

THE STRATEGIC WASTE BOARD

Tuesday 20 February 2007
9.30am Clarence Court, Belfast

MINUTES

Attendees: See separate list attached

Secretariat: John Waterworth (EPD)
Karen McCambley (NILGA)

1. Welcome and Introductions

Action

1. The Minister welcomed those present to the first meeting of the Strategic Waste Board (SWB) and noted that it was being held in the purdah period because of the importance of having this strategic group up and running for an incoming Minister to take forward the important issues involved.

2. Apologies

2. Apologies were received from John Quinn (arc21) and Wilfie Hamilton (DETI). Willie Francey and Graeme Hutchinson attended in their places.

3. Terms of Reference - Paper SWB 1 (1/2007)

3. In discussion, the following points were made:
 - (i) Local government have concerns about the non-statutory status of the SWB, and reiterated their understanding that this should be subject to review.
 - (ii) A related concern is about how the SWB will be able to ensure progress with the implementation of the Waste Strategy, for example by the use of sanctions.
 - (iii) A key criticism of the first Strategy was the lack of government leadership, and it is essential that the departmental representatives will be able to implement the necessary changes.
 - (iv) The local authorities Technical Advisory Group (TAG) should also be ad-hoc members of the Board.
4. It was agreed that:
 - (i) The status of the SWB will be a matter for review and will be one of a number of issues under consideration for future waste primary legislation.
 - (ii) Departmental representation would be determined by the need to ensure government leadership in implementing the Strategy.
 - (iii) TAG will be invited to become ad-hoc members of the Board, attending as the occasion demands and receiving meeting papers.

Secretariat to issue invitation to TAG

4. Rules of Proceedings and Operation - Paper SWB 2 (1/2007)

5. In discussion, the following points were made:
 - (i) For logistical reasons, meetings should be held on a quarterly basis, timed to tie-in with meetings of the PDSU Steering Group.
 - (ii) Papers for future meetings should be circulated at least one week in advance.
 - (iii) There were calls for future meetings to be held outside Belfast, given the difficulties involved in travelling to and parking in the city centre.

6. It was agreed that:

- (i) Minutes will be sent out to all members and posted on the DOE and NILGA (check) websites.
- (ii) Members will be sent agendas and papers five working days prior to meetings.
- (iii) Where possible, meetings will be held two weeks after PDSU Steering Group meetings.
- (iv) The location of future meetings will move around the three Waste Management Group areas, although some flexibility must remain.

Secretariat to ensure that minutes are posted on Websites

4(a) Remuneration of Members - Paper SWB 3 (1/2007)

7. In discussion the following points were made:

- (i) Elected members are remunerated appropriately for their work in both the Reform Taskforce Political Panel and the Strategic Leadership Board (SLB).
- (ii) A similar model to the SLB should be used for the SWB.
- (iii) There was a general appreciation of the valuable contribution of elected members.

8. It was agreed that:

- (i) While it was appropriate to use the SLB as a model, remuneration should be on the basis of meetings rather than a flat monthly rate, given that the Board will meet less often than the SLB.
- (ii) Elected members will receive payment of £225 per meeting, plus expenses, with an enhancement for the vice chair of the SWB.

DOE to arrange for remuneration of members as agreed.

4(b) Secretariat Issues – Paper SWB 4 (1/2007)

9. In discussion the following points were made:

- (i) The current cost to the Department of the Environment of supporting the secretariat function provided by the Northern Ireland Local Government Association (NILGA) for the Strategic Waste Partnership is of the order of £15k per annum.
- (ii) This should be continued for the SWB.
- (iii) The Minister should consider fully funding the NILGA secretariat function, as the only other option open to NILGA would be to seek match funding from another organisation such as Arena Network.
- (iv) While the Department has an ongoing commitment to supporting the work of NILGA, there is a need for councils to make a greater financial contribution to NILGA, as is the case in the rest of the UK.

10. It was agreed that:

- (i) The Department will fully fund the secretariat function provided by NILGA, up to a cost of £30k per annum.

