Understanding with other Essex Authorities to progress future initiatives that provide a more sustainable approach to waste management in Essex

### **Memorandum of Understanding (MoU).**

This has been developed by the three Area Joint Committees primarily to support Essex County Council's bid to Defra for PFI funding for major waste treatment facilities within the County. The primary purpose of MoU is to provide evidence to Defra that each Waste Collection Authority is committed to: -

- the principle of making an application to Defra for PFI credits to assist in the delivery of long-term infrastructure;
- Partnership working on integrated waste management;
- Delivering a rate of kerbside recycling which supports the Reference Project set out in the PFI application (OBC) i.e. a rate of kerbside recycling which meets the existing commitments of each WCA towards the County wide target of 39.5% contained in the Local Area Agreement;
- Working to develop a cost allocation and funding formula to equitably share the costs and benefits derived from managing municipal waste together.

The MoU needs to be signed off by each Partner Authority before the OBC is formally submitted to Defra at the end of July 2007.

## Letter of Support

The primary purpose of this document is to evidence support of the Joint Committees to the Reference Project described in the OBC.

On July 4 2007 the West Essex Area Joint Committee voted to approve for signing by the Chairman, the letter of support for the Outline Business Case Private Finance Initiative.

The committee member for Uttlesford abstained on this vote, as this decision needs to be taken by Full Council on 31 July 2007. The WEAJC requested that members unable to vote should inform the Chairman of decisions made by their authorities on the support for the Reference Project.

## Risk Analysis

6.

Risk	Likelihood	Impact	Mitigating actions
Failure to meet European and Government targets could result in heavy fines	High	Medium	The Joint Municipal Waste Management Strategy for Essex and PFI funding will attain a more sustainable waste management and meet the landfill diversion targets set in the Landfill Allowance Scheme.