

**ARC21 JOINT COMMITTEE**  
**Meeting No 091**  
**MINUTES**  
**Thursday 31<sup>st</sup> October 2024**  
**Using MS Teams**

**Members Present:**

Councillor R Lynch	Antrim & Newtownabbey Borough Council
Councillor E Thompson	Ards & North Down Borough Council
Councillor C Blaney	Ards & North Down Borough Council
Councillor J Cochrane	Ards & North Down Borough Council
Councillor A Givan	Lisburn & Castlereagh City Council
Councillor G McKeen ( <i>Deputy Chair</i> )	Mid & East Antrim Borough Council
Alderman M Morrow	Mid & East Antrim Borough Council
Councillor T Andrews	Newry, Mourne & Down District Council

**Members' Apologies:**

Councillor M Goodman ( <i>Chair</i> )	Antrim & Newtownabbey Borough Council
Councillor H Cushinan	Antrim & Newtownabbey Borough Council
Councillor E McDonough-Brown	Belfast City Council
Councillor B Smyth	Belfast City Council
Councillor M Collins	Belfast City Council
Councillor P Kennedy	Lisburn & Castlereagh City Council
Alderman S Skillen	Lisburn & Castlereagh City Council
Councillor R Quigley	Mid & East Antrim Borough Council
Councillor C Enright	Newry, Mourne & Down District Council
Councillor K Murphy	Newry, Mourne & Down District Council

**Officers Present:**

T Walker	arc21
H Campbell	arc21
J Green	arc21
K Boal	arc21
B McKeown	arc21
M Laverty	Antrim & Newtownabbey Borough Council
N Martin	Ards and North Down Borough Council
W Muldrew	Lisburn & Castlereagh City Council
S Morley	Mid & East Antrim Borough Council
D Carey	Mid & East Antrim Borough Council
C Hunter	Mid & East Antrim Borough Council

**Officers' Apologies:**

D Lindsay	Ards & North Down Borough Council
S Leonard	Belfast City Council
R Harvey	Lisburn & Castlereagh City Council
S Murphy	Newry, Mourne & Down District Council

Councillor McKeen took the Chair for the meeting.

### **Item 1 - Conflicts of Interest Statement**

The Chair read out the Conflicts of Interest Statement, and none were noted.

**Action: Noted**

### **Item 2 - Apologies**

Apologies were noted.

**Action: Noted**

### **Item 3 - Minutes of Joint Committee Meeting 090 held on 26 September 2024**

The Joint Committee approved the minutes. Proposed by Alderman Morrow, seconded by Councillor Givan, and agreed by all.

**Action: Agreed**

### **Item 4 - Matters Arising**

Any specific matters were discussed under the main agenda items.

**Action: Noted**

## **IN COMMITTEE**

The Chair recommended that the meeting would now move "*in committee*" which was agreed. Proposed by Councillor Givan and seconded by Councillor Lynch.

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 six matters discussed.

**Item 5 - Minutes of Joint Committee Meeting 090 held on 26 September 2024 'in committee' - approved**

**Item 6 - Matters Arising - noted**

**Item 7 - Residual Waste Treatment Project - noted**

**Item 8 - Commercially Sensitive Contract & Procurement Issues - approved**

**Item 9 - Tender Report - Supply of Services Relating to the Treatment and Energy Recovery/Disposal of Residual Waste Arisings - Dynamic Purchasing System, Lot 3 - Contract D - approved**

**Item 10 - Revenue Estimates 2025-2026 - approved**

## **OUT OF COMMITTEE**

Proposed by Councillor Givan and seconded by Alderman Morrow.

## **Item 11 - Contracts & Operations Briefing Report**

Ms Boal provided a report on the high-level performance statistics for September.

### Service Status

She reported that all services were operational during September and there were no requests from contractors to put any contingency arrangements in place.

### Performance

The contractor performance for September was presented, which included details on the number of loads in each of the contracts, site visits, overweight vehicles, use of contingency arrangements, turnaround, availability, maintenance of records and reporting.

She noted that turnaround times had been reviewed, and in most cases the contractors provided adequate reasons and therefore no service credits were applied to them. However, service credits were applied to Irish Waste, NWP (MDR Haulage) and Bryson for failing to meet their contracted turnaround limits for failing to meet their contractual turnaround times.

