



House of Commons
Northern Ireland Affairs
Committee

Waste Management Strategy in Northern Ireland

Sixth Report of Session 2004–05

Volume I



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*Report, together with formal minutes, oral and
written evidence*

*Ordered by The House of Commons
to be printed 21 February 2005*

The Northern Ireland Affairs Committee

The Northern Ireland Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Northern Ireland Office (but excluding individual cases and advice given by the Crown Solicitor); and other matters within the responsibilities of the Secretary of State for Northern Ireland (but excluding the expenditure, administration and policy of the Office of the Director of Public Prosecutions, Northern Ireland and the drafting of legislation by the Office of the Legislative Counsel).

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Summary

Northern Ireland, like the rest of the United Kingdom, has for many years been almost totally reliant on landfill for the disposal of its waste. The EU Landfill Directive, which came into force in 1999, set binding targets restricting the amount of household waste that can be disposed of in landfill sites. The Directive also required Member States to draw up plans to reduce the amount of other waste materials being disposed of in this way. This has required these States to reassess their waste management practices and to consider alternatives, such as increasing recycling and recovery levels.

Northern Ireland has tackled the issue of waste management in a positive manner. Following widespread consultation with key stakeholder groups, it was the first part of the United Kingdom to develop a Waste Management Strategy setting out a vision for Northern Ireland as a 'centre of excellence in resource and waste management'.

It is regrettable, therefore, to find that implementation of the Strategy has been patchy and, if action is not taken quickly, Northern Ireland may fail to meet its first major EU target in 2010 and, as a consequence, incur substantial financial penalties.

The absence of strong leadership by Northern Ireland departments has been a major factor in causing this unsatisfactory state of affairs. This has been most marked in the failure to live up to a commitment to use the substantial purchasing power of the public sector to influence the market for recycled products.

Most Northern Ireland departments have failed to make progress on implementing the Waste Management Strategy, and there appears to be a tendency to leave this to the Department of the Environment. This Department has an important role in leading within Government on the issue, but transforming Northern Ireland into a centre of excellence in waste management is not a task for one department, but for the Government as a whole. Other departments must start to pull their weight.

Northern Ireland is now confronted with a race against time to meet its statutory obligations and, more generally, to develop more sustainable waste practices. Three main challenges need to be tackled immediately:

- A crisis in planning has led to severe delays in reaching decisions on applications for waste management facilities which has, in turn, delayed the provision of vital infrastructure, and may have alienated potential providers of facilities
- Existing landfill capacity is rapidly being exhausted. Replacement landfill sites and infrastructure to provide alternatives to landfill will take time to put in place. Planning for, and procuring, this infrastructure now appears to be seriously behind schedule
- No clear estimate has been made of the level of funding required for waste management, and there is an absence of a funding plan to deliver the necessary infrastructure over the life of the Waste Management Strategy. In the absence of greater clarity over the financial resources required, local authorities are uncertain

about what proportion of funding needs to be raised through rates.

The problem of illegal dumping of waste both within Northern Ireland and from the Republic of Ireland has added to the challenges faced by the Department of the Environment. Strong action has been taken, but changes in legislation may be needed to make this more effective. The financial incentive to dump waste illegally, because of differences in the cost of landfilling on either side of the border, is unlikely to disappear in the short-term.

Improving Northern Ireland's performance in the future cannot be achieved solely by Government action. We look to all stakeholders to take up the challenge and take constructive action now to deliver the vision in the original strategy.

1 Introduction

1. Waste arises from the way we use the goods and services we buy, and is defined generally as ‘useless remains or by-products, refuse, scraps, shreds’.¹ The EU Waste Framework Directive defines it as any substance or object, which a householder disposes of or is required to dispose of pursuant to the provisions of national law² If our environment and natural resources are to be protected, waste can no longer be viewed as ‘useless remains’, or as a problem for disposal, but as a valuable resource to reuse or recycle. Such changes would reduce the overall impact on our natural resources and protect the environment.

2. A Waste Management Strategy for Northern Ireland was developed and published by the Department of the Environment (“the Department”) in March 2000.³ This “offers a long-term vision for the future development of waste management practices in Northern Ireland and provides the framework to enable this to become reality”.⁴ A formal review of the Strategy by the Department began in March 2003, and is due for completion by the end of 2005.

