

Minutes
Waste Programme Steering Group Meeting
1st September 2009
Clarence Court, Adelaide Street, Belfast

Present:

Leo O'Reilly	Permanent Secretary, Department of the Environment [Chair]
Ian Maye	Deputy Secretary, Department of the Environment
Wesley Shannon	Director, Strategic Waste Infrastructure Programme, Department of the Environment
Helen Anderson	Acting Director, Climate Change and Waste Management Division, Department of the Environment
John McKibbin	Central Finance Group, DFP
Stephen Aston	Acting Director, Environmental Protection, Northern Ireland Environment Agency (NIEA)
Alderman Mervyn Rea	Antrim Borough Council Elected representative arc21
John Quinn	Chief Executive, arc 21
Councillor Charles Rollston	Armagh City & District Council Chairman, SWaMP2008
Councillor Evelyne Robinson	Ballymoney Borough Council Elected Representative NWRWMG
Eamon Molloy	Development Officer, NWRWMG
Brett Hannam	Strategic Advisor SIB

In Attendance:

Alan McVicker	Director, Programme Delivery Support Unit
George Craig	Finance Director, arc21
Ivan Gregg	Waste Programme Steering Group (WPSG) Secretariat
John Waterworth	WPSG Secretariat
Stephen McLaughlin	WPSG Secretariat

Item		Action
1.	<p>Welcome and Introductions</p> <p>1.1 Leo O'Reilly introduced himself as the new Chair of the Steering Group and advised group members of some key personnel changes within the Department. Most notably the new Minister, Edwin Poots MLA and Ian Maye, the new Deputy Secretary for Planning, Local Government and Environment. He also advised the group that Denis McMahon would be taking up the post of Director of the Waste Infrastructure Team in PEPG from 1 October 2009.</p> <p>1.2 As there were a number of members attending for the first time the Chair invited those round the table to introduce themselves</p>	
2.	<p>Apologies</p> <p>2.1 Apologies were received from; - Graham Byrne, SWaMP2008 - Richard Pengelly, DFP (John McKibbin attended as deputy) - David Gavaghan, SIB (Brett Hannam attended as deputy)</p>	
3.	<p>Minutes of the previous meeting</p> <p>3.1 The minutes of the previous meeting held on 15th May 2009 were agreed.</p>	
4.	<p>Matters Arising</p> <p>4.1 The Chair took members through the matters arising from the previous meeting.</p> <p>4.2 Para 4.4 of 15/5/09 minutes – DOE to advise on funding request for Environmental YouthSpeak 2009. Helen Anderson advised the group that at the time this request was received, towards the end of 2008, the Department did not have an agreed policy on funding and was refused along with other similar applications. The Department hopes to have a funding policy agreed by the Minister by the end of the current year and be in a position to offer funding next year.</p> <p>4.3 Para 9.3 of 15/5/09 minutes – Departmental Waste Management Action Plans - Steering Group members to forward comments on departmental reports. As these reports had been fully circulated and discussed through the previous Strategic Waste Board meeting of 6 June, no further comments were offered by Steering Group members.</p>	PEPG to prepare funding policy
5.	<p>Draft Minutes of Strategic Waste Board meeting 6th June 2009</p> <p>5.1 A copy of the draft minutes of the last SWB meeting was provided to members for information under Paper WPSG 16/2009. The Chair updated members on two action points</p>	

