

**Tullyvar Landfill Site Joint Committee Meeting**  
**Wednesday 29<sup>th</sup> March 2023, 2.00 pm at Tullyvar**  
*(a virtual meeting link will also be available)*

**A G E N D A**

1. Confirmation of the Minutes of the Ordinary Meeting and AGM held on Tuesday 4<sup>th</sup> October 2022
2. Matters arising from the Minutes
3. Financial Matters
  - 6 month Financial Review 2022/23
  - 2023/24 Budget Report
4. Update from Assistant Director Environmental Services / Site Managers Report
5. Date of next meeting to be agreed:
  - Suggested date Wednesday 13<sup>th</sup> September 2023
6. AOB

**MINUTES OF TULLYVAR JOINT COMMITTEE AGM HELD ON TUESDAY 4<sup>th</sup> OCTOBER 2022 AT 10.30AM AT TULLYVAR**

**PRESENT:**

**MID ULSTER:** Councillor McAleer - Chair  
Councillor Graham, Councillor McGuigan

**FERMANAGH & OMAGH:** Councillor Thompson

**OFFICERS:** M McAdoo  
K McGowan  
J News  
P Bradley

**APOLOGIES:** Councillors Clarke, Gildernew, Garrity, Fitzgerald, Rainey  
AM Campbell, S McEvoy.

***Meeting commenced at 10.30am***

**1. ELECTION OF CHAIR**

Councillor Rainey elected.

Proposed by Councillor Thompson  
Seconded by Councillor McGuigan

**2. ELECTION OF VICE-CHAIR**

Councillor Graham elected.

Proposed by Councillor McAleer  
Seconded by Councillor McGuigan

**3.0 ANNUAL FINANCIAL REVIEW**

The Site Manager presented the Annual Financial Report, copy previously circulated, reference being made to draft accounts for the 2021/22 financial year. It was noted that a total income of approximately £138,640 was received and included the royalty for electricity generation and income from the sales of obsolete equipment. This compared to a budget of £133,257 with the variation of £5,384 due to the additional income from the equipment sales. Operational expenses (not including depreciation and provisions) for the year were approximately £206,745 compared to a budget of £200,020. This overspend of £6,725 was mainly be attributed to additional spending on plant

hire and leachate haulage. The Site Manager also detailed the Balance Sheet account providing a summary of assets and liabilities and cash on account.

#### **4.0 FREQUENCY OF AGMS**

It was suggested that as there are only two meetings in a year that the AGM should take place every second year so that the Chair and Vice-Chair would be in place for longer than only two meetings.

It was agreed that this be looked at again after the elections at the next scheduled AGM in September 2023.

#### **5.0 ANY OTHER BUSINESS**

No other Business.

***Meeting ended at 10.41 am***

**MINUTES OF TULLYVAR JOINT COMMITTEE MEETING HELD ON TUESDAY 4<sup>th</sup> OCTOBER 2022 AT 10.30AM AT TULLYVAR**

**PRESENT:**

**MID ULSTER:** Councillor McAleer - Chair  
Councillor Graham, Councillor McGuigan

**FERMANAGH & OMAGH:** Councillor Thompson

**OFFICERS:** M McAdoo  
K McGowan  
J News  
P Bradley

**APOLOGIES:** Councillors Clarke, Gildernew, Garrity, Fitzgerald, Rainey  
AM Campbell, S McEvoy.

***Meeting commenced at 10.41am***

**1. CONFIRMATION OF MINUTES – AGM/ORDINARY MEETINGS - 9<sup>th</sup> FEBRUARY 2022**

The minutes of the above meetings were adopted.

Proposed by Councillor McAleer  
Seconded by Councillor Thompson and agreed.

**2. MATTERS ARISING FROM THE MINUTES**

None.

**3.0 FINANCIAL MATTERS**

**3.1 Annual Financial Review 2021/22 (as tabled at AGM)**

The Site Manager previously presented the Annual Financial Report at the AGM held prior to this meeting.

**4.0 UPDATE REPORT FROM ASSISTANT DIRECTOR ENVIRONMENTAL SERVICES / SITE MANAGERS REPORT**

The Site Manager's report, copy previously circulated, was considered, reference being made to the undernoted:

## **4.1 Site Operational Update**

### **4.1.1 Leachate Treatment**

It was confirmed that approximately 90 tonnes per week of leachate was sent for treatment to Cookstown Sewage Treatment Works.

### **4.1.2 Minor Works**

Some minor site mothballing and landscaping works were carried out over the summer including maintenance of the new woodlands, and installation of a new pH dosing system.

### **4.1.3 Electricity Generation**

A further year of electricity generation was completed at the end of May 2022 in which the site generated approx. 3.36 GWHrs of electricity. The royalty payment from Renewable Power Systems is expected to be in the region of £110K, bringing the total income to date from landfill gas to approx. £1.495M.