3. This report sets out the results of our examination of progress in implementing the Waste Management Strategy. During our inquiry we looked in particular at:

- action to reduce the amount of household waste sent to landfill
- progress on targets in the strategy regarding reduction in waste growth, recycling and recovery
- the issue of markets for materials collected for recycling, and the possible opportunities for Northern Ireland
- the current availability of landfill capacity
- illegal dumping of waste
- progress in the development of alternatives to landfill for the treatment of waste, and
- the potential to learn from experience elsewhere.

4. We were conscious that similar work into progress on waste management in England has been undertaken by the Environment, Food and Rural Affairs Committee⁵ and by the Environmental Audit Committee.⁶

1 Oxford English Dictionary

2 The Waste Framework Directive - 75/442/EEC (as amended in 91/156/EEC)

3 *Waste Management Strategy Northern Ireland*, Department of the Environment, March 2000

4 *ibid* (Introduction)

5 An Inquiry into “Waste policy and the Landfill Directive” is nearing completion and a report is due shortly. http://www.parliament.uk/parliamentary_committees/environment_food_and_rural_affairs.cfm

6 The Committee took oral evidence on “Hazardous Waste and Waste Policy” from Rt Hon Elliot Morley MP, Minister of State, DEFRA http://www.parliament.uk/parliamentary_committees/environmental_audit_committee/reports_and_publications.cfm

5. We have taken oral evidence from a wide range of organisations at Westminster, Belfast and Londonderry, and have visited a landfill site, a kerbside collection scheme, and a recycling depot in Belfast. We are most grateful to all those who have assisted with this inquiry, in particular those who provided oral or written evidence. We wish to thank Dr Dominic Hogg, our Specialist Adviser, for his valuable assistance.

Background

6. Northern Ireland, like the rest of the United Kingdom, has been heavily reliant on landfill for the management of its household waste for many years. Although it has long been appreciated that this practice was not ‘environmentally friendly’, it continued largely unchecked, with little development of recycling and composting. Approximately 96% of all controlled waste in Northern Ireland was sent to landfill sites in 2000.⁷

7. The management of household waste throughout the United Kingdom was affected profoundly by the Landfill Directive.⁸ The Directive came into force in 1999 and required a major change in the way waste is processed. It emphasised the need to reduce the amount of waste disposed of in landfill sites, in particular biodegradable waste, by increasing the levels of recycling and recovery, and sought “to reduce the amount and toxicity of landfilled waste, to set standards for design and operation, to encourage pre-treatment, to prevent the mixing of hazardous municipal waste and to ban disposal of certain prescribed waste such as tyres, health care, flammable and liquid waste”.⁹

8. The Northern Ireland Waste Management Strategy produced in 2000, in fulfilment of a requirement in the EU Waste Framework Directive,¹⁰ was the first in the United Kingdom and followed a three-year programme of consultation with key stakeholder groups. The Environment and Heritage Service (EHS), an executive agency of the Department, is responsible for implementing the Strategy, and it also administers and enforces the new waste controls.¹¹

9. District Councils are responsible for the collection of municipal waste; ensuring “that suitable arrangements are made for its recovery, recycling and re-use and disposal”;¹² and are central to the implementation of the Strategy. The Councils collaborated to form three sub-regional partnerships, and developed detailed Waste Management Plans to identify waste management provision required at a local level.¹³

7 Ev 114

8 Council Directive 1999/31/EC of 26 April 1999. The Directive's overall aim is "to prevent or reduce as far as possible negative effects on the environment, in particular the pollution of surface water, groundwater, soil and air, and on the global environment, including the greenhouse effect, as well as any resulting risk to human health, from the landfilling of waste, during the whole life-cycle of the landfill".

9 Ev 3

10 The Waste Framework Directive - 75/442/EEC (as amended in 91/156/EEC) requires MemberStates to appoint competent authorities to draw up Waste Management Plans which develop an integrated network of regional facilities. The Directive also establishes requirements for licences and registration of carriers, and the polluter pays principle. The Waste Management Strategy itself did not fulfil these requirements in and of itself, the sub-regional plans having a major role to play.