<p>5.2</p> <p>5.3</p>	<p>from that meeting.</p> <p>Para 5 of the draft minutes <i>Further reports from DEL, DE and DETI to be received at the next SWB meeting.</i> The three departments will provide verbal updates at the 23 September SWB.</p> <p>Para 5 of the draft minutes <i>DOE to work with government departments to construct a suitable reporting format.</i> The Chair noted that a standardised report format is being prepared and asked for this to be tabled at the November WPSG meeting.</p>	<p>Report format for DWMAP updates to be tabled at next meeting</p>
<p>6</p> <p>6.1</p> <p>6.2</p> <p>6.3</p>	<p>Strategy Delivery Programme – Progress Reports</p> <p>The Chair introduced Paper WPSG 17/2009 and then asked Helen Anderson to take members through the main changes of note in the Paper:</p> <ul style="list-style-type: none"> • The appointment of additional staff on <i>Strand 1 (Waste Prevention)</i> has changed the staffing status to green; • On <i>Strand 2 (Recycling and Recovery)</i> the secondment of a Senior Scientific Officer from NIEA has changed the staffing status from red to amber. • Two additional milestones have been added to project RR01 (<i>Strand 2</i>) referring to the preparation of a bid to DFP for future WRAP funding. The Department has agreed the WRAP delivery plan for 2009/10 and existing milestones have been amended accordingly; • Helen introduced Stephen McLaughlin, Senior Scientific Officer from NIEA, whose appointment to work on the modification of waste management plans has, together with the appointment of a dedicated Waste Infrastructure Director Staffing changed the staffing status for <i>Strand 3 (Waste Planning)</i> from red to amber. In response to Cllr Robinson’s query about whether the term ‘secondment’ meant that there was a time limit to the scientific support, Helen advised that while the initial period would be 2 years, the work would continue, if necessary through a ‘rolling secondment’. At this point the Chair emphasised the importance of scientific support to this area of work. • On Project WPL04 (<i>Strand 3 Waste Planning, Funding</i>) the Department no longer considers it necessary to issue a non-paper to the European Commission on State Aid issues. <p>Discussion focussed on the June bid for £2.5m additional revenue funding to support the waste management groups. Cllr Robinson asked why, when the bid had been declined, the status for this project remained amber. John McKibbin explained that at the time the Executive was not in a position to approve any bid, and we should wait until the outcome of the September round. Cllr Robinson expressed concern that funding bid may not be successful and highlighted the need to look at the ‘road’ rather than the ‘destination’.</p> <p>It was noted that while this is a relatively small amount compared with SWIF, the reclassification of this money as ‘revenue’ was critical to support infrastructure procurement.</p>	

	<p>John McKibbin explained that the controls on capital and resource money are separate and as a result this was not simply a 'book' exercise and, despite the DOE declaring an easement on capital expenditure, the centre was not in a position to allocate more money. The Chair explained that while the in-year position is hard to determine, this is not a matter that can be allowed to drift. In addition, as the spending profile will move into the next spending review period, it will be necessary to re-profile this expenditure carefully.</p> <ul style="list-style-type: none"> • Good progress has been made on Project WPL05 (<i>Strand 3 Waste Planning</i>) with Implementation Action Plans received from the three waste management groups and work commencing on the annual performance reports. • Staffing levels for <i>Strand 4 (Data and Research)</i> have been boosted by the appointment of a Senior Scientific Officer. An additional milestone has been added to project DR01 relating to the preparation of a scoping report on data and research needs. 	
6.4	<p>John Quinn asked if there was any indication that the banning of various items from landfill is being considered. Helen explained that we are at an early pre policy evidence gathering stage looking at the impact of such bans in Europe. She agreed to arrange, if possible, to circulate an update on this matter.</p>	PEPG to circulate update on 'landfill bans'.
6.5	<p>John Quinn stated that the Waste Management Groups have been contacted by a member of PEPG with a view to identifying what evidence is available on various waste streams, such as commercial and industrial waste, and to determine where the gaps exist.</p> <ul style="list-style-type: none"> • Consultation on the Waste Bill (Project LE01) <i>Strand 1 (Legislation and Enforcement)</i> has finished, and Ian Maye advised the group that the Minister has seen and agreed the analysis of the responses. He added that options should be explored for moving procurement provisions from the Waste Bill to the Miscellaneous Provisions Bill in order to have them on the statute book substantially earlier. • The status of Project LC01, Communications Programme (<i>Strand 6, Learning and Communications</i>) remains amber and one milestone has been added in relation to the establishment of the new website which will be up and running by November 2009. This has been assisted by the appointment on 15 July of a Senior Information Officer (SIO). 	
6.6	<p>Ian Maye suggested that the SIO should attend the main 'governance' meetings, and added that we should also consider how we communicate effectively the work of the WPSG and other such groups to the wider communities. The Chair agreed that the SIO should attend all future meetings of the Steering Group and the Strategic Waste Board.</p>	SIO to attend future meetings of WPSG and SWB
6.7	<p>Cllr Robinson endorsed this suggestion but noted that the report contained numerous references to the lack of staff, financial</p>	

