

ARC21 JOINT COMMITTEE
Virtual Meeting No 78
MINUTES
Thursday 30 March 2023

Members Present:

Councillor M Goodman (<i>Deputy Chair</i>)	Antrim & Newtownabbey Borough Council
Councillor A Bennington	Antrim & Newtownabbey Borough Council
Councillor R Kinnear	Antrim & Newtownabbey Borough Council
Alderman A McDowell	Ards & North Down Borough Council
Alderman R Gibson	Ards & North Down Borough Council
Councillor R McMullan	Belfast City Council
Alderman D Drysdale (<i>Chair</i>)	Lisburn & Castlereagh City Council
Councillor S Lee	Lisburn & Castlereagh City Council

Members' Apologies:

Alderman A Carson	Ards & North Down Borough Council
Councillor F Ferguson	Belfast City Council
Councillor JJ Magee	Belfast City Council
Councillor M Gregg	Lisburn & Castlereagh City Council
Councillor D Reid	Mid & East Antrim Borough Council
Councillor I Friary	Mid & East Antrim Borough Council
Alderman R Cherry	Mid & East Antrim Borough Council
Councillor J Brennan	Newry, Mourne & Down District Council
Councillor R Burgess	Newry, Mourne & Down District Council
Councillor C Bowsie	Newry, Mourne & Down District Council

Officers Present:

T Walker	arc21
H Campbell	arc21
J Green	arc21
K Boal	arc21
B McKeown	arc21
M Lavery	Antrim & Newtownabbey Borough Council
N Martin	Ards & North Down Borough Council
C Matthews	Belfast City Council
J McConnell	Belfast City Council
N O'Malley	Mid & East Antrim Borough Council
P Thompson	Mid & East Antrim Borough Council

Officers' Apologies:

G Craig	arc21
D Lindsay	Ards & North Down Borough Council
B Murray	Belfast City Council
H Moore	Lisburn & Castlereagh Borough Council
W Muldrew	Lisburn & Castlereagh Borough Council
A Cassells	Newry, Mourne & Down District Council

Item 1 - Conflicts of Interest Statement

The Chair read out the Conflicts of Interest Statement.

Action: Noted

Item 2 - Apologies

Apologies were noted.

Action: Noted

Item 3 - Minutes of Joint Committee Meeting 077 held on 23 February 2023

Following discussion, the Joint Committee approved the minutes of the Joint Committee meeting 077 held on 23 February 2023.

Action: Agreed

Item 4 - Matters Arising

There were no matters arising.

Action: Noted

Item 5 - Contracts & Operations Briefing Report

Service Status

Ms Boal reported that all services were operational during the month of February.

She advised that some of the sites, which had been having weighbridge issues, had new weighbridges installed and were now fully operational.

Performance - January 2023

Ms Boal reported that turnaround times had been reviewed and in most cases the contractors provided adequate reasons for these and therefore service credits were not applied. One service credit was applied to Biffa this month however for failing to meet turnaround times.

She noted that arc21 continues to monitor the overweight vehicles relating to the Haulage contract, as well as continuing to work with the Contractor to reduce the number of overweight vehicles for each month.

She noted that in February, there were 2 x Bottle Bank sites that did not have the specified capacity available, the Contractor was notified and these banks were serviced accordingly; there were no Service Credits applied this month.

Health & Safety

Ms Boal reported that there were two Health & Safety matters reported to arc21 by contractors and councils. These were discussed with the Health & Safety consultant to see whether arc21 should be more proactive with offering training etc, and this has been discussed with the Steering Group officers. She advised that arc21 will be compiling an analysis of the year as there were certain trends identified, and to identify if there is anything arc21 could do to alleviate these issues and emphasise it more to councils.

Audits

Ms Boal advised that the Health & Safety consultant continued to undertake Health & Safety audits and had completed ones at the NWP Glenside transfer station facility, the transfer stations associated with the haulage contract and Bryson Recycling. Any actions arising

from these were being worked through with the relevant council and contractor to ensure they were adequately completed.

She advised that arc21 will be keeping an ongoing matrix and running review on any issues identified and will keep the Committee informed accordingly.

Rejected Loads

Ms Boal noted that there were no rejected loads into organics or the MRF facilities in February 2023. However, there had been a car battery delivered in with council waste which could have had serious consequences if combusted in the MRF, and she advised that arc21 will continue to publicise these incidents so as to draw officers attention to these issues and increase their awareness and understanding around such matters.

arc21 Contract Tonnages

Ms Boal presented the contract tonnages for February 2023 in comparison to February 2022 and noted the following:

- A minor increase of 1.4% for MDR material delivered into Bryson;
- a minor 0.4% decrease for the MRF Lot 2 for material sent to ReGen;
- an increase of 15.4% for Type 1 material for the Organics Contract;
- an increase of 14.2 % for Type 2; and
- a 3.1% decrease for the Landfill Residual Waste Contract.