DOE/NILGA to make arrangements.

5. Independent Board Members – Paper SWB 5 (1/2007)

11. In discussion the following points were made:

- (i) While there is a need for independent expertise, membership of the SWB should not be dramatically increased.
- (ii) The process should not be overly bureaucratic and allow flexibility, but there must proper accountability.
- (iii) A distinction must be made between bringing academic expertise on to the board while also remaining flexible enough to harness the views of industry, including the waste management industry.
- (iv) The views of householders should also be represented.

12. It was agreed that:

- (i) 2 or 3 independent members should be appointed through the process set out in Paper SWB 5 (1/2007)
 - (ii) The joint secretariat will draw up a specification for independent members and circulate for comment.
 - (iii) The board should explore a mechanism, such as a user's panel, for representing the views of householders and small businesses.
- Secretariat to draw up specification and circulate to Board members for comment

6. Strategy Delivery Programme – Paper SWB 6 (1/2007)

13. In discussion the following points were made:

- (i) Tenders for the position of Programme Manager will be assessed on 23 February 2007. The contract will run until July 2007 and will involve training internal staff to run the delivery programme.
- (ii) While welcoming this, local government is concerned that the role of monitoring should involve the power to hold those responsible for delivery to account. The Department should consider this when reviewing the status of the SWB.
- (iii) A programme monitoring subgroup, as discussed at the most recent Strategic Waste Partnership meeting, should be established.
- (iv) The successful waste awareness campaign should be followed up and issues such as the standardization of bin colours should be addressed.
- (v) Education will play a vital role in getting the right message into schools and general awareness is being raised through the work of the Learning and Communication Forum and the Waste Prevention Forum.

14. It was agreed that:

- (i) Accountability mechanisms will be considered when reviewing the status of the SWB.
- (ii) Consistency of message will be important for public awareness campaigns.
- (iii) Waste Management Groups should build on the

Secretariat to draft

- opportunities for practical co-operation identified in the report of the Waste Infrastructure Task Force.
- (iv) A programme monitoring subgroup, working with the programme manager, will be established.

Terms of Reference for PM Subgroup and circulate to members

7. Presentation by Director of the Programme Delivery Support Unit

15. Mr Frank Mulgrew was invited to give a brief presentation to the board. He outlined the background to the new unit – increasing waste arisings, challenging EU targets and the potential for fines, and noted that its role will be to support local authorities and provide expertise and advice on waste infrastructure procurement, funding and planning. A contracts advisor and a communications manager are to be appointed, with the latter playing a central proactive role in changing perceptions of local people regarding waste infrastructure.

16. In discussion the following points were made

- (i) There are concerns over the question of district council powers to enter into PFI contracts.
- (ii) The role of Planning Service will be pivotal. Work carried out over the last 18 months has resulted in a sharper focusing of resources and better communication with applicants.
- (iii) While the challenge currently is to retain planners within the Service, there are currently sufficient resources in place.
- (iv) It will be essential to get local people 'bought into' planning proposals and the three Waste Management Groups should consider extending citizen's panels when planning for waste facilities.
- (v) Planning is a major element of RPA and the new councils will be empowered to take on planning roles. The SLB is considering the issue of Strategic Planning Areas (check).

17. It was agreed that:

- (i) The PFI vires issue will be taken forward by the Department with the Waste Management Groups and the Strategic Investment Board.

DOE, WMGs and SIB to explore vires issue

8. Report from Programme Delivery Support Unit Steering Group – Paper SWB 7 (1/2007)

18. This will become a standing item. Main points from the report were:

- (i) The Steering Group must be action orientated, identifying barriers and holding to account those responsible for taking appropriate action.
- (ii) The issue of powers for entering into PFI contracts has been identified and senior counsel advice is to be sought by the North West Region Waste Management Group.
- (iii) The importance of communication, resources and information in relation to waste management planning were

- reiterated.
- (iv) Meetings will be held on a quarterly basis, in advance of SWB meetings.

