

ARC21 JOINT COMMITTEE

Meeting No 053

Virtual Meeting

MINUTES

Thursday 28 January 2021

Members Present:

Councillor M Goodman
Alderman R Gibson (*Chair*)
Councillor Gavin Walker
Councillor F Ferguson
Councillor M Gregg
Alderman D Drysdale
Councillor S Lee
Councillor D Reid
Councillor I Friary
Councillor H McKee

Antrim and Newtownabbey Borough Council
Ards and North Down Borough Council
Ards and North Down Borough Council
Belfast City Council
Lisburn & Castlereagh City Council
Lisburn & Castlereagh City Council
Lisburn & Castlereagh City Council
Mid and East Antrim Borough Council
Mid & East Antrim Borough Council
Newry, Mourne & Down District Council

Members' Apologies:

Councillor T McGrann
Councillor N Kelly
Alderman A Carson
Councillor P McReynolds
Councillor JJ Magee
Alderman R Cherry
Councillor W Clarke (*Deputy Chair*)
Councillor K Owen

Antrim & Newtownabbey Borough Council
Antrim and Newtownabbey Borough Council
Ards & North Down Borough Council
Belfast City Council
Belfast City Council
Mid & East Antrim Borough Council
Newry, Mourne & Down District Council
Newry, Mourne & Down District Council

Officers Present:

T Walker
G Craig (*Secretary*)
K Boal
H Campbell
M Lavery
D Lindsay
B Murray
J McConnell
H Moore
P Thompson
J McBride

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Antrim and Newtownabbey Borough Council
Ards & North Down Borough Council
Belfast City Council
Belfast City Council
Lisburn & Castlereagh Borough Council
Mid & East Antrim Borough Council
Newry, Mourne & Down District Council

Officers' Apologies:

G Girvan
S Toland
J Green

Antrim & Newtownabbey Borough Council
Belfast City Council
arc21

The Chair welcomed all to the meeting.

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 052 held on 1 December 2020

The minutes of the Joint Committee meeting 052 held on 1 December 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 052 held on 1 December 2020 '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 – Audit Committee Meeting 15 December 2021 Report

Mr Craig presented a report to update the Joint Committee on the issues presented to the Audit Committee at the meeting held on 15 December 2020, and to seek retrospective approval to publish the Statement of Accounts for the year ending 31 March 2020 as required by law. These were published on the arc21 website by 31 December 2020 to meet this requirement.

He reported that, once again the Accounts of arc21 have been certified without qualification which is reassuring for Members as it provides independent confirmation that high standards of financial management continue to remain in place.

Mr Craig also took the opportunity thank the staff at arc21 for their support in complying with the financial management policies and procedures and especially Mr Brian McKeown, Principal Financial Accountant, for achieving such an excellent result.

The Chair also noted his thanks to the Audit Committee.

Mr Craig reported that the concluding documentation from the Local Government Auditor had now also been received – Annual Audit Letter and Report to Those Charged with Governance and copies of these were presented to the meeting. He advised that these would be formally reviewed at the next Audit Committee meeting to be held in March.

Mr Craig also reported on the declaration of interest forms which are deemed important by the Local Government Auditor. He advised that he would be reviewing these for the new financial year and, should any be outstanding, he would be in contact with the relevant Member accordingly.

Following discussion the Joint Committee agreed to note the report and to grant retrospective approval to publish the certified Statement of Accounts for the year to March 2020.

Action: Agreed

Item 9 - Contracts and Operations Briefing Report

Ms Boal presented an overview to the Joint Committee of the arc21 contracts and supplies orders.

She reported that there had been no issues with regard to service continuity. However, Bryson Recycling did have to implement contingency measures due to the delivery of increased tonnages over the Christmas period.

There were increases in tonnages delivered to the Mixed Dry Recycling Contracts, the Organic Waste Treatment Contract and Landfill Contracts.

Due to the changes in protocols arising from BREXIT, she reported that there had been some impact on the delivery of supplies in early January, however these have settled down. She also reported that price increases for supplies are likely in the future and that arc21 were monitoring this accordingly.

Ms Boal provided an update on the WEEE regulations which came into effect in January 2021. She also noted that the Secretary of State had approved a Compliance Fee mechanism for the 2020 WEEE Compliance period. The methodology and administration of the Compliance Fee will be announced on 1 February 2021.

Following discussion the Joint Committee commended Ms Boal and her team for ensuring business-as-usual was maintained during the current situation and agreed to note the report.

Action: Noted

Item 10 - 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 councils had now submitted their claims for the actual losses for the period March until June 2020 and have come in £2m below estimates- £3.8m compared to £5.7m. Councils are now asked to urgently review the position to March 2021.