Supplies

Ms Boal reported on the number of supply orders placed and deliveries and noted that there had been no non-conformances.

POPs

In terms of the persistent organic pollutants (POPs), Ms Boal provided an update on the latest discussion with NIEA on 16 March 2023 regarding the production of suitable Guidance in relation to the disposal of domestic soft furnishings containing POPs. During the conversation, she advised that it was confirmed that an options paper was being prepared by DAERA for consideration and that an update would be provided shortly.

She advised that there was still the possibility that Biffa could start to reject the material [POPs] but to date they had not broached this issue. However, the risk remained and discussions were being held with councils in relation to considering contingency arrangements. In terms of the residual contracts, she advised that arc21 will be building in contingency depending on what way the [DAERA] guidance specified.

The Joint Committee noted the report.

Action: Noted

Item 6 - Waste Tonnage Trends

Ms Boal provided a report showing the monthly tonnages processed through the arc21 contracts along with the tonnage comparisons for the period Apr-Dec over the last four years, and how arc21 is performing against future targets.

She advised that the trends were starting to revert to pre-COVID levels and a few of the trends in the graphs were starting to converge.

In terms of landfill, she advised that it was not an absolute direct comparison as Belfast City Council occasionally balance the volume of material going to landfill versus the amount going for treatment which can lead to a distortion in the figures. This variation adds to the complication which also include consideration of the number of weeks in a given month, the consequent number of residual collections in a given month but, in terms of trends, the graphs show a similar trend to the previous years, bar from the spike in 2020/21.

She discussed the organics Type 1 and Type 2, and noted that arc21 had anticipated an increase in the tonnages as the garden waste increases in the bin.

The rest of the contract tonnages tables were presented for information.

She referred to the second part of the report which showed an analysis against future landfill and recycling targets from Apr-Dec, and identified the gap needing diverted from landfill to meet the 10% landfill and 70% recycling targets for 2035.

She noted that in terms of the residual contracts, arc21 should start to see the amount of material going to landfill change as the DPS contracts are introduced and she advised that there was a pathway to reach the 10% in terms of solutions.

In terms of the recycling target, she advised that the Steering Group had set the aspirational target of 70% and the graphs showed the gap between how each council is performing and the gap to deliver this

She noted that some of the new residual contracts will have an impact where some councils will not have previously been receiving recyclates from their residual waste stream, so some of the constituent councils may see an increase in their recycling rates but, in the main, challenges remain for councils on how they will achieve and sustain this target.

The Joint Committee noted the report.

Action: Noted

IN COMMITTEE

The Chair recommended that the meeting would now move "*in committee*" which was agreed.

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

Following discussion on the commercially sensitive matters, the Chair recommended that the meeting would now return to the main agenda, which was approved, but whilst "*in committee*" during this section of the meeting, there were five matters discussed.

Item 7 - Minutes of Joint Committee Meeting 077 held on 23 February 2023 'in committee' - *approved*

Item 8 - Matters Arising - *noted*

Item 9 - Residual Waste Treatment Project - *noted*

Item 10 - Commercially Sensitive Contract & Procurement Issues - *noted*

Item 11 - Tender Report – Supply of Services relating to the Treatment and Energy Recovery/Disposal of residual Waste Arisings - *approved*

OUT OF COMMITTEE

Item 12 - Proposed Response to Department for Communities Consultation Document “A proposal to change the date of the annual revaluation in the Local Government Pension Scheme (NI)”

Mr McKeown presented a report to inform the Joint Committee on a consultation issued by the Department for Communities titled “*A proposal to change the date of the annual revaluation in the Local Government Pension Scheme (NI)*”.

He reported that the Department for Communities (DfC) had invited arc21 to respond to a consultation on a proposal to change the revaluation date of the Local Government Pension Scheme (LGPS). This was issued on 10/3/2023 but with a short closing date of 24/03/2023 and in order to meet this restricted window, he advised that arc21 had responded to meet the timeframe.

He reported that the consultation consisted of three questions and was based around a proposed change to the current pension annual revaluation date of 1 April, to 6 April, which is in line with the HMRC tax year. He advised that this was a technical change regarding how annual allowances are calculated and has arisen due to the spike in the CPI inflation rate in September 2022, compared to September 2021.

