



<b>Subject:</b>	Response to the DAERA Consultation on the Waste Management Plan for Northern Ireland
<b>Date:</b>	3 December 2019
<b>Reporting Officer:</b>	Nigel Grimshaw, Strategic Director, City & Neighbourhood Services
<b>Contact Officer:</b>	John McConnell, City Services Manager, Resources & Fleet

<b>Restricted Reports</b>	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
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 response to the consultation. The response closes on 11 December 2019.
<b>2.0</b>	<b>Recommendations</b>
2.1	The Committee is asked to; <ul style="list-style-type: none"><li>agree the draft response to the DAERA consultation exercise regarding the Waste Management Plan for Northern Ireland and agree that the draft is forwarded to DAERA before 11 December 2019, but they will be advised that the response may be subject to change following the full the meeting of Council on 6<sup>th</sup> January 2020.</li></ul>

<b>3.0</b>	<b>Main report</b>
3.1	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 (WMPNI) by 31 December 2019. The consultation opened on 16 October 2019 and will conclude after eight weeks at 4pm on Wednesday 11 December 2019.
3.2	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.
3.3	Appendix 1 includes a copy of the letter to consultees dated 16 October 2019, appendix 2 includes a draft copy of the Waste Management Plan for Northern Ireland, while appendix 3 includes a draft response to the consultation.
3.4	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	Officer discussions have taken place on the consultation of the WMPNI through the Technical Advisors Group for Northern Ireland. 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;
3.6	<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>
3.7	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 the review of the Northern Ireland Waste Management Strategy; "Delivering Resource Efficiency". It is also

	<p>noted that the determination as to whether the WMPNI meets the requirements of the various legislative instruments will ultimately be a decision for the legislature in the event of any challenge.</p>
3.8	<p>The consultation response also expresses concern 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 Council's Waste Management Plan.</p> <p><b><u>Financial &amp; Resource Implications</u></b></p>
3.9	<p>There are no financial or resource implications associated with this report.</p> <p><b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p>
3.10	<p>There are no equality, good relations or rural needs issues associated with this report.</p>
<b>4.0</b>	<b>Appendices – Documents Attached</b>
	<p>Appendix 1 - DAERA letter to consultees</p> <p>Appendix 2 - Draft Waste Management Plan NI</p> <p>Appendix 3 - Draft Council response to the consultation document</p>