11 In GB regulatory activity is separate from Government. In England and Wales it is carried out by the Environment Agency and in Scotland by the Scottish Environment Protection Agency.

12 Ev 97

13 Ev 100

10. A Waste Management Advisory Board (WMAB), comprising representatives of key stakeholder groups, was established in May 2001 to help guide implementation of the Strategy and promote sustainable waste management throughout the community. Amongst other things, WMAB was tasked with the preparation of an independent Strategy Review Report which was published in June 2004.¹⁴

Progress so far

11. The Department of the Environment claimed in its written submission that, since work began on the development of the Waste Management Strategy in 1997, “very substantial progress has been achieved”, while acknowledging that “maintaining the progress also raises significant challenges”.¹⁵ The adoption of the sub-regional Waste Management Plans drawn up by District Councils, which assisted Northern Ireland in meeting the requirements of the Waste Framework Directive, was highlighted as a significant achievement.

12. Some respondents have been critical at the slow pace of Strategy implementation. For example, we heard that “the failure of the Strategy to deliver lies less with the Strategy document itself than its implementation”;¹⁶ that “overall progress has been disappointing, and much more needs to be done if we are to truly tackle the fundamental causes of waste production”;¹⁷ and “initial conclusions are that current progress against the Strategy, and the associated European Directives, has been patchy”.¹⁸

13. Several particular criticisms recurred in the evidence we received, including the failure of Government Departments to live up to the commitment to develop and implement ‘green’ purchasing policies;¹⁹ the lack of funding and infrastructure which is a barrier to increasing recycling levels;²⁰ and an over-emphasis on household waste at the expense of commercial and industrial, construction and demolition, and agricultural waste.²¹ The Planning Service was heavily criticised for its approach to the issue of landfill capacity, and for the time taken to deal with any waste management applications.²²

14. A ‘Wake up to Waste’ media advertising campaign was launched by the Department in February 2002 to raise awareness of waste management and encourage public participation in recycling and in reducing waste.²³ This campaign was effective in raising the profile of

14 *Northern Ireland Waste Management Strategy Review Report*, Waste Management Advisory Board for Northern Ireland, June 2004

15 Ev 119

16 Ev 201

17 Ev 232

18 Ev 2

19 Ev 241

20 Ev 202

21 Ev 202

22 See paragraphs 24-31 below

23 Ev 103

waste issues. However, it “raised expectations [of recycling] to an unachievable level”²⁴ because the infrastructure for recycling opportunities was frequently not present.

15. Northern Ireland’s poor record of converting EU Directives on waste into regulations has changed recently. The Minister confirmed that some 45 pieces of legislation had been implemented which had “brought Northern Ireland up to date with the UK and our EU partners”.²⁵ We welcome this progress.

16. While the establishment of three sub-regional Waste Management Plans by District Councils has been a positive development, there have been calls for the further development of these into a single Waste Management Plan for Northern Ireland.²⁶ The Waste Management Advisory Board told us that, while it commended the work of the Councils, it considered that “virtually everyone else in the industry would welcome a single plan.”²⁷ Friends of the Earth supported this view.²⁸ The Department acknowledged that, as part of its review of the Strategy, it was “moving in the direction of convergence of the existing waste management plans”.²⁹

17. The Department acknowledged that a major difficulty in measuring progress on implementing the Strategy has been a lack of dependable data.³⁰ One example was the target set by the Department “to reduce its overall paper use by 10% by 2002” for which it had no benchmark against which to measure progress. “That issue of data applies across all targets.”³¹

18. The Southern Waste Management Partnership (SWaMP) pointed out, however, that “the data collection system has been upgraded over the last couple of years. Obviously we are moving towards a stage where data is getting better and better.”³² Friends of the Earth recognised that the Department had “initiated a data flow project which collects data on municipal waste arisings”, and called for this to be extended to the commercial and industrial sector “because how can you monitor progress if you have got no idea what is out there?”³³

19. Some progress in implementing the Waste Management Strategy has been achieved, but overall it has been slight. The crucial issue is the pace of change, and whether Northern Ireland can achieve even its statutory obligations in the remaining time available, far less a major shift to the sustainable management of resources.