	<p>resource and information. She posed the question as to how the group could be steered and suggested an action agenda to bring crucial matters, such as the £2.5m revenue reclassification, to the attention of the Minister.</p> <p>The Chair then introduced two additional papers providing updates on specific matters. He invited Helen Anderson to speak to the first paper, WPSG 18/2009, relating to the Learning and Communications Action Plan.</p> <p>6.8 Helen advised the Group that the SIO would be working very closely with the Programme Delivery Support Unit on communications, and referred again to the new website. She directed members to the contents of the plan set out in paragraph 8 of the paper, and noted that the whole plan is predicated on the need to change behaviour with a new focus on waste prevention following the revised Waste Framework Directive. She drew members attention to the calendar of activities such as 'scary waste' for Halloween, but advised that the outcome of the current bid for resources will determine how much of the planned activities can be delivered.</p> <p>6.9 The Chair then asked if the action plan will be sent to the Strategic Waste Board. Helen confirmed that it would as this was a key strategic area of work, but that the intention was to send it first to the members of the Learning and Communication Forum.</p> <p>6.10 Helen advised members that, given the current financial pressures, the fallback position regarding funding delivery of the action plan would be to consider existing priorities and to look more imaginatively at leveraging funding from all possible avenues. This could be achieved through partnership with private sector stakeholders and other options could include European programmes.</p> <p>6.11 Ian Maye noted that Local Authorities were very good at generating European Funding and suggested this could be one area to explore, along with match funding from the private sector. He recalled previous discussions with large scale retailers such as Tesco and ASDA regarding social responsibility funds and suggested that it may be worthwhile revisiting this. Helen confirmed that the new SIO would be looking at these issues.</p> <p>6.12 Wesley Shannon then asked the Waste Management Groups (WMGs) for their experience of accessing European Funding for communications work. Eamon Molloy noted that the main difficulty would be in obtaining the 'match funding' required, adding that 'communications' was not a specified area of work in the current EU Waste Funding Programme. He also advised that the WMGs would normally steer clear of private funding, but were more than willing to work with the SIO to explore options.</p> <p>6.13 John Quinn agreed that previous experience of EU INTERREG funding had been poor in that the process had proved to be</p>	<p>Concerns about funding issues to be drawn to the attention of the Minister in the context of the September monitoring position.</p>
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	<p>administratively burdensome at a council level, the money came at the wrong time and therefore had to be spent too quickly. He suggested that this option may be more viable as a long term project for NI PLC in its own right. He also noted that, as there are good communications resources already within the Councils, this could represent an opportunity for collaboration.</p>	
6.14	<p>Returning to the issue of funding the action plan, Ian Maye noted that the councils and the three WMGs already do a lot of work on behaviour change, and asked how such existing resource could be better used, particularly if the Executive did not approve the additional funding.</p>	
6.15	<p>John Quinn stated that, in terms of waste infrastructure, there was an urgent need to combat NIMBYism and that this could be addressed relatively quickly, whereas behavioural change would be a more long term area of work for which the timeline would need to be assessed. Helen advised that some of the key waste infrastructure messages would be imbedded in the new website.</p>	
6.16	<p>Eamon Molloy suggested that we should consider how we could use WRAP to assist in this area of work, but with the proviso that we need to ensure that all of the activities being undertaken were linked to the long term goal of behavioural change which was the key to success.</p>	
6.17	<p>Helen agreed that this reflected what the action plan was all about – looking at the quick hits now, but with a view to the longer term aim of changing behaviour. She advised the group that the intention was to reinvigorate the Learning & Communication Forum, although this was at an early stage.</p>	
6.18	<p>The Chair thanked members for their contributions to this discussion and added that there were two key parts to the Waste Strategy, namely the delivery of the required infrastructure and achieving behaviour change. He suggested that there should be a specific item at the next Strategic Waste Board to highlight these matters to the Minister.</p>	
6.19	<p>The Chair then introduced Paper WPSG 19/2009, dealing with the repatriation of illegal waste and invited Helen Anderson to speak to the paper.</p>	
6.20	<p>Helen noted the enforcement work carried out by NIEA and colleagues from ROI and highlighted the development of a Road Map and Framework Agreement for repatriation of illegal waste originating in ROI. Work on the first two sites will commence in 2010.</p>	
6.21	<p>Cllr Robinson asked if any measures had been put in place to prevent such activity taking place again. Stephen Aston advised that a number of deterrent measures had been put in place, including a proper notification system, co-operative arrangements with other enforcement agencies and the seizure of assets under the Proceeds of Crime Act.</p>	