It was noted that the income achieved was impressive. There may be increased income in 2022/23 due to electricity price increases. Any profit remains with Tullyvar and so it should be suitably provisioned for the next 5 to 10 years.

It was noted it is expected that there would be a slow decline gas / electricity generation over the next 3 to 4 years followed by a rapid decline.

Following a query from Councillor McAleer regarding the long-term plan it was agreed that the Assistant Director of Environmental Services would revisit a previous feasibility study as there had been changes in the energy market since this study was originally carried out.

## **4.2 Landfill Tax Reclaim Update**

The Site Manager summarised the position for the reclaim of Landfill Tax Monies. This was being managed by KPMG through an appeals process. The Court of Appeal found for HMRC in March 2021 and appeals to both the Court of Appeal and the Supreme Court have now been rejected. The process was formally brought to a close in July 2022 when KPMG notified the Tribunal of the withdrawal of appeals. A further payment of approx. £3,500 will also now be due to KPMG to cover a share of HMRC's costs.

## **4.3 Sale of Obsolete Plant & Equipment**

At the previous Joint Committee meeting on the 9th February 2022 it was agreed to auction off a number of items of obsolete plant and equipment. The auction was held by R. A. Noble on Saturday the 26th March with all items

exceeding their sale price expectations. All sales monies, totaling £23,400, have been received from R. A. Noble and have been added to the sites cash reserves.

#### **4.4 Adoption of the Report**

The Chair and Members thanked the Site Manager for the comprehensive and informative report.

The Site Manager's report was adopted.

Proposed by Councillor McAleer  
Seconded by Councillor McGuigan and agreed.

#### **5.0 ANY OTHER BUSINESS**

##### **5.1 NIEA**

The Assistant Director of Environmental Services noted that NIEA has carried out their annual inspection the previous week and that no issues had been identified.

#### **6.0 DATE OF NEXT MEETING**

It was agreed to convene the next meeting on **Wednesday 8<sup>th</sup> March 2023 at 10.30am**. Venue to be confirmed. The next AGM is scheduled to be held on **Wednesday 13<sup>th</sup> September 2023 at 10.30am**. Venue to be confirmed.

# TULLYVAR JOINT COMMITTEE – 29<sup>th</sup> MARCH 2023

## SITE MANAGER'S REPORT

### 1. Site Operational Update

Between September 2022 and February 2023 approx. 70 tonnes of leachate per week was discharged to Cookstown Sewage Treatment Works. The Annual NIWater compliance report for 2022 was received in January and Tullyvar was deemed compliant, the main results of which are detailed in the table below:

Parameter	Annual Average	Limit	Compliance Score
<b>Ammoniacal Nitrogen</b>	63 mg/l	400 mg/l	100%
<b>Chemical Oxygen Demand</b>	538 mg/l O <sub>2</sub>	2000 mg/l O <sub>2</sub>	100%
<b>Suspended Solids</b>	65 mg/l	500 mg/l	100%
<b>pH</b>	Min 5.28 / Max 8.15	Min 5 / Max 10	100%

A further year of electricity generation was completed at the end of May 2022 in which the site generated 2.29 GWhrs of electricity. A further royalty payment of £54,591.50 was received in March from Renewable Power Systems, bringing the total income to date from landfill gas to approx. £1,440M.

### 2. Financial Matters

A budget has been prepared by Officers for the 2023/24 period, the projected operational expenditure for the coming financial year is £170,070, a decrease of approx. 8% to reflect the further winding down of site operations. The major costs in the next financial year are £37,884 for leachate haulage, salaries and wages of £37,884, environmental monitoring costs of £19,200, electricity at £16,000, and management charges of £11,000. Some costs have increased due to the increase in energy costs, salaries and wages but have been offset from reduced leachate haulage and fees.

Site income for the year is estimated at £52,620 from the predicted electricity generation royalties. This gives a net expenditure for the year of £117,450 which will be funded from the sites reserves.

The full budget and details first 6 months expenditure of the 22/23 financial year are detailed in Appendix 2. At the end of the first 6 months of the current financial year the site had £796,052.37 in its bank current account / reserves so additional funding from the two Councils will not be necessary for the foreseeable future.

### 3. Closure & Aftercare Provisions

Due to the potential environmental impact of large waste facilities it is necessary to model the long term financial liabilities and make provision for this liability in the Councils annual audited accounts. These models were reviewed in 2019 by the consulting engineers, WDR & RT Taggart with a view to more accurately predicting the number of years that the site must be managed for. This resulted in a reduction in the number of years from 60 to 19 with the permit being surrendered in 2038. The sites must meet a number of closure criteria before the PPC Permits may be surrendered and a detailed computer model of the site is developed to predict when these criteria are likely to be achieved. The modelling takes into consideration the

surrounding geology of the site, its lining system and the types and volumes of waste accepted at the site among other things. Council officers have carried out updated reviews annually since this, with the latest one submitted to the NIEA in June 2022.

