

STRATEGIC WASTE BOARD

MINUTES OF MEETING HELD

11.00 am Wednesday, 26 May 2010

The Carroll Gallery, Sean Hollywood Arts Centre, Newry

Present:	
Minister Edwin Poots MLA	Minister of the Environment (Chair)
Councillor Shaun Gallagher	Chair of NILGA Waste Working Group (Vice-Chair) Derry City Council
Leo O'Reilly	Permanent Secretary, Department of the Environment
Ian Maye	Deputy Secretary, Department of the Environment
Dr Denis McMahon	Director, Climate & Waste Division, Department of the Environment
Alderman Hubert Nicholl	Chairman, arc21 Joint Committee Ballymena Borough Council
Tim Walker	Chairman, Local Government Technical Advisers Group Head of Waste Management, Belfast City Council
Councillor Jack Patterson	Chair, SWaMP2008 Armagh City and District Council
Councillor Robert McPherson	Coleraine Borough Council North West Region Waste Management Group (NWRWMG)
Councillor Sean McGuigan	Deputy Chair of NILGA Waste Working Group Dungannon and South Tyrone Borough Council
Councillor Winston Fulton	Deputy Chairman, arc21 Joint Committee Larne Borough Council
John Quinn	Chief Executive, arc21
Eamon Molloy	Development Officer North West Region Waste Management Group (NWRWMG)
Cllr Pearse McAleer	Vice-Chair, SWaMP2008 Cookstown District Council

Sinead McEvoy	DOE Planning Service
Brett Hannam	Strategic Investment Board
Ursula Walsh	University of Ulster
Stephen Aston	Acting Director, NI Environment Agency
In attendance	Mary Toner, DOE Communications
Secretariat:	John Waterworth, DOE Oonagh Warke, DOE Helen Anderson, DOE Karen Smyth, NILGA Claire Bradley, NILGA

1.	Welcome and Introductions	Action
	The Minister welcomed everyone to the meeting, particularly Cllr Jack Patterson and Cllr Pearse McAleer as new representatives for SWaMP2008. Cllr Séan McGuigan was thanked for his contribution to the Strategic Waste Board, as this will be his last meeting in this capacity.	
2.	Apologies	
	Apologies from Professor Sue Christie (NIEL) and Graham Byrne (SWaMP2008) were noted. Sinead McEvoy attended the meeting on behalf of Cynthia Smith, Planning Service. The Minister informed members that central government representatives were not required to attend this meeting due to the planned reduction in central government representation on the Waste Programme Board.	
3.	Minutes of Previous Meeting	
	The minutes of the previous meeting were agreed.	
4.	Matters Arising	
	Minister Poots advised members of the Board of the following: <ul style="list-style-type: none"> i. The update from NIEA on regulatory activity will be presented at a meeting later in the year; ii. Work on waste flow modelling is in progress; iii. Regional Waste Management Groups have been issued with detailed information on waste flow analysis iv. A meeting to discuss procurement issues between Minister and Waste Management Groups was held on 16th February 2010 and another meeting is scheduled to take place on 7th June 2010. v. The presentation from Morrow Communications on the Rethink Waste campaign has been forwarded to all Board members, as requested; 	NIEA