24 Ev 9

25 Q 347

26 *Northern Ireland Waste Management Strategy Review Report*, Waste Management Advisory Board for Northern Ireland, June 2004 page v

27 Q 242

28 Q 325

29 Q 282

30 Q 274

31 Q 275

32 Q 54

33 Q 341

Time Pressures

20. The development of the Waste Management Strategy and the sub-regional Waste Management Plans enabled Northern Ireland to meet its obligations under the EU Waste Framework Directive.³⁴ The EU Landfill Directive, adopted in 1999, set targets for reducing the amount of household waste (referred to as biodegradable municipal waste or BMW) going to landfill sites:

- Reduce the quantities of biodegradable municipal wastes being landfilled to 75% of 1995 baseline levels by 2006, 50% by 2009 and 35% by 2014.

The United Kingdom was given the option of derogations to defer these targets to 2010, 2013 and 2020 respectively because of its high reliance on landfill.³⁵ Taking this and other EU Directives into account, the strategy adopted a series of targets for recycling and waste reduction.

Strategy Targets

Primary Targets

- Recover 25% of household waste by 2005.
- Recover 40% of household waste by 2010, of which 25% shall be by recycling or composting.
- Reduce the quantities of biodegradable municipal wastes being landfilled to 75% of 1995 baseline levels by 2010, 50% by 2013 and 35% by 2020.

Secondary Targets

- Stem the increase in waste arisings per household, returning to 1998 levels by 2005 and thereafter arisings by 1% every three years.
- Each district council to set out in a Waste Management Plan provision for recycling or composting 15% of their household waste arisings by 2005.
- The Department to specify, and introduce in 2002, a mandatory recycled content for selected products and materials purchased.
- Recover a minimum of 50% of packaging waste, of which at least 25% shall be recycled and at least 15% of each packaging material recycled.
- Reduce the quantity of biodegradable municipal waste being landfilled to 85% of 1995 levels by 2005.
- The Department to reduce its overall paper use by 10% by 2002.
- Recover a minimum of 85% of the materials in End of Life Vehicles by 2005 and a

34 See footnote 10 above

35 Ev 122

minimum of 90% by 2015.

- Recover a minimum of 90% of large Waste Electrical and Electronic Equipment (WEEE) by 2004 and a minimum of 70% of WEEE.
- Recover 85% of waste tyres by 2005 and 100% by 2010.
- Reduce the amount of construction and demolition waste landfilled to 85% of 1998 levels by 2005.

Department of Environment: The Waste Management Strategy for Northern Ireland 2000

21. If the 2010 and subsequent targets for the amount of household waste sent to landfill are not met, significant EU financial penalties, estimated to be of the order of £180 million per annum for the United Kingdom as a whole,³⁶ may be imposed, and could be passed on to Northern Ireland.

22. The Government introduced a Landfill Allowances Scheme to ensure compliance with the Landfill Directive targets. This will provide allowances to District Councils for diverting household waste from landfill sites and comes into operation on 1 April 2005.³⁷ The Scheme also provides for financial penalties of £150 per tonne (initially £200) in any year in which a Council exceeds its allocation. However, local government representatives voiced concerns about these penalties, arguing that no account was taken of the sub-regional Waste Management Plans drawn up by groups of Councils prior to the Scheme. In addition, the Technical Advisers Group (TAG) argued that "...the scheme does not appear to recognise that Council's performance depends on many factors outside its control ... Councils feel that Government ... is abrogating its responsibility ... by delegating it to District Councils. Councils also perceive Government to be ignoring the way that the infrastructural deficit will actually be addressed by step increases in capacity ..."³⁸

23. The race is on to meet the first major target in 2010 for reduction of waste going to landfill. However, the excessive delays in the planning process, the lack of appropriate infrastructure to provide alternatives to landfill, and the absence of a clear funding strategy mean that this target may not be met.

Planning Delays

24. The Department acknowledged that "in the consultation responses on the Strategy review, one of the common threads is the long delays in obtaining planning permission for new waste management infrastructure. This is understandable, as there has only been one major planning permission issued for waste management since development of the Strategy began."³⁹ **The Planning Service has been widely criticised for inordinate delays in reaching decisions on applications for waste management facilities. We were**

36 *Waste Not, Want Not: A Strategy for Tackling the Waste Problem in England*, Strategy Unit, December 2002.

