

ARC21 JOINT COMMITTEE

Meeting No 052

Virtual Meeting

MINUTES

Tuesday 1 December 2020

Members Present:

Councillor M Goodman	Antrim and Newtownabbey Borough Council
Alderman R Gibson (<i>Chair</i>)	Ards & North Down Borough Council
Councillor F Ferguson	Belfast City Council
Councillor M Gregg	Lisburn & Castlereagh City Council
Alderman D Drysdale	Lisburn & Castlereagh City Council
Councillor S Lee	Lisburn & Castlereagh City Council
Councillor D Reid	Mid and East Antrim Borough Council
Councillor W Clarke (<i>Deputy Chair</i>)	Newry, Mourne & Down District Council
Councillor H McKee	Newry, Mourne & Down District Council

Members' Apologies:

Councillor T McGrann	Antrim & Newtownabbey Borough Council
Councillor N Kelly	Antrim and Newtownabbey Borough Council
Councillor G Walker	Ards & North Down Borough Council
Alderman A Carson	Ards & North Down Borough Council
Councillor P McReynolds	Belfast City Council
Councillor JJ Magee	Belfast City Council
Alderman R Cherry	Mid & East Antrim Borough Council
Councillor I Friary	Mid & East Antrim Borough Council
Councillor K Owen	Newry, Mourne & Down District Council

Officers Present:

T Walker	arc21
G Craig (<i>Secretary</i>)	arc21
J Green	arc21
H Campbell	arc21
M Laverty	Antrim and Newtownabbey Borough Council
B Murray	Belfast City Council
J McConnell	Belfast City Council
H Moore	Lisburn & Castlereagh Borough Council
P Thompson	Mid & East Antrim Borough Council
J McBride	Newry, Mourne & Down District Council

Officers' Apologies:

G Girvan	Antrim & Newtownabbey Borough Council
D Lindsay	Ards & North Down Borough Council
S Toland	Belfast City Council
K Boal	arc21

The Chair welcomed all to the meeting. He also took the opportunity to welcome Councillor David Reid to the meeting who replaces Councillor Burnside from Mid and East Antrim Borough Council.

Item 1 - Conflicts of Interest Statement

The Chair read out the Conflicts of Interest Statement. There were no conflicts noted.

Action: Noted

Item 2 - Apologies

Apologies were noted.

Action: Noted

Item 3 - Minutes of Joint Committee Meeting 051 held on 29 October 2020

The minutes of the Joint Committee meeting 051 held on 29 October 2020 were agreed.

Action: Agreed

Item 4 - Matters Arising

There were no matters arising.

Action: Noted

The Chair advised Members that the meeting would now go "In Committee", which was proposed and seconded accordingly.

IN COMMITTEE

Matters of a confidential and commercially sensitive nature were discussed under these agenda items.

Following discussion on the commercially sensitive matters, the Chair advised members that the meeting would now return to the main agenda but whilst "*in committee*" there were three matters discussed as follows:

Item 5 - Minutes of Joint Committee Meeting 051 held on 29 October 20 'in committee'
Action: Agreed

Item 6 - Matters Arising **Action: Noted**

Item 7 - Residual Waste Treatment Project **Action: Noted**

The Chair advised members that the meeting would now come out of the "in committee" process and return to the main agenda, which was agreed.

Action: Agreed

OUT OF COMMITTEE

Item 8 - Contracts and Operations Briefing Report

Mr Walker provided an overview to the Joint Committee of the arc21 contracts and supplies orders as well as an update on the contract tonnages.

He reported that all contractors are providing the required services to arc21 and that no contingency measures have been required.

There have been increases in the tonnages treated through the MRF contracts, mixed food and garden waste collected at kerbside and residual waste sent to landfill when compared to tonnages delivered in October 2019.

He advised that arc21 continues to liaise with contractors and suppliers with regard to BREXIT and to circulate relevant information promulgated by government etc. as and when it is relevant.