	<p>vi. Studies have been completed within the NWRWMG area to ascertain the characterisation of waste and a similar study has started within the arc 21 area</p> <p>vii. In relation to a query from local government regarding a Waste Management Action Plan for the NI Office, the Minister advised that as the NIO is not part of the NI Civil Service it would not be appropriate for DOE to request an Action Plan. The newly formed Department of Justice, however, is part of the NI Civil Service and will be required to produce an Action Plan, in line with all other government departments.</p> <p>Cllr Winston Fulton queried progress on the Rethink Waste campaign, emphasising the importance of having waste management messages at the fore of the public's consciousness, which can be achieved through, for example, television advertisements.</p> <p>Denis McMahon advised that money has been set aside and officials are currently exploring options to use money to maximise impact, including an emphasis on community development work in this area. It was acknowledged that television advertisements are very expensive.</p> <p>Cllr Jack Patterson suggested utilising local radio networks, which in his experience, are reasonably priced and an effective method to promote messages to local communities. Denis McMahon thanked Cllr Patterson for his suggestion and confirmed that the Department will explore this option within the context of the communications actions planned for the year ahead.</p>	<p>Denis McMahon</p>
<p>5.</p>	<p>Waste Strategy Programme Governance</p>	
	<p>The Minister advised members that the Regional Waste Management Groups and NILGA representatives met with DOE on 8th February 2010 to establish a firm foundation for a partnership approach between local and central government. He also noted that a meeting was held on 11th May 2010, in order for local government to agree a way forward in relation to the programme governance.</p> <p>It was confirmed that the new Waste Programme Board will meet bi-monthly and the membership has been restricted to 3 representatives from DOE, 7 representatives from local government (comprising the chair of the NILGA Waste Working Group and the chair and vice-chair of the each of the regional Waste Management Groups) and 3 representatives of the business and industry sectors.</p> <p>The Minister then invited members to put forward comments on the paper and on the proposals for new independent members. Cllr Shaun Gallagher thanked the Minister for facilitating the involvement of local government in the decision-making process.</p>	

	<p>Tim Walker indicated that the Technical Advisers Group (TAG) is keen to establish a mechanism for continuing engagement and making its expertise available on issues without the scope of major infrastructure, such as fly-tipping. Karen Smyth supported Tim Walker's comments. She also proposed agreeing dates for future meetings in advance.</p> <p>Ian Maye noted that it would still be necessary to involve TAG, but advised that it was for local government to agree how this works in practice as part of the support mechanism to their Elected Members. Part of the rationale for the new Waste Programme Board was to open up debate and enable both local government and independent members to feel free to bring new issues to the table. He confirmed that dates could be agreed a year ahead, with venues arranged.</p> <p>Tim Walker confirmed that he will meet with NILGA to discuss local government officer roles with regard to the new Waste Programme Board.</p> <p>Members discussed participation by business and construction industry and agreed a preference for representation on behalf of umbrella bodies (e.g. CBI, IoD) rather than as individuals.</p> <p>Cllr Shaun Gallagher advised that he was happy to chair the meeting as vice-chair to allow the Minister more flexibility and in order to keep business moving forward at the bi-monthly meetings. The Minister was content with this and Ian Maye also noted the parallel with the Strategic Leadership Board in this respect.</p>	<p>Secretariat</p> <p>NILGA, TAG</p>
6.	Waste Strategy Delivery Progress Report	
	<p>Denis McMahon provided an update for members on the progress of the waste strategy implementation programme. He confirmed that positive progress has been made on the programme overall. Members of the Board were also advised that resources have been identified to take forward communications work.</p> <p>It was also confirmed that the Department is reviewing how progress is reported to the Board, in order to present more meaningful information to members.</p> <p>Denis McMahon ran through main points of note within the report and invited comments from members.</p> <p>Cllr Shaun Gallagher raised his concern that the current financial pressures could lead to cuts in budgets, which may impact on delivery of the programme and our ability to meet our national and European obligations. This in turn could lead to infraction fines that would outweigh and counteract the initial cuts.</p>	