The arc21 response was presented to Members for consideration and he advised that it was generally accepted that the proposal to change the revaluation date to 6 April was appropriate, but with the proviso that independent pension specialists should be engaged to examine and test the full technical impact of the change on all pension scheme members, whether active, deferred or in retirement.

The Joint Committee was asked to consider and retrospectively approve the appended response to the consultation which was submitted by the deadline, and this was agreed.

Action: Agreed

Item 13 - Governance Report

1. Attendance

Mr Walker provided the Committee with the attendance record of Members at the Joint Committee meetings over the past year.

Councillor Bennington recommended that each of the Members present should highlight this performance to each of the constituent councils.

2. Delegated Authority

Mr Walker discussed the forthcoming local government elections, due to be held on 18 May 2023. He recommended that, in order to ensure that arc21 maintains seamless delivery for the provision of services and/or supplies to its constituent councils during this transition period, Members grant delegated authority to the Acting Chief Executive to undertake/conclude any procurement exercises and to approve any relevant variations to contracts during the purdah period and immediately thereafter until the “new” Joint Committee is formed and Chair appointed, in June 2023, and this was agreed.

3. Date of AGM/Joint Committee Meeting

Mr Walker advised that, following the local government elections in May, the next meeting of the Joint Committee would be held on the last Thursday of the month in June, which would also be arc21's AGM, in order to select a Chair.

There had been a query around the timing of the Audit Committee, which ratifies a number of documents for the financial year-end, prior to submission to the NIAO, however, Mr Walker advised that he was now able to clarify that he had the authority to sign-off these financial year-end documents on behalf of the organisation.

4. Sub-Group Update

Mr Walker provided an update on the work of the Sub-Group and the dates of the most recent meetings. He advised that a copy of the minutes was available from the Chair of the Audit Committee upon request.

It was recommended that Members grant delegated authority to the Acting Chief Executive to ensure service delivery is maintained during the local elections and immediately thereafter (2); and to note the other elements of the report.

Following discussion this was agreed.

Action: Agreed

Councillor Goodman noted that the sub-group had been beneficial in addressing certain matters within arc21 and referred to recent discussions about having a similar structure to NILGA. He suggested that this proposal should be discussed after the election to consider whether this should continue.

Councillor Bennington advised that it had been decided to leave the organisation structure and governance reviews until the new Chief Executive was appointed and that this discussion could be held once the process is completed.

She also advised that the Audit Committee had considered the use of the Acting Chief Executive's delegated authority to ensure service delivery is maintained during the local elections and immediately thereafter as referred to in section 3 of the report was appropriate and asked the Joint Committee to approve. Members endorsed this approach.

Action: Agreed

Item 14 - The Northern Ireland Waste & Resource Management Conference 2023

Mr Walker provided a report on the upcoming Chartered Institution of Wastes Management/Recycle NI annual conference on 25 May in the Titanic Conference Centre, Belfast.

He noted that there was a variety of local and national speakers presenting at the event, and the aim was to focus on sustainability, the Circular Economy and how to transition to a more efficient and environmentally-friendly waste and resources management sector.

He advised that in order to qualify for the early bird rate of £200 per person, places needed to be booked by Friday, 31 March 2023.

It was recommended that the Members approve the attendance of the Acting Chief Executive and the Chair of arc21 (or their nominees) at this event.

Discussion ensued and it was agreed that the invitation also include the Deputy Chair and up to three other Members, and those interested were asked to advise arc21 on a first come first served basis by noon on 31 March.

Action: Agreed

It was suggested that an email was sent out after the meeting to all the Joint Committee Members to advise accordingly.

Mr Walker also advised that arc21 were holding an online seminar later that day specifically for the arc21 councils on local developments and encouraged all to attend.

Action: Noted

Item 15 - Customer Survey

Mr Walker provided an update on the annual Customer Survey and advised that it was intended to circulate it in due course and encouraged all to complete.

Action: Noted

Item 16 - AOB

Alderman Drysdale advised the Committee that, following a period of support, the issues Ms Mary Donnelly had been advising on had concluded and on behalf of the Members he wished to thank her.

Action: Noted

Item 17 - Next Meeting Thursday 27 April 2023

The Chair thanked everyone for attending and advised that the next Joint Committee meeting would be held virtually as scheduled on Thursday 27 April 2023 commencing at 10.30am.

Action: Noted

Date: 29 June 2023

Acting Chairman:

A handwritten signature in black ink, appearing to read 'Michael Goodman', with a horizontal line drawn underneath it.