He discussed some key issues as follows:

- Labour – Some contractors are reliant on foreign labour, with some experiencing difficulties since it became clear we were leaving the EU. This is more in the handpicking sorting lines associated with the MRF's and textile sorting facilities. The issue was considered by the Migration Advisory Committee (MAC) which, earlier in the year in response to enquiries, launched a call for evidence on Shortage Occupation Lists (SOL) relevant to the waste sectors. In terms of refuse/salvage occupations for the manual sorting of waste and recycling, stakeholders reported a reliance on EEA workers, however this occupation is ineligible for inclusion as it is rated below RQF3-5 level. The Northern Ireland Government reported possible skills needs to support growth in green jobs more generally.

Furthermore, MAC did not recommend adding waste disposal and environmental service managers to the SOL at this time. So there is a staffing risk which is unlikely to transpire on day 1, but could impinge on some arc21 contracts. Companies affected have put efforts into recruitment campaigns etc. and the situation will be kept under review.

- Movement of materials – It is thought that there will be greater impact on materials entering NI than exiting. The landfill, organics, street sweeping and haulage contracts are not affected. Some materials from the MRF and WEEE contracts send materials to the UK so any delays/reduction in container availability may impact – this can be mitigated by additional storage arrangements and other contingency arrangements if it becomes an issue.
- Availability of spare parts for plant and machinery – contractors are holding parts to mitigate availability and/or price rises, others are seeking to establish supply network outside of the EU in case of price rises and/or availability issues;
- Fuel – a number of contractors have specific arrangements in place in the event of fuel shortages;
- The role of DAERA has been established regarding the provision of support and prioritisation for dealing with requests for changes to licences etc. – should that be required.
- Supplies have a higher likelihood of impact early on both in terms of delay and/or cost.
- Raw materials may come from EU so may be liable for tariffs and there is a further possibility of delays regarding shipping.
- Many suppliers have bought in additional raw materials but these will not last indefinitely.

- Increased paperwork associated with these activities (including haulage) has been established or is probable – may have cost and/or time implication.
- Councils advised to order any supplies early so delays can be mitigated and any prices issues discussed in a timely manner.

Mr Walker also provided a written update on the Tax on Plastic Packaging. He advised that the aim of this tax was to encourage more plastics into the waste stream by placing a greater pull on back-end recycling but that in terms of local government, Government did not believe there was any additional burden to be paid for through this tax. Instead it considered that the soon to be released Extended Producer Responsibility (EPR) scheme would provide local government with the appropriate level of resources by placing responsibility for this funding further up the supply chain with producers, etc.

Consequently though, due to the potential growth in tonnages likely to arise from increased volumes in the collection streams, MRF operators may need to invest to increase their capacity.

There was a risk however that with the increased demand for recycled plastic materials for manufacture, and if local volumes were insufficient, imports of these materials may also increase. He noted that this had been discussed with the Steering Group and highlighted that they may like to consider how both the tax and EPR could affect future collection arrangements.

He highlighted that the Environment Bill was currently progressing through Parliament and that, when concluded, it would address items such as EPR.

Following discussion the Joint Committee agreed to note the report.

Action: Noted

Item 9 - Corporate Plan 2020-2024 - Action Plan 2020/2021

Mr Walker presented the Joint Committee with the Action Plan for 2020-21 setting out the key activities which arc21 proposes to undertake to deliver the Corporate Strategic Objectives set out in the 2020/2024 Corporate Plan.

He advised that the Steering Group were currently considering the actions and tasks outlined and will feedback before their next meeting in January.

He advised that the Joint Committee will be updated on progress on the Action Plan during the course of the year and the year-end results will be included within next year's Annual Report.

Following discussion the Joint Committee agreed to note the report.

Action: Noted

Item 10 - Equality Impact Assessment Arrangements

Mr Craig presented a report to inform the Joint Committee of the implications regarding councils undertaking Equality Impact Assessments for functions carried out by arc21 on their behalf in accordance with their (councils) legislative requirements.