7.	<p>Report from Waste Infrastructure Programme Board inc. Planning Issues</p>	
	<p>The Minister presented the report from the Waste Infrastructure Programme Board to members for information.</p> <p>Ian Maye advised members that a third party reviewer was appointed to undertake programme level Gateway Review, make recommendations and give an indication on their confidence as to whether the programme could be delivered. The outcome of the Gateway Review was a downgrading of the overall risk of the programme not achieving its aims from red to amber.</p> <p>Planning was recognised as a key issue for all three Waste Management Groups and it was advised that the Department is working closely with the Planning Service to try to resolve problems experienced in this area.</p> <p>Members noted that the year-end accounts for 2009-10 are now closed and emphasis was placed on engaging with the three waste management groups to close off last years' accounts and look to the year ahead to try to maximise use of resources and avoid any underspend.</p> <p>John Quinn queried if the Planning Service will be fit-for-purpose to deliver a service for waste management. Mr Quinn advised that the WIDP / DEFRA standard form of contract provides for the potential for waste contracts to be closed before planning permissions are fully secured and suggested that, because planning consent is so critical in terms of both contractual implications and delivery, Planning Service officials should be permitted to attend Waste Programme Board meetings on an ad hoc basis. Cllr Shaun Gallagher also aired concern in relation to the potential loss of planners with waste management expertise and suggested that waste infrastructure funding should be redeployed into the Planning Service in order to protect the waste management work that is ongoing.</p> <p>Ian Maye advised that the Department was exploring the scope to use capital funding to protect resources needed for the Waste Infrastructure Programme and that a strategic review has been commissioned to examine resources, income streams and the structure of organisation and targets within Planning Service. Leo O'Reilly stressed the need to keep focussed on the important areas of strategic infrastructure, including waste.</p> <p>The Minister advised that the Department must identify £16 million in cuts and further cuts will need to be made. Leo O'Reilly advised that this figure reflected the culmination of external cuts to all government Department budgets plus a drop in the number of</p>	

	<p>planning applications.</p> <p>The Minister expressed concern over the potential for contracts to be signed prior to planning permissions being granted. He also noted the need to manage the potential conflict of interest that could derive from Planning Service and the Waste Programme both sitting within the same Department.</p> <p>Members noted that the Department is to submit a bid for additional funding on 3rd June, with a view of it being presented to the Executive on 24th June. The outcome of the application should be known in late June or early July. The bid will include an option seeking DFP approval for the proposal to use a portion of SWIF for these purposes.</p> <p>John Quinn raised an additional concern regarding guidance for BPEO; in particular, the enhanced risk of Judicial Review if it cannot be demonstrated that a particular planning application represents the BPEO for a specific site. Local government needed clarity on whether the application of BPEO is generic or site specific, or can be come site specific at a later date.</p> <p>Members voiced a fear of the waste programme timescale slipping due to legal challenges for controversial waste applications.</p> <p>Minister Poots described a situation in Surrey where a planning application for an incinerator was turned down (after 4 different applications were rejected) when a judicial review was sought over site selection.</p> <p>Cllr Shaun Gallagher highlighted the importance of effective communication in the planning application process, for example, using the term 'Energy from Waste' facility rather than incinerator. The Minister advised members that a number of objections are based on perceptions about old technologies. These technologies have been refined over the years and it is important to identify that new technologies are available which will derive more value for money and which are cleaner than those being used currently.</p>	<p>Denis McMahon</p>
<p>8.</p>	<p>Any Other Business</p>	
	<p>Karen Smyth advised members that NILGA is currently working with OFMDFM to develop and contribute to the sustainable development action plan. A number of actions within the plan relate to the waste programme and she suggested that DOE works closely with OFMDFM officials to ensure cohesion in this area of work.</p> <p>Members noted that a 'ReThink Waste' Fund for local councils is to be launched by the end of the week. It was confirmed that the Department had written out to all Chief Executives to inform councils of this additional funding. The initiative provides grants to councils</p>	

<p>for schemes aimed at boosting waste recycling. Councils can submit proposals as individual councils, or in collaboration with other councils, the community and voluntary sector or the private sector. Proposals can also be submitted through Northern Ireland Regional Waste Management Groups.</p> <p>Cllr Shaun Gallagher queried the deadline to apply to this fund. It was confirmed that the deadline sits at the end of June, as money had to be spent by the end of the financial year. Karen Smyth requested a copy for information of the letter sent to council chief executives.</p> <p>The Minister thanked all members for their commitment to the Strategic Waste Board, working together to save Northern Ireland money and protect and promote the environment. The Minister urged all members to continue to support the programme, being mindful of the advances which have been achieved in recycling and the diversion of waste from landfill compared to twenty years ago when virtually all waste went to landfill.</p>	<p>Secretariat.</p>
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