He reported that the main impact on arc21 contracts remains the loss of income on the Textiles Bring Bank service.

He reported that meetings were continuing with DAERA officials every two weeks and lobbying continues.

Following discussion the Joint Committee agreed to note the report.

Action: Noted

Item 11 - Provision of Human Resources Support Services

Mr Craig presented a report to recommend the commencement of a tender exercise for the provision of Human Resources support service on a more strategic/longer-term basis.

He reported that one of the Corporate Strategic Objectives in the Learning & Growth section of the Corporate Plan is Developing & Implementing a Human Resources Strategy.

Following preparation of a business case, it has been recognised that a broader arrangement would be more appropriate to deliver the Corporate Plan and arc21's needs than the current short-term arrangements.

In accordance with the thresholds in arc21's scheme of delegation, there is a requirement to seek four written quotations if the estimated cost of the services are likely to be in the range from £8,000 to £30,000. It is estimated that over the remaining three years of the Corporate Plan, a human resources support service would be in this range.

Accordingly, it was recommended that the Joint Committee approve the commencement of a procurement exercise to secure a human resources support service up to 31 March 2024.

Following discussion the Joint Committee agreed to approve the recommendation.

Action: Agreed

Item 12 - Consultation - Discussion Document on a Northern Ireland Climate Change Bill

Mr Walker presented a report to inform the Joint Committee of DAERA's consultation on the policy options for a Climate Change Bill for Northern Ireland. The proposed arc21 response was presented for consideration and approval.

He reported that the discussion document sets the detailed context for the discussion, by providing:

- an overview of Climate Change's priority status within public and political agendas on a national and international level, including key advancements made in a political and legal context in tackling climate change;
- the current legal and policy framework for tackling Climate Change in Northern Ireland;
- Northern Ireland's current greenhouse gas emissions status, sequestration status of greenhouse gases and greenhouse gas projections for the future; and
- the latest rationale, options appraisal and policy proposals for a Northern Ireland Climate Change Bill (legislation / law).

He noted that the document was for discussion only and does not introduce any new policies at this stage.

Councillor Goodman raised concerns about the wording in the paragraph:

*“arc21 shares the UK Governments concern
.....world-wide focus on prevailing problems”*

He noted his concerns in the way it could possibly be read with regards to arc21 being seen in its totality and that all 6 councils support the facility proposed for Hightown, Mallusk, which is not the case at this time by Antrim & Newtownabbey Borough Council. Mr Walker advised that he specifically had not referenced any specific site and that he was just reflecting the proximity principle agreed in our Waste Management Plan. However, following discussion, it was agreed that Mr Walker and he would review and refine the wording as appropriate. The response would then be recirculated to Members for any final comments prior to submission by the deadline of 1 February.

Following discussion the Joint Committee agreed to approve the response for submission by the deadline, in principle, subject to any final amendments.

Action: Agreed

Item 13 - Consultation - The Local Government Pension Scheme Amendments

Mr Craig presented Members with a proposed arc21 response to the Department for Communities consultation on proposed changes to the transitional arrangements in the 2015 Local Government Pension Scheme in Northern Ireland for approval.

He reported that arc21 welcomes the proposals by the Department to make supplementary changes to the LGPS (NI) to ensure that the revised arrangements work effectively and consistently for all qualifying members.

Following discussion the Joint Committee agreed to approve the proposed response to the consultation so that it could be sent to DfC by the deadline of 31 January 2021.

Action: Agreed

Item 14 - Annual Report for the Year to March 2020

Mr Walker presented the Joint Committee with the arc21 Annual Report for the year to March 2020 reflecting the progress made in the final year of the two year Corporate Plan 2018-2020.

He reported that 2019/20 had been another challenging but successful year for arc21 with notable achievements across the organisation over a range of areas.

Members welcomed the report and especially the inclusion of a record of Members' attendance reported at the back of the document. Discussion ensued as to whether it would be beneficial to have this published and promoted further and Mr Walker advised that he would discuss this with our PR company, but in the meantime it would be uploaded onto the arc21 website.

Following discussion the Joint Committee agreed to note the report.

Action: Noted

Item 15 – ISO 9001 Accreditation Annual Compliance Review

Ms Boal provided a verbal report on the recent ISO 9001 external audit.

She reported that, due to the outbreak of Covid in March 2020, and the staff working remotely and independently, a considerable amount of rewriting had been required on a number of procedures and processes including the process for the payment of suppliers etc. and these had to be implemented. In addition she reported that the education vehicle was no longer operational due to the outbreak of Covid-19.

She reported that we had again achieved the accreditation with no non-conformances which was an excellent achievement especially during such a difficult year.