It is also a regulatory requirement for large waste facilities to have a financial bond in place to safeguard against operators going bankrupt or otherwise abandoning the site post closure. This would leave the Northern Ireland Environment Agency (NIEA) responsible for any clean-up or aftercare of the site. Local authorities are able to use a Local Authority Deed Agreement in lieu of a financial bond and at previous reviews the 2 councils established a joint Local Authority Deed Agreement with the NIEA. The value of these bonds / local authority deed agreements are typically based on the financial models generated for each site.

The value of the Deed is currently £1,396,596 and has decreased significantly to £585,524 as a result of the most recent review. In practice the NIEA will be very unlikely to exercise this Deed as Tullyvar is well provisioned for restoration and aftercare and both Councils are keenly aware of their environmental responsibilities at the site. The revised deeds have signed and sealed by Mid Ulster District Council and will be forwarded to the NIEA once they have been countersigned and sealed by Fermanagh & Omagh District Council.



## Appendix 1 – Interim Financial Review

### 1. Income & Expenditure

Interim accounts for the first 6 months of the 2022/23 financial year have been prepared with the main points summarised below. Please note that some figures may be subject to minor changes before being submitted to auditors.

- There was no income in the first 6 months, however, £54,591.50 has since been received as a gas royalty payment from Renewable Power Systems.
- Operational expenses for the first 6 months totalled £70,813.29 compared to a budget of £96,624.00. The main apparent underspends were for leachate related expenses and NIEA permit fees, however, some costs in these categories are due before the end of the year so any underspend at year end will not be as significant. The top 5 expenditure items are listed below:

▪ Salaries & Wages	£16,166.00
▪ Environmental Monitoring	£9,640.34
▪ Rates	£8,418.81
▪ Leachate Tankering & Treatment	£8,013.12
▪ Heating & Light	£7,927.38

### 2. Balance Sheet

The balance sheet figures as of the 30<sup>th</sup> September 2022 are presented below:

Current Assets	-	£881,052.37
Current Liabilities	-	£183,734.63
Net Current Assets / Liabilities	-	£697,317.74

Other Items:

Cash on Account	-	£796,052.37
Closure & Aftercare Provision	-	£203,720.32

## Appendix 2 – 6 Month Accounts and Proposed 2023/24 Budget

Account Code	Expense Description	2022/23 6 Mts TD*	2022/23 Budget	2023/24 Budget
2176	SALES	0	0	0
2991	DEPOSIT A/C INTEREST	0	0	0
2501	GAS GENERATION INCOME	0	(89,698)	(52,620)
4990	MISC INCOME	0	0	0
	<b>1 Total</b>	<b>0</b>	<b>(89,698)</b>	<b>(52,620)</b>
2004	SALARIES & WAGES	16,166	31,500	33,886
2006	LEACHATE TREATMENT	8,013	57,658	37,884
2009 & 2117	MANAGEMENT CHARGE	5,500	11,000	11,000
2010	RATES	8,419	8,500	8,500
2011	INSURANCE	5,220	10,500	10,500
2012	HEAT & LIGHT	7,927	12,000	16,000
2018	REPAIRS & RENEWALS GENERAL	1,922	5,000	5,000
2021	REPAIRS VEHICLES	140	1,500	1,500
2024	BANK CHARGES	13	50	50
2029	TELEPHONE	0	300	300
2031	ADVERTISING	0	0	0
2030 & 2032	POST & STATIONERY	0	50	50
2033	COMPUTER SOFTWARE	0	0	0
2039	HIRE OF EQUIPMENT	0	4,340	4,800
2040	PROTECTIVE CLOTHING	0	300	300
2041	BLINDING MATERIALS	0	0	0
2035 & 2048	FEES & LEGAL FEES	420	12,500	9,000
2054	FUELS & OILS	4,377	4,000	6,000
2060	TRAVEL & SUBSISTENCE	0	1,000	1,000
2061 & 2145	TRANING & CONFERENCES COURSES	(20)	750	0
2070	CHEMICALS	660	2,000	2,000
2072	WATER	118	500	500
2073	SITE ENGINEERING	2,298	2,000	2,500
2081	LANDFILL TAX ON BLINDING	0	0	0
2104	SAMPLES	9,640	19,200	19,200
2300	MISCELLANEOUS	0	100	100
8100	BAD DEBT WRITE-OFF/RECOVERED	0	0	0
8102	PROVISION FOR BAD DEBT	0	0	0
	<b>2 Total</b>	<b>70,813</b>	<b>184,748</b>	<b>170,070</b>
	<b>Grand Total</b>	<b>70,813</b>	<b>95,050</b>	<b>117,450</b>