7.	Strategy Delivery Programme – Programme Risk Register	
7.1	The Chair introduced Paper WPSG 20/2009 and then asked Ian Maye to detail any changes to programme risks since the last meeting.	
7.2	<p>Ian highlighted the following:</p> <ul style="list-style-type: none"> • Two new risks have been added (numbers 14 and 15) relating to the potential for an over commitment against revenue in 2009/10, and risk of failure to meet NILAS targets if new infrastructure is not in place by 2012; • The overall rating for Risk 1 (Insufficient staff resources) has been reduced from 20 to 12 to reflect the appointment of the new SRO and additional staff at SIO and SSO level; • Risk 5 (Delay in Planning process) has had its rating increased from 12 to 16 to reflect the recent Belfast City Council decision not to release the north foreshore site to arc21 for an EfW facility. 	
7.3	In discussion of this last point, George Craig noted that the most immediate need for arc21 was to have the MBT plant up and running by 2012 in order to meet the NILAS targets. Eamon Molloy added that as part of the procurement process, the NWRWVG is trying to mitigate this risk by transferring part of it to providers.	
7.4	<p>The Chair stated that it was important for decision makers within the groups to know what the various facilities look like, and in particular to ensure that their misconceptions have been addressed. He noted that the risk rating for Risk 12 (Market interest) had been reduced.</p> <p>George advised that this was appropriate given there had been 13 initial expressions and that 3 strong bidders had progressed to ISOS stage with good competitive bids. Eamon noted that the NWRWVG procurement process was in a similar position.</p> <p>Alan McVicker explained that the downgrading of this risk reflected the good spread of interest from industry providers, even at the early stage as with the SWaMP2008 project.</p> <p>Cllr Rollston noted the level of early interest but cautioned that there were political issues regarding the potential for 'incineration by the back door'. Eamon agreed that this was a valid concern that reiterated the importance of stakeholders understanding the wide range of technologies available, and in particular ensuring that awareness of this is communicated clearly to political representatives.</p> <p>George recounted the Belfast decision and its potential impact on other councils, which served to highlight the big communication issues facing the groups to gain the desired political decision. Eamon added that the impact of the media, for example in tying in MBT with Incineration and health concerns, was an important element that was out of our direct control. Cllr</p>	

7.5	<p>Rea noted that some elected members would be visiting EfW facilities in Slovenia, and Ian Maye advised the group that the Minister would also like to go, and would like some of his colleagues to accompany him, but with the intention of seeing other types of waste facility as well.</p> <p>Members agreed the contents of the Paper.</p>	
8.	<p>Report from the Waste Infrastructure Programme Board</p> <p>8.1 The Chair invited Ian Maye to speak to Paper WPSG 21/2009, setting out the main points discussed at the 19 August meeting of the Waste Infrastructure Programme Board.</p> <p>8.2 Ian began by drawing the attention of members to paragraph 9 of the report as this related to the last agenda item. He reiterated that the Minister is keen to visit waste facilities on mainland Europe, hopefully in the Autumn, and to see firsthand how EfW facilities can co-exist with high rates of recycling.</p> <p>8.3 He noted the good progress in the three WMG Projects, as mentioned previously, and advised the group of the Department's intention not to send a non paper to the European Commission on State Aid issues.</p> <p>8.4 PDSU has been working with the three WMGs and DoE to prepare the bid for the September monitoring round, and this will include critical revenue funding for the site planning work.</p> <p>8.5 In discussion, Alderman Rea raised the situation regarding Dargan Road and Belfast City Council, noting that Belfast had offered the site in the first place but subsequently withdrew it. Ian noted that the previous Environment Minister was unhappy with this action. Cllr Robinson stated that this again highlighted the importance of communications to get the message across to ensure that councillors have all the information needed for decision making, and to educate the public. Wesley Shannon noted that arc21 had run a seminar for their councillors to put the policy issues in context. However, despite initial soundings indicating a pro EfW stance, Belfast voted against it due to pressure from constituents. Ian concluded by re emphasising the need to get the key messages across to the public at the same time as educating council decision makers.</p>	
9.	<p>NIEA Annual Report – Waste Management</p> <p>9.1 Stephen Aston spoke to Paper WPSG 22/2009 and highlighted the following for the year ending 31 March 2009:</p> <ul style="list-style-type: none"> • 27899 consignment notices were issued for the movement of hazardous waste, with a turnaround time of 3 days; • There was a high level of monitoring activity with nearly 1500 inspections of licensed and permitted facilities; • NIEA are getting close to full cost recovery with receipts from all categories meeting the direct costs of licensing and enforcement staff; 	