37 *The Landfill Allowances Scheme (Northern Ireland) Regulations 2004 (SR 2004 No. 416)* made on 29 September 2004 and coming into operation on 1 April 2005.

38 Ev 3

39 Ev 108

astonished to learn that it can take up to ten years to get planning permission for waste management facilities,⁴⁰ and we were given details of a specific application by a private sector company for an extension to a landfill site on which no decision has been made more than eight and a half years after it was lodged.⁴¹

25. The Department's position was that the delays were the result of an attempt to prepare the ground prior to taking decisions:

“One of the things that has held up most planning applications is the department taking an active rather than a seemingly passive role. We did not want the strategic choices to be determined by a plethora of landfills being granted prior to the adoption of formal waste management plans ... We waited until a strategy was published, the BPEO applied through adopted plans, and the publication of Planning Policy Statement PPS11”.⁴²

However, Belfast City Council had concerns over this approach.⁴³

26. The serious impact of planning delays on infrastructure development and on investor confidence was highlighted to us by many of those who contributed to our inquiry.⁴⁴ It seems likely that this disillusionment with the planning process is contributing to the current dearth of applications for non-landfill facilities.⁴⁵

27. Arc21, the eastern area sub-regional group, told us that the absence of decisions on landfill applications “has required some of the district councils in this region to export waste to the mainland, particularly Scotland”;⁴⁶ while TAG pointed out that “the general policy which restricts landfill capacity, and identifies sites at specific points in time, is fundamentally in conflict with a market-led approach to competition and Best Value. It restricts choice, distorts market conditions, presumes towards monopolisation and as a consequence increases costs. It is also extremely inflexible in terms of evaluating new or emerging proposals”.⁴⁷

28. The Department sought to reassure us that “the hold on major landfill applications” had been a “positive contribution”, and that “effectively those major sites started the process in December 2002” and were now almost at the decision stage.⁴⁸ Angela Smith MP, the Minister for the Environment, and her officials, recognised the problems in processing applications for facilities to divert waste away from landfill sites, which take around a year on average to determine, and also the poor quality of some applications, and they outlined steps being taken to assist applicants.⁴⁹

40 Q 5; Ev 202

41 QQ 251-252

42 Q 280

43 Ev 244

44 For example Ev 1; Ev 25; Ev 245; Ev 28

45 See paragraph 34 below

46 Q 5

47 Ev 5

48 Q 280

49 QQ 280 & 352

29. In addition to planning approval, the environmental impact of certain waste management activities is controlled under the Integrated Pollution Prevention and Control (IPPC) regulatory system.⁵⁰ The Department of the Environment, which also determines applications for permits under this system, told us that there have been five applications but no determinations issued to date.⁵¹

30. We are deeply concerned that the continuing substantial delays in dealing with planning applications for waste management facilities are having a major impact on the provision of infrastructure to implement the Waste Management Strategy. We also have concerns that the Department appears to be limiting landfill applications at a time when disillusionment with the planning process is deterring applications for alternatives to landfill.

31. There is a pressing need to restore confidence in the waste management sector if Northern Ireland is to create the infrastructure necessary to fulfil its obligations. We appreciate that the Planning Service is currently involved in a major review of process. However, we believe that the diminishing time available for implementing the Waste Strategy demands action now. We call on the Minister to take immediate steps to ensure that decisions are taken on existing applications, and that future planning decisions relating to waste management are made within a reasonable time. Such decisions also need to be made following adequate public consultation, not only with statutory consultees.

