

## **Memorandum of Understanding - West**

### **1. Purpose of this Memorandum of Understanding**

- 1.1 The Essex Waste Partnership is made up of Essex County Council as a Waste Disposal Authority (WDA) together with the twelve Essex Waste Collection Authorities (WCAs) and Southend-on-Sea Borough Council as a Unitary Authority (both WDA and WCA function).
- 1.2 The purpose of this Memorandum of Understanding is to:-
  - a. Demonstrate the Councils recognise the need to take a wider view on waste management than that of an individual WCA or of the WDA on its own;
  - b. Show the Councils understand that the co-ordination of action in accordance with an agreed strategy will be more effective than individual action by a single authority;
  - c. Re-iterate and reinforce the principles of joint working contained in the Area Joint Committee Constitutions and Business Plans;
  - d. Evidence the support given by the five WCAs within the West Essex Waste Management Joint Committee<sup>1</sup> to the submission of an Outline Business Case to Defra by the Partnership to secure PFI credits to assist the procurement of advanced waste disposal technology and the provision of a supporting infrastructure of transfer stations. The procurement of these facilities is an essential component to the delivery by the Partnership of the Joint Municipal Waste Management Strategy for Essex and the Municipal Waste Management Strategy for the Borough of Southend on Sea.

### **2. Status of the Memorandum of Understanding**

- 2.1. This Memorandum of Understanding is intended to be an operational document that will evolve as the procurement of treatment technology progresses. Unlike the formally approved Joint Committee Constitutions and Annual Business Plans it is not, of itself, a formal or legally binding contract. It is however recognised that by signing this Memorandum of Understanding each Partner demonstrates its intention to fully explore the creation of formal legally binding Inter Authority Agreements to support the delivery of an integrated waste management system.

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<sup>1</sup> Braintree District Council, Brentwood Borough Council, Epping Forest District Council, Harlow District Council, and Uttlesford District Council

- 2.2. Through a resolution of the Joint Committee, each partner authority has agreed to use all reasonable endeavours to comply with the content and spirit of this Memorandum of Understanding.

### **3. Principles of Partnership Working**

- 3.1. The Partnership through resolutions of the Joint Committees has adopted the procurement approach and Reference Case as set out in the Outline Business Case.
- 3.2. In order to support the delivery of an integrated waste management system (of which the PFI disposal procurement is an essential component), each partner authority hereby agrees to:-
- a. Work with the Partnership on the detailed design and delivery of an integrated waste management solution initially by engaging in, and supporting, a systems design modelling exercise;
  - b. To deliver all agreed residual waste and agreed recyclables to transfer / processing facilities;
  - c. As a minimum to make a contribution to reach and maintain the levels of county-wide recycling and composting performance committed to in the Local Area Agreements (39.5% household waste recycling in 2008/09) and to ensure that budgets are made available to maintain this level of performance;
  - d. Prior to implementing any significant changes to their collection methodology or systems to discuss the potential impact on the development and implementation of the Joint Municipal Waste Management Strategy for Essex and the Municipal Waste Management Strategy for the Borough of Southend on Sea;
  - e. To work with the Partnership to develop waste acceptance criteria (such as the type, quantity, quality and composition of waste delivered) that will form part of the PFI contract.
- 3.3. The Partnership accepts that the "do nothing" option is not a viable solution and in designing and delivering the optimal long term integrated waste management collection and disposal systems, financial benefits will accrue to the Partnership.
- 3.4. The Partnership is committed to ensuring these financial benefits are allocated equitably amongst the partners. In order to do this, the Partnership will develop and agree an inter-authority allocation formula that seeks to address additional costs and benefits of recycling beyond individual authorities' statutory recycling targets (including targets financed through the Local Area Agreements) and

shares efficiencies and savings amongst the partner authorities,  
e.g. the market value of recyclable materials.

Signed

_____	for Braintree District Council	/	/	2007	Date
_____	for Brentwood Borough Council	/	/	2007	Date
_____	for Epping Forest District Council	/	/	2007	Date
_____	for Essex County Council	/	/	2007	Date
_____	for Harlow Council	/	/	2007	Date
_____	for Uttlesford District Council	/	/	2007	Date