9. Any Other Business

Two issues were raised by NILGA.

9(a) Waste Charging

19. In discussion the following points were made:

- (i) There was a positive response to this matter at a fringe meeting during the recent NILGA conference.
- (ii) Policy development is at an early stage in Northern Ireland and will be advised by the outcome of a joint study currently being undertaken through the Scotland and Northern Ireland Forum For Environmental Research (SNIFFER).

20. It was agreed that:

- (i) Policy development and legislation in this area should await the outcome of the consultation in England and Wales and the joint SNIFFER project.

9(b) Infrastructure Funding

21. In discussion the following points were made:

- (i) While NILGA have provided input to the Department's bid for the comprehensive spending review, small scale funding for education and awareness is not covered.
- (ii) The Department is working with Deloitte on comparability and affordability studies, and will use them to make the case for support for procurement-related expenditure that will fall within the 3 year Comprehensive Spending Review (CSR) period.
- (iii) There will be two parts to the Department's Strategic Case for funding – short term (CSR period) and long term funding (to meet Landfill Directive targets).
- (iv) Waste Management Groups need to be closely involved in this process to ensure their requirements are identified.

The Minister raised one further issue:

9(c) Illegal waste and new Legislation

22. In discussion the following points were made:

- (i) There have been recent successes in dealing with illegal trans-boundary waste originating in Ireland, most notably the repatriation of some 150 tonnes from one site.
- (ii) The Minister has also been encouraged by the co-operation of the Irish Government in this matter.
- (iii) The new Waste Amendment Order, currently going through

the House of Lords, will give the Department powers beyond those in the rest of the UK.

- (iv) These include higher fines and longer prison sentences, and powers to stop search, seize and impound vehicles.
- (v) It would be useful to provide a summary of the new powers to members of the SWB.

23. It was agreed that:

- (i) A short note setting out the new provisions and powers introduced in the Waste Amendment Order will be circulated with the minutes of this meeting. Secretariat to issue information note with minutes

10. Date of next meeting

- 24. This will be held two weeks after the next meeting of the PDSU Steering Group. A date and venue will be fixed for mid to late June 2007. Secretariat to liaise with PDSU SG

ATTENDEES

ORGANISATION	ATTENDEE
Department of Finance and Personnel	Seamus McCrystal, Acting Head of Properties Division
Office of the First Minister and Deputy First Minister	John McMillen Director Resources, Regeneration, International Relations and RPA Implementation
Department of Agriculture and Rural Development	Ronnie Jordan, Head of Central Policy Group, DARD
Department of the Environment	David Cairns MP, Minister of the Environment (Chair) Paul Simpson, Deputy Secretary, Environment and Local Government Wesley Shannon Director of Environmental Policy Division Liz Benson Environmental Policy Division John Waterworth Environmental Policy Division
Department of Employment Trade and Investment	Graeme Hutchinson, Head of Economics Division
Environment and Heritage Service	Dr Roy Ramsay Director of Environmental Protection
Planning Service	David Ferguson Chief Executive
Strategic Investment Board	Martin Darcy, Strategic Advisor
Southern Waste Management Partnership (SWAMP)	Graham Byrne, Operational Director Councillor Francie Molloy, Dungannon & South Tyrone John Briggs, Armagh City Council
ARC21	Willie Francey, Belfast City Council Alderman Hubert Nicholl Chairman, Ballymena Borough Council Councillor Winston Fulton, Larne Borough Council
North West Region Waste Management Group	Councillor Robert McPherson - Coleraine Borough Council Councillor Patrick Groogan, Magherafelt District Council Eamon Molloy, Development Officer, North West Region Cross Border Group
Northern Ireland Local Government Association (NILGA)	Councillor Shaun Gallagher, Derry City Council (Vice-Chair) Councillor Sean McGuigan Dungannon and South Tyrone Borough Council Karen McCambley, Policy Officer, NILGA
Programme Delivery Support Unit	Frank Mulgrew Director