

## PLYMOUTH CITY COUNCIL

### REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY THE ACTING CHIEF EXECUTIVE OFFICER IN CONSULTATION WITH THE DEVON COUNTY COUNCIL AND TORBAY COUNCIL LEAD OFFICERS ON THE SOUTH WEST DEVON WASTE PARTNERSHIP PROJECT EXECUTIVE

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#### Delegated Authority Reference No.

Minute 302 of Devon County Council Cabinet of 7<sup>th</sup> February 2011  
Minute 102 of Plymouth City Council Cabinet of 7<sup>th</sup> February 2011  
Revised Record of Decision of Torbay Council published on 9<sup>th</sup> February 2011

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#### Name of the Matter

Approval of South West Devon Waste Partnership – Final Business Case for the procurement of waste treatment services

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#### Officer Exercising Delegated Authority

Anthony Payne, Acting Chief Executive as the person authorised to act in the absence of the Chief Executive, in consultation with each partner Council's Lead Officer on the South West Devon Waste Partnership Project Executive (Devon County Council, Deputy Executive Director for Environment, Economy and Culture and Torbay Council, Environment Commissioner);

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#### Decision

To approve the Final Business Case for the procurement of Waste Treatment Services for Devon County Council, Plymouth City Council and Torbay Council, having consulted with the lead officers on the South West Devon Waste Partnership Project Executive (Devon County Council, Deputy Executive Director for Environment, Economy and Culture and Torbay Council, Environment Commissioner)

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#### Reasons for Decision

The Final Business Case must be submitted to DEFRA as soon as possible in order to secure PFI credits and conclude the Project within the agreed programme. Approval of the Final Business Case is a key project milestone and is a necessary part of the DEFRA approvals process in relation to PFI funding. As the project's affordability has now been confirmed it is a requirement of the Joint Working Agreement that the Final Business Case be approved.

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#### Alternative Options Considered and Rejected (if not applicable, please provide explanation)

As set out in section 6.0 of Agenda Item 4 of Plymouth City Council's Cabinet meeting of 7<sup>th</sup> February 2011.

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#### Financial Implications

As set out in section 3.0 of Agenda Item 4 of Plymouth City Council's Cabinet meeting of 7<sup>th</sup> February 2011.

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**In Consultation with:**

Deputy Executive Director for Environment, Economy and Culture, Devon County Council who confirmed his agreement with the decision by e-mail etc on the 24 February 2011.

Environment Commissioner, Corporate Management Team Member, Torbay Council who confirmed his agreement with the decision by e-mail etc on the 24 February 2011.

and

	(Officer's initials or N/A)
• Democratic Support (mandatory)	AB240211 38
• Finance (mandatory)	DevF10110057/CDR/24.2.11
• Legal Services (mandatory)	AT
• Human Resources	... N/A....
• Corporate Property	... N/A....
• IT	... N/A....
• Strategic Procurement	N/A....

(N.B. Sign-off by Democratic Support, Finance and Legal is mandatory. Sign off by HR, CP, IT and SP need only be sought in those cases where there are implications for the particular service. If not appropriate, please enter 'N/A').

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**Is the Decision**

- A key decision (in the Forward Plan)? Y
- Within the policy and budget framework? Y
- In accordance with Equalities Assessment? Y
- A case of special urgency agreed by the Chair of the Overview and Scrutiny Management Board/Committee? Y

If yes:

Signature of Chair of Overview and Scrutiny Management Board, Plymouth City Council

Signature: David Ames Date: 24<sup>th</sup> February 2011

Reason for Urgency (please indicate how delay for call-in would seriously prejudice the Council's or the public interest)

Any delay likely to be caused by a call-in would seriously prejudice the Council's interests. A significant amount of the funding for this project is being provided by DEFRA through PFI Credits. DEFRA has advised the Council that "Your project should reach financial close by no later than 31st March 2011. Failure to achieve financial close by this date could mean withdrawal of support for the project." Officers believe that it is feasible to reach financial close by this date but such confidence evaporates if this decision is delayed due to a call-in.

Any confidential information should be included in background papers only and not contained in the delegated decision. If background paper Part II, please indicate and complete Reasons for Part II below.)

- Procurement of Waste Treatment Services – Final Business Case February 2011

The above Part II background papers are not for publication by virtue of Paragraph(s) 3 Part 1 of Schedule 12A of the Local Government Act 1972.

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**Acting Chief Executive**

I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, City Strategy and Corporate Plan (Medium Term Financial Plan).

Signature  ..... Date 24/02/2011 .....