He reported that Section 75 of the Northern Ireland Act (1998) requires designated public bodies to develop and implement an equality scheme, which includes screening.

arc21 is refreshing its HR policies and, as part of this, clarification was sought regarding our status and Section 75. The Equality Commission confirmed that arc21 is “*not designated*” and therefore there is no requirement to develop or implement an equality scheme.

This means the statutory duty therefore remains with the councils.

The Commission advises that where more than one public authority has equality policy responsibilities, they could work collaboratively but they still had to ensure that they complied with their own equality scheme commitments. The Commission considered it important that each of the councils are aware of their responsibilities and recommended that this matter should be raised with both the individual councils and the Joint Committee.

Mr Craig advised that this matter was drawn to the attention of the Steering Group officers in order that they could consider whether to take this matter up separately with their individual councils or, pending legal advice, whether it would request that arc21 take the appropriate steps to include this within our portfolio of services (acting as their agent for appropriate functions and services).

During discussions, the officers felt that they would take appropriate steps to ensure their council continued to comply with the provisions within their individual equality policy arising from arc21’s regular services, but that they would revert to arc21 to assist in addressing more substantial matters, such as may arise from a refresh of the Waste Management Plan.

Following discussion the Joint Committee agreed to note the report.

Action: Noted

Item 11 - Council Covid-19 Waste Management Financial Losses

Mr Craig presented a report to update the Joint Committee on the Waste Management Financial support sought from Government in regards to the losses being incurred by councils arising from the Covid-19 emergency.

He reported that the estimated additional costs due to the Covid-19 emergency is in the region of £21m. To date, DAERA has successfully secured £15.2m and engagement continues with regarding the processes for allocating the funds awarded to Councils, as well as continuing to lobby for the funding shortfall. The overall estimated shortfall of £5.8m relates to key activities councils have undertaken to ensure they could deliver their statutory waste management functions.

As previously advised, the shortfall has been elevated by the Finance Officers to SOLACE who wrote to DAERA and have recently received a reply. Councils were hopeful of a positive response but this was not forthcoming and engagement with DAERA continues. Notwithstanding this development, DAERA has also asked that councils now submit funding bids for the 2021/22 year.

As reported previously, the main impact of Covid has been with the textiles service with a reduction in the income achieved on this contract.

Following discussion the Joint Committee agreed to note the report.

Action: Noted

Item 12 - Local Government Audit in Northern Ireland Code of Audit Practice-Draft Code Consultation

Mr Craig presented the Joint Committee with the proposed response to the consultation in regards to the proposed changes to the Local Government Audit in Northern Ireland Code of Audit Practice 2021.

He reported that the Local Government Auditor has statutory responsibility for the preparation and maintenance of a Code of Audit Practice, and has taken the opportunity to update the Code to reflect enhanced reporting requirements.

A consultation exercise has been initiated to provide an opportunity for comments on the proposed changes to the Code to be submitted.

The Code has not substantively changed but arc21 has taken the opportunity to make some comment and copy of the proposed response was presented for consideration and approval.

Following discussion the Joint Committee agreed to approve the response for submission.

Action: Agreed

Item 13 - Outreach Report

Mr Walker presented a report to update the Joint Committee about recent developments with University College London and Queen’s University, Belfast on new ways of partnership working across waste streams to deliver the Circular Economy.

He provided an overview of the work and time which may be involved and following discussion the Joint Committee agreed to approve Mr Walker’s involvement in both the UCL and QUB projects as outlined.

Action: Agreed

Item 14 - AOB

There was no further business discussed.

Action: Noted

Item 15 - Next Meeting

The Chair advised that the next scheduled meeting of the Joint Committee is due to be held on Thursday 28 January 2020 at 10 30am.

He wished everyone a very Happy Christmas and thanked everyone for their support throughout what had been a very challenging and difficult year.

Action: Noted

Date: _____

Chairman: _____