Infrastructure

32. In order to implement the Waste Management Strategy, in particular, to meet obligations under the Landfill Directive, an increasing quantity of waste will need to be dealt with through methods other than landfilling. This applies not only to household waste, which is the subject of the quantitative targets under the Directive, but also to other wastes, for example:

- The Landfill Directive requires Member States to prepare a plan for the reduction in landfill of all biodegradable wastes (not only biodegradable municipal wastes) so alternatives to landfilling must be found⁵²
- The Animal By-Products Regulations ban so-called former foodstuffs from being disposed of in landfill sites from the end of 2005⁵³
- The announcement by the Chancellor of the Exchequer, reiterated in his recent Autumn statement, to increase landfill tax from £15 per tonne to £35 per tonne over the medium-term, is likely to encourage waste producers, particularly from industry and commerce, to seek alternative ways of dealing with waste⁵⁴

50 The Pollution Prevention and Control (Northern Ireland) Regulations 2003 (SR 2003/46)

51 Ev 226

52 Council Directive 1999/31/EC of 26 April 1999.

53 The Animal By-Products Regulations (Northern Ireland) 2003 (SR 2003 No 494)

54 In March 2004 the Chancellor announced that landfill tax will rise from its current level of £15 per tonne by at least £3 per tonne per annum up to a level of £35 per tonne.

- The Packaging Directive will require a growing proportion of packaging materials to be recycled and recovered over the coming years⁵⁵
- Targets under the Waste Electrical and Electronic Equipment, and End-of-life Vehicles Directives will require a growing proportion of material from these waste streams to be dealt with through recycling and re-use⁵⁶
- For general reasons of sustainability, and given the emphasis by the Planning Service on fulfilment of the Best Practicable Environmental Option, a reducing quantity of most wastes will be destined for landfill; and,
- The Strategy targets – aside from those which re-state the Landfill Directive targets – will, if they are to be met, require development of an expanding infrastructure for dealing with waste through means other than landfilling

33. Infrastructure to provide the alternatives to landfill is not in place. The CBI told us that “one of the key comments we made when we initially commented on the Draft Waste Management Strategy a number of years ago, was that it was very important that there was an infrastructure and indeed markets in place for recycled products. I think we still have issues around that”.⁵⁷ TAG pointed out that “how we actually deliver that infrastructure [is]... the biggest challenge for us collectively in government in Northern Ireland.”⁵⁸

34. During the development of the Strategy and the sub-regional Waste Management Plans, a decision was taken by the Planning Service to defer many decisions on landfill applications.⁵⁹ The principal reason appears to have been an attempt to restrict the availability of landfill space to steer materials into treatments other than landfill. The Department explained that “what we wanted was a balance of facilities that presented compliance opportunities as well as competitive opportunities to deliver the targets...”.⁶⁰ However, this laudable objective has not been realised, and we believe the approach adopted may already have had a number of detrimental consequences for the development of the necessary infrastructure in Northern Ireland:

- A Report by EHS in 2003 “identified that landfill capacity for municipal waste was rapidly being exhausted”,⁶¹ while TAG highlighted “an urgent requirement for the current back-log of planning applications to be relieved as a priority to provide for both interim and longer term capacity, particularly in relation to landfill”.⁶²
- As long as relevant obligations and targets were being met, the restriction of landfill void space might have been acceptable if there were sufficient alternatives being

55 EC Packaging and Packaging Waste Directive 94/62/EC

56 Waste Electrical and Electronic Equipment (The WEEE Directive) 2002/96/EC: End-of-life Vehicles Directive 2000/53/EC

57 Q 127

58 Q 3

59 See paragraph 25 above

60 Q 280

61 Ev114

62 Ev 1

developed. However, the Department acknowledged “we have had no significant applications for new facilities and that is an issue.”⁶³

- Another consequence of the planning delays identified by the Waste Management Board was that they “are driving away some investors or discouraging them from making investment in infrastructural development.”⁶⁴

35. The Department’s memorandum makes clear that “PPS11 places an onus on the applicant to demonstrate both need and BPEO [Best Practicable Environmental Option]. The latter has caused a difficulty, as the BPEO Decision Maker’s Guide addresses the establishment of a general BPEO for WMPs [waste management plans], rather than site-specific BPEO for individual planning applications.”⁶⁵

36. **We believe that the efforts to remedy the absence of alternatives to landfill may be hindered by current work to develop a Northern Ireland-wide Best Practicable Environmental Option (BPEO).**⁶⁶ This approach is apparently in response to requests from the sub-regional groups for advice from the Department about the appropriateness and possible location of facilities. The Department said that “we were looking at this in response to the strategy review findings which indicated that a number of the councils were confused about what it was trying to deliver and they wanted a clear steer from the department