9.2	<ul style="list-style-type: none"> • Performance against customer care standards is very good with close to 100% for all targets; • It is important to distinguish between what services NIEA can reasonably provide as opposed to what the public would expect or like. <p>The Chair noted this last point and asked for comments.</p> <p>Cllr Rea raised the matter of fly tipping and, while accepting that NIEA and Councils have to work hand in hand to resolve this problem, there is a question as to who makes the first move. Stephen replied that the 1997 Order had moved the regulatory role from the district councils to the Department but there was a need to reach a written workable agreement regarding their respective roles.</p>	
10.	<p>WPSG Report to the Strategic Waste Board meeting 23rd September 2009</p> <p>10.1 The Chair introduced Paper WPSG 23/2009, a draft report prepared by the Department, for presentation to the SWB at their next meeting on 23rd September. This Paper closely mirrors the progress report given to WPSG i.e. Paper WPSG 17/2009, outlining the suggested changes to project /milestone status for Board approval.</p> <p>10.2 Members had no revisions to make to the Paper and agreed it should be presented to SWB on 23rd September.</p>	
11.	<p>WIPB Risk and Programme Management Process Guide</p> <p>11.1 The Chair invited Wesley Shannon to speak to Paper WPSG 24/2009 which sets out the key principles underpinning risk and programme management for the waste infrastructure programme.</p> <p>11.2 Wesley highlighted the 3 parts to the guide; Risk Management, Programme Management and the Escalation Procedures. The purpose of the guide is to ensure that key programme risks are properly identified, monitored and reported, and that any subsequent changes are properly appraised and recorded. The guide also requires the development of appropriate contingency actions for high risks, and a means of escalating any issues which require action or decision at a senior level.</p> <p>11.3 Wesley suggested that, with the agreement of the Steering Group, this process should be developed for the wider waste strategy delivery programme in order to provide a more robust reporting monitoring system. The intention would be to present this at a future meeting of the Group. The Chair noted this suggestion.</p>	Waste Programme 'Process Guide' to be presented at a future WPSG meeting
12.	<p>Progress Towards NILAS/LFD Targets - Update</p> <p>12.1 Paper WPSG 25/2009 provides a graphical update on the progress to date towards meeting NI's obligations under the</p>	

	Landfill Directive to divert biodegradable municipal waste away from landfill.	
12.2	The Chair invited Helen Anderson to speak to this paper. She advised members that it had used the most recent returns from NILAS and projections from the three WMGs as the basis for the expected future position.	
12.3	Eamon Molloy pointed out that this would be the case if everything went according to plan, particularly with regard to the infrastructure procurement projects. He again noted the risk element and explained that the WMGs were trying to transfer risk and put in place contingent arrangements through the procurement process, which may involve infrastructure outside NI.	
12.4	George Craig expressed concern that whereas the graphs could imply that EfW is not required, it will be necessary to ensure that we comply up to and beyond 2020. Helen replied that this was not the case as the first graph shows that treatment, of whatever type, along with recycling, will ensure early targets are met, and the second graph indicates that further treatment capacity will be required for later targets.	
12.5	Ian Maye stated that it was important that the WPSG was presented with this information on a regular basis and suggested that the impact of introducing EfW capacity could be built in to the model, along with other factors such as changes in biodegradability and waste growth. Ian also noted that the definition of municipal waste may change and that this could also have an impact on the amount of waste to be treated.	
12.6	George suggested it may be helpful to include financial information in the model such as the cost per tonne for various treatment options. Ian noted that EfW was necessary to demonstrate value for money.	
13.	Any Other Business	
13.1	As no items had been received under any other business, the Chair took the opportunity to remind members of the new amended expenses claim forms that had been circulated prior to the meeting, adding that these should be submitted on a quarterly basis.	
14.	Date, time and venue for next meeting	
14.1	The next meeting of the WPSG will commence at 2.00pm on Wednesday 27 th November in Room 6-01C Clarence Court.	