Ms Boal advised that it was a testament to the arc21 staff and noted a special thanks to John Hamill for his work on achieving this result.

The Chair noted his congratulations and his thanks to all the staff within arc21 and indeed all those within the arc21 councils working under these difficult conditions.

Following discussion the Joint Committee agreed to note the report.

Action: Noted

Item 16 - Update of the Scheme of Delegation and Financial Regulations and renewal of Insurance Broker Services

Mr Craig presented a report to provide an update of the Scheme of Delegation and Financial Regulations to the Joint Committee for approval.

He reported that our internal auditors, (Audit, Governance & Risk Services) had recommended that arc21 should update the Scheme of Delegation and Financial Regulations to take into account occasions when we make a direct award to procure services over a value of £3,000.

Accordingly, the Scheme of Delegation and Financial Regulations has been updated and the Audit Committee, at the meeting held on 15 December 2020, endorsed the updated scheme for consideration and approval by the Joint Committee.

It was recommended that the Joint Committee approve the updated Scheme of Delegation and Financial Regulations.

He also reported that in terms of making a direct award for services over £3,000, the services of our Insurance Broker, Marsh Ltd, to date have been procured using this approach. arc21 have a range of insurance policies in place to manage the risks associated with our activities which are market tested each year by Marsh to ensure that they represent value-for-money. The insurance policies are annual and are due for renewal at 1 April 2021.

In particular, the most critical insurance cover required by arc21 relates to Professional Indemnity Insurance (PII) and, in the waste sector, PII cover is limited to a few insurance companies. Given the timescale, the access to the PII market for the waste sector and the specialist knowledge of Marsh in the PII market and experience of the requirements for arc21, Mr Craig recommended that Marsh be asked to continue to renew the insurance policies required by arc21.

It was recommended that the Joint Committee re-appoint Marsh Ltd as insurance brokers to provide the range of insurance policies required by the Joint Committee to mitigate the financial risks associated with our activities.

Following discussion the Joint Committee agreed to approve the two recommendations.

Action: Agreed

Item 17 - AOB

Members raised the following issues:

Length of meetings - discussion ensued as to the length of the meetings and the time spent on some of the key issues, and it was suggested that maybe specific times are given to each item, or perhaps, if required, a separate meeting. The Chair advised that arc21 could perhaps look at restructuring the meetings dependent on the items to be discussed.

arc21 resources - concerns were raised at the amount of staff within arc21, the amount of work being carried out, and the extra hours staff may be working during this pandemic to get the work done. It was suggested that this was something that the management may need to consider once there is a return to the office and normal working hours and the potential for a drop in resource.

Human Resources Support – as discussed earlier in the agenda it was suggested that if any council could perhaps offer support then this could perhaps be looked at. Mr Craig advised that he had been in contact with all six councils but due to Covid-19 all the councils were unable to offer support at this time, but when going out to procurement they would be made aware of this and can review their positions at that time.

Action: Noted

Item 18 - Next Meeting

The Chair advised that the next scheduled meeting of the Joint Committee is due to be held on Thursday 25 February 2021 at 10 30am.

Action: Noted

arc21 staff and council officers left the meeting prior to discussion on the following item

Item 19 - Personnel Matters

Members in Attendance Cllr D Reid (MEABC), Cllr M Goodman (ANBC), Ald D Drysdale (LCCC), Cllr S Lee (LCCC), Ald R Gibson (ANDBC), Cllr H McKee (NMDBC)

Mr Walker provided background to a personnel issue and that, to address the matter, he had taken legal advice that had confirmed that Article 2.29 of arc21's Scheme of Delegation could be used to secure additional support.

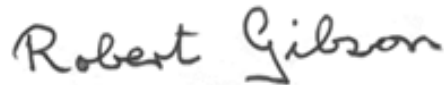
Mr Walker was using HeadsTogether Ltd and JCB solicitors and costs to date were in the region of £7,500 and £5,000 respectively.

Further, HeadsTogether Ltd have been reviewing arc21 policies over the past year. They had been appointed in 2019 to undertake a Resilience Review but this project was terminated due to wider consideration of the future delivery mechanisms for local government waste services and COVID delaying the start of this work.

In light of the time elapsed, it was considered that the initial price was no longer valid. In order to progress the HR review, the rates from this review were used and almost £4,500 has been spent, with a further £1,000 anticipated to conclude this work.

Mr Walker stated that he was hoping to resolve the personnel issue as timely as possible. Should this not be achieved or additional steps be taken a further report would be presented to the Committee for consideration. Following a discussion, the Members approved the action taken and the costs outlined above.

Action: Noted

A handwritten signature in dark ink that reads "Robert Gibson". The signature is written in a cursive, slightly slanted style.

Date: 25 February 2021

Chairman: