

Report on	Response to the DAERA Consultation on the Waste Management Plan for Northern Ireland
Date of Meeting	12 November 2019
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Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To advise Members on the Department of Agriculture, Environment & Rural Affairs (DAERA) consultation on the Waste Management Plan for Northern Ireland and to provide a Mid Ulster District Council response to the consultation.
2.0	Background
2.1	DAERA issued a consultation on 16 October 2019 in relation to the Waste Management Plan for Northern Ireland (WMPNI). The consultation is open for eight weeks until 4pm on Wednesday 11 December 2019.
2.2	The revised Waste Framework Directive 2008/1 (rWFD) requires Member States to produce one or more waste management plans which cover, alone or in combination, the geographical territory of the Member State concerned. As waste is a devolved matter, the other UK devolved administrations and Gibraltar are preparing their own waste management plans which cover their geographical territories and which, together with this plan, are needed to meet the requirements of the rWFD.
2.3	This consultation is on a Waste Management Plan for Northern Ireland (WMPNI). On 1 May 2019 the Board of the Department of Agriculture, Environment and Rural Affairs (DAERA) agreed to consult on a waste management plan for Northern Ireland by 31 December 2019.
2.4	Appendix 1 encloses a copy of the letter to Consultees from DAERA and dated 16 October 2019 whilst Appendix 2 encloses a copy of the Waste Management Plan for Northern Ireland.
3.0	Main Report
3.1	The content of the WMPNI is determined by the requirements of the rWFD especially Article 28 of the Directive.

3.2	<p>The mandatory requirements of Article 28 of the rWFD specify that the WMPNI should be established in accordance with Articles 1 (Subject matter and scope), 4 (Waste hierarchy), 13 (Protection of human health and environment) and 16 (Principles of self-sufficiency and proximity) of the rWFD and should contain the following information:</p> <p>An analysis of the current waste management situation in the geographical entity concerned, as well as the measures to be taken to improve environmentally sound preparing for re-use, recycling, recovery and disposal of waste and an evaluation of how the plan will support the implementation of the objectives and provisions of this rWFD.</p> <p>As appropriate, take account the geographical level and coverage of the planning area:</p> <ul style="list-style-type: none"> ○ the type, quantity and source of waste generated within the territory, the waste likely to be shipped from or to the national territory, and an evaluation of the development of waste streams in the future; ○ existing waste collection schemes and major disposal and recovery installations, including any special arrangements for waste oils, hazardous waste or waste streams addressed by specific Community legislation; ○ an assessment of the need for new collection schemes, the closure of existing waste installations, additional waste installation infrastructure in accordance with Article 16 (on the proximity principle), and, if necessary, the investments related thereto; ○ sufficient information on the location criteria for site identification and on the capacity of future disposal or major recovery installations, if necessary; ○ general waste management policies, including planned waste management technologies and methods, or policies for waste posing specific management problems. <p>In addition, Schedule 3 to the Waste and Contaminated Land (Northern Ireland) Order 1997, as amended, sets out other obligations for the WMPNI which have been transposed from the rWFD. These other obligations include:</p> <ul style="list-style-type: none"> ➤ a chapter on the management of packaging and packaging waste, including measures taken pursuant to Articles 4 (prevention) and 5 (re-use) of the Packaging Waste Directive²; ➤ measures to promote high quality recycling including the setting up of separate collections of waste where technically, environmentally and economically practicable; ➤ measures to encourage the separate collection of bio-waste with a view to the composting and digestion of bio-waste; ➤ measures to be taken to promote the re-use of products and preparation for re-use activities, in particular— <ul style="list-style-type: none"> ○ measures to encourage the establishment and support of re-use and repair networks; the use of economic instruments; ○ the use of procurement criteria; and
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	<ul style="list-style-type: none"> ○ the setting of quantitative objectives. ➤ Policies in relation to preparing for re-use, recovery and recycling targets including— <ul style="list-style-type: none"> ○ measures to be taken to ensure that by 2020, at least 50% by weight of waste from households is prepared for re-use or recycled; ○ measures to be taken to ensure that by 2020, at least 70% by weight of construction and demolition waste excluding— <ul style="list-style-type: none"> • hazardous waste; and • [F2naturally occurring material falling within code 17 05 04 in the Annex to the List of Wastes,] is subjected to material recovery.
3.3	Officer discussions have taken place on the consultation of the WMPNI through the Technical Advisors Group for Northern Ireland.
3.4	As the WMPNI clearly sets out the core aim of the Plan is to bring current waste management policies under the umbrella of one national plan; it is not the intention of the WMPNI to introduce new policies or to change the landscape of how waste is managed in Northern Ireland.
3.5	<p>As such the officer view is that this is essentially a technical consultation as can be seen from the Consultation Question posed by the Department and one which is necessitated merely by compliance with EU timescales;</p> <p><i>Will the Waste Management Plan for Northern Ireland (WMPNI), including its constituent parts (detailed on page 5 of the WMPNI), when combined with the location specific guidance in the waste planning policy - meet the requirements of Article 28 of the revised Waste Framework Directive and the additional requirements as detailed in Schedule 3 to the Waste and Contaminated Land (Northern Ireland) Order 1997 (see Appendix 1)? If not, what else is, in your view, needed?</i></p>
3.6	As a consequence, the considered Officer View is that while the WMPNI does appear to meet the requirements of Article 28 of the rWFD it is merely delaying the process for review of the Northern Ireland Waste Management Strategy; “Delivering Resource Efficiency”.
3.7	The Consultation Response attached express concerns that the Department has yet to publish a timescale for the review of the Waste Management Strategy for Northern Ireland as it is believed that the review and update of “Delivering Resource Efficiency” is critical to setting the overall strategy which should then underpin the Councils Waste Management Plan.

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: None
	Human: Officer time in reviewing the WMPNI and drafting the response.
	Risk Management: None at this juncture.
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: Not at this juncture.
	Rural Needs Implications: Not at this juncture.
5.0	Recommendation(s)
5.1	Members are requested to approve to Council the Draft Response (as set out at Appendix 3) of this report to the DAERA Waste Management Plan for Northern Ireland
6.0	Documents Attached & References
6.1	Appendix 1: Letter to Consultees of 16 October 2019
6.2	Appendix 2: Waste Management Plan for Northern Ireland
6.3	Appendix 3: Proposed Mid Ulster District Council response to the DAERA Waste Management Plan for Northern Ireland