

Originator: Wendy Barratt
Copy to: Councillor Ray Radford, Chairman of Place Scrutiny Committee
Meg Booth/Sandra Clarke A/COM.CH (1879)
Ann Heppell/Denise Travers – Finance

Councillor Roger Croad
Higher Newlands
Godwell Lane
Ivybridge
PL21 0LE

**Acting Chief Officer for Highways,
Infrastructure Development and Waste**
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Ref: A/COM(1879)
26 April 2017

Dear Councillor Croad

Approval of a variation to the South West Devon Waste Partnership (SWDWP) Joint Working Agreement

I am writing to ask if you will make a decision in accordance with Paragraph 11 of the County Council's Scheme of Delegation by approving a Deed of Variation to the South West Devon Waste Partnership Joint Working Agreement.

In 2008 Devon County Council entered into a Joint Working Agreement (JWA) with Torbay and Plymouth City Councils to develop a solution to divert residual waste away from landfill. The Authorities established the South West Devon Waste Partnership Joint Committee under Section 101(5) of the Local Government Act 1972 to facilitate the joint procurement of and the subsequent operation of facilities for the treatment and disposal of residual waste. On 25 March 2011 the Authorities entered into a Contract with MVV Environmental Ltd for residual waste treatment and in April 2015 the plant started accepting residual waste for treatment.

The Authorities now wish to make amendments to the JWA which are necessary due to the fact that the Contract has now been let and the Authorities are now in the Services Phase (as defined in the JWA) with the Procurement Phase (as defined in the JWA) having been successfully concluded. The proposed changes have been agreed in principle by the SWDWP Joint Committee at their meeting on 5 September 2016 which you attended as member but need to be agreed by each Authority as they are a 'Reserved Matter' as outlined in the JWA.

Continued/.....

The proposed changes are outlined in the attached briefing note along with a proposed Deed of Variation. A copy of the JWA is also attached.

Please find enclosed two copies of the Cabinet Member Decision form, to enable you to formally advise me of your decision and in so doing confirm that the entry in the 'interests' box is accurate or amend it accordingly. I would be pleased if you could advise me of your decision as soon as possible by returning one copy of the decision form in the enclosed pre-paid envelope.

If you require any further information, please contact Wendy Barratt by telephoning (01392) 382901 or e-mailing wendy.barratt@devon.gov.uk

In accordance with procedures a copy of this letter has been sent to Councillor Ray Radford as Chairman of Place Scrutiny Committee.

No action will be taken until all Members of the County Council have been advised of your decision and five working days have elapsed to enable Members to request that the decision be referred to the full Cabinet for consideration or called in by Place Scrutiny Committee for consideration.

Yours sincerely

Meg Booth
Acting Chief Officer for Highways, Infrastructure Development and Waste

Enclosed: Record of Decision x 2
 Pre-paid envelope