

HERTFORDSHIRE WASTE PARTNERSHIP  
Memorandum of Understanding

Annex 1

1. The Waste Disposal Authority's commitments
  - 1.1 The WDA will use best endeavours to procure sufficient ABPR-compliant capacity such that all WCAs are able to implement district / borough-wide collections of green / kitchen / cardboard waste.
  - 1.2 The WDA will continue to provide a network of HWRCs and agree not to change them or undertake other activities which would have a detrimental effect on recycling performance without first consulting the WCAs as provided in 1.3 below.
  - 1.3 The WDA will continue to involve and consult the WCAs in the preparation of procurement of residual waste treatment facilities. The WDA will take any reasonable comments of the WCAs into account subject to affordability, legal requirements, environmental acceptability, transparency and fairness and to the extent that such comments do not conflict with the views of other WCAs.
  - 1.4 The WDA will continue to make recycling credits payments to the WCAs under the terms agreed by the HWP on 30/10/07 until otherwise agreed.
  - 1.5 The WDA will continue to make Waste Capital Infrastructure Grant payments to the WCAs under the terms agreed on 21/4/08 until otherwise agreed.
2. The Waste Collection Authority's commitments
  - 2.1 The WCAs will continue to operate those recycling and composting activities which exist as at 1<sup>st</sup> July 2008 or are proposed and approved at that date and agree not to change them or undertake other activities that would have a detrimental effect on the HWP's recycling or composting performance.
  - 2.2 The WCAs will use their best endeavours to implement and operate the relevant action plans agreed in the Hertfordshire Waste Strategy 2007.
  - 2.3 The WCAs will continue to involve and consult each other and the WDA in the preparation and procurement of waste collection, recycling and re-use facilities and services.

3. The Hertfordshire Waste Partnership's commitments

- 3.1 In order to ensure disposal facilities are available to WCAs and to meet statutory and economic obligations the WDA intends to procure facilities requiring a considerable investment by the WDA and the private sector, and potentially Central Government through PFI. The facilities and therefore the resulting contract(s) are likely to have a life of at least 25 years.
- 3.2 The WCAs will continue to work together and with the WDA acting reasonably and in good faith to reach an agreement similar in structure, content and subject matter to this MoU (an Inter Authority Agreement ("IAA")) to reflect the long term waste contract between the WDA and its selected private sector contractor and the HWP partners' mechanisms for discharging their responsibilities under this MoU, the EPA and the WET Act.
- 3.3. The IAA will provide certainty so that the HWP partners can move forward with their own strategies with a full commitment and understanding of each other's activities.