

**FLINTSHIRE COUNTY COUNCIL**

**CABINET RECORD OF DECISION**

**DATE OF MEETING:**                      **18 MARCH 2014**                      **AGENDA ITEM NO. 19**

**REPORT OF:**                              **Chief Executive, Director of Environment, Head of  
Legal and Democratic Services, Head of Finance**

**SUBJECT:**                                      **NORTH WALES RESIDUAL WASTE TREATMENT  
PROJECT - 2ND INTER AUTHORITY AGREEMENT**

**RECOMMENDATIONS OF REPORT:**      Members to note that Environment and Regeneration Overview and Scrutiny Committee has reviewed and scrutinised the draft Inter-Authority Agreement and recommended its adoption.

To commit to the Partnership and the Project by adopting, along with the other 4 councils, the principles in the 2<sup>nd</sup> Inter-Authority Agreement which reflect the key terms of the Project Agreement to be entered into by the Lead Council with the Preferred Bidder on Contract Award.

To delegate authority to the Lead Chief Executive to:

- Finalise the 2<sup>nd</sup> Inter-Authority Agreement for signing by the constituent authorities
- Circulate the finalised agreement to the Monitoring Officers of all 5 Authorities
- Take into account the views of all constituent Authorities and refer back to the Joint Committee for approval of any major departures from the agreed principles
- To agree to the Council signing the 2<sup>nd</sup> Inter-Authority Agreement once it has been finalised in accordance with the above procedure

**DECISION:**                                      As detailed in the recommendations and including the following resolution:

That adoption of IAA2 is conditional upon the air quality monitoring being maintained for the lifetime of the contract by amending Clause 10A to read as follows:

“The Councils agree that there will be additional air quality monitoring undertaken continuously from the date of service commencement at the discretion of the Joint Committee. Costs will be shared on a pro rata basis per actual tonnages delivered. Any alteration to the level, frequency and/or duration of the air quality monitoring shall be a matter reserved to the Councils under Schedule 1.”

**REASON FOR DECISION:**

As in the report.

**CONSULTATION REQUIRED:**

None.

**CONSULTATION UNDERTAKEN:**

A number of meetings have taken place of the Technical Officers' Group, Finance Officers' Group and the Legal Officers' Group to discuss the key issues raised in the draft IAA2, at the Project Board on 12 December 2013 and 16 January 2014 and the Joint Committee on 29 January 2014. The draft Agreement has been reviewed and scrutinised by the Environment Overview and Scrutiny Committee.

**FINANCIAL IMPLICATIONS:**

There are financial implications and risk for all five constituent authorities as a consequence of entering into an Agreement. These are summarised in this and accompanying reports.

**DECLARATIONS OF INTEREST:**

**DISPENSATIONS**

**DATE PUBLISHED:**

**SIGNED**



**(Proper Officer)**



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