She reported that the overweight vehicles continue to be monitored and have reduced this month especially on the Organics contract, but the numbers were still quite high. She noted that council officers had been asked to continue to liaise with their operational teams and sub-contractors to try and reduce these further and to try and keep them low going forward.

She noted that in September, all reports were submitted on time and there were no issues to report.

She advised that there were ten requests for bring site rectifications (they did not have the specified capacity) across all contracts. These were communicated to the contractors, and in all cases, they confirmed that they had been emptied within the required 48 hours and therefore no service credits were applied.

### Health & Safety

#### (i) Incidents

During September 2024, Ms Boal reported that there were no Health & Safety incidents reported to arc21 by contractors. She advised that this was the second time this year that arc21 had not received any reports of H&S incidents and was a positive result. She noted that in order to keep incidents to a minimum, arc21 had asked council officers to continue to liaise with their H&S officers and operational managers, including those of external contractors, to ensure that their operational teams have due regard to Health & Safety obligations and that they continue to understand and abide by the site rules of each site.

#### (ii) Audits

In terms of audits, she reported that the external Health & Safety consultant continues to undertake health and safety audits.

In September, there was an audit conducted with ReGen/BCC at the Dargan Road Transfer Station. She noted that this report was still being finalised but that some minor recommendations and actions were identified and once this report is completed it will be shared with ReGen and BCC.

## Rejected Loads

Ms Boal reported that there had been no rejected loads delivered into the MRF facilities in September and none into the Organics delivery sites in September 2024, and that officers continue to monitor the procedures to make sure vehicles for mixed use are properly emptied to avoid contamination.

## arc21 Contract Tonnages

A list of the contract tonnages for September 2024, compared to the same period last year, was presented and summarised as follows:

- MRF Lot 1 - an increase of 4.3%;
- MRF Lot 2 - a 12.5% decrease for MDR material delivered to ReGen;
- Organics Contract - a 2.6% increase for Type 1 material and for Type 2 material, a decrease of 8.7%; and
- Landfill Contract - a 6.6% increase.

## Supplies

The number of orders placed and delivered in September was presented and Ms Boal noted that there was one delivery non-compliant; this was due to the delivery arriving a day later.

She advised that, as discussed at last month's meeting regarding odour issues particularly at Warrenpoint, the Chair had written to the NIEA to see if the process could be streamlined and that arc21 is awaiting a response which will be reported to Members once received.

Following discussion the Joint Committee noted the report.

**Action: Noted**

## **Item 12 - Waste Tonnage Trends**

Ms Boal presented a report showing the waste tonnage trends for materials delivered into the arc21 contracts and highlighted the following:

- Landfill - slightly higher in September than to previous year but on same trajectory;
- Belfast City Council (BCC) residual - almost coalescing at same point as last year ;
- Organics - Type 1 - coalescing at same point in 3 consecutive years;
- Organics Type 2 - running consistently lower than last year for a few months. She reported that there was an element of revenue share for this contract when arc21's constituent councils exceed 100k tonnes and that we will be doing the reconciliation shortly to see if there is any revenue share due to the councils. Following this, a report will be brought to Members;
- MRF combined tonnage - virtually converging at same point for last 3 years, NMDDC tonnage running below the level than last year but following the same trend pattern;
- Textiles - contractor trying to manage amount of material coming in and does not have the processing capacity to place materials on the market at the input rate, trying to reduce the amount of material received and storing a lot of it. She noted that arc21's tonnages were holding up well but that the contractor was committed to delivering the service for us and no indication that this would change going forward.

The other smaller contracts were also presented for information.

The Joint Committee noted the report.

**Action: Noted**

### **Item 13 - Consultation - Draft Programme for Government 2024-2027 'Our Plan: Doing What Matters Most' Public Consultation**

Mr Walker presented the Joint Committee with a proposed response to the Draft Programme for Government 2024-2027 public consultation for consideration prior to submission by the deadline of 4 November.

He reported that there was little coverage in the consultation in regard to waste, except under the Circular Economy (a Department of Economy function). arc21 has highlighted an incoherent approach to policy development which is likely to restrict confidence and reduce investment in the necessary infrastructure which will be needed to deal with the different waste streams and contribute to the establishment of a circular economy in Northern Ireland.

Members were asked to consider the response with a view to ratifying its content and submitting it by the deadline of 4 November.

Following discussion, the Joint Committee agreed to approve the response for submission. Proposed by Councillor Thompson, seconded by Councillor Andrews, and agreed by all.

**Action: Agreed**

### **Item 14 - Consultation - Proposed new Code of Practice on Sampling and Reporting at Materials Facilities**

Ms Boal presented a report to provide Members with the arc21 proposed response to the consultation on the Code of Practice on Sampling and Reporting at Materials Facilities.

She noted that the sampling and reporting regime in the other three jurisdictions had been in place for some time and that arc21 had voluntarily been sampling on the inputs and outputs of mixed dry recyclables received at Bryson and ReGen on the basis of the Wrap Sampling and Testing Guidance for Material Facilities issued in 2014, but not at the frequency specified in the new consultation.

In terms of the turnaround times for NI, she noted that this was still at draft stage and some things were unclear in terms of to arc21, its operators and NI more generally but the Department was aiming to put this into place from 1 April 2025 in line with the other jurisdictions.

She advised that she had met with the official leading this consultation, but they were unable to clarify a number of questions as yet so the intention would be to submit the response proposed in case of any ambiguities.

The aims of the introduction of the Code were outlined.

She noted that there were a number of aspects which appear ambiguous and which may, depending upon the interpretation, be different from the legislation and codes in England & Wales and Scotland. In particular, clarity was required on the material facilities, the material streams that are scheduled to be covered and some of the definitions that at the moment seem to cut across the intended position.

As the Code is currently drafted, she advised that there was some ambiguity as to whether Dirty MRFs will be covered. She noted that this is different to the way that the sampling regimes have been drafted in England and Wales, which share the same legislation, and in Scotland, and that arc21 is requesting some of the definitions be refined so that these facilities are excluded.

In addition, she advised that greater clarity is being sought in relation to defining the exemptions for councils and requirements for source segregated materials (e.g. single streams collected through kerbside sort, bring banks etc.)

Following discussion, the Joint Committee agreed to approve the response for submission and it was suggested that, should Members wish to provide any further comments, these be forwarded by 6 November. Proposed by Councillor Givan, seconded by Councillor Andrews, and agreed by all.

**Action: Agreed**

#### **Item 15 - Waste Management Plan Addendum Engagement Update**

Mr Walker reported that the engagement period had concluded and that four responses had been received. He noted that the next stage would be to consider and reflect upon the comments, where appropriate, in the finalised Waste Management Plan and then present to the Joint Committee for ratification. He noted that this was a temporary solution until a full review was carried out for a new Waste Management Plan following the finalisation of the new Waste Strategy.

He advised that the Waste Strategy consultation is expected probably around April/May 2025 which will have serious bearing on arc21's new Waste Management Plan which following a similar process to that used for the Addendum could ensure that a new Plan would be in place in 2028.

Following discussion, the Joint Committee noted the update.

**Action: Noted**

#### **Item 16 - Annual Report 2023-2024**

Mr Walker presented the arc21 Annual Report for the year to March 2024 which had previously been presented to the Joint Committee for comment.

Following consideration, the Joint Committee agreed to approve the Annual Report for publication. Proposed by Councillor Thompson, seconded by Alderman Morrow, and agreed by all.

**Action: Agreed**

#### **Item 17 - AOB**

Mr Walker reported upon a recent BBC online article concerning the use of EfW facilities to produce power which had caused disconcertion across the sector. He highlighted that EfW facilities are designed to treat waste, and power is a by-product of this treatment process.

He also reported upon the recent EPR developments at which the Chancellor had stated that if councils did not receive their full reimbursement of monies through the Scheme, Government would make good on this.

He noted that the indicative figures of what councils should be receiving through the EPR scheme should be arriving in councils next month.

**Action: Noted**

**Item 18 - Next Meeting Tuesday 3 December 2024 hosted by Antrim and Newtownabbey Borough Council in Antrim Civic Centre (Hybrid)**

**Action: Noted**

**Date: 3 December 2024**

**Chairman:**

A handwritten signature in black ink, appearing to read "Michael Coakley". The signature is written in a cursive style with a long horizontal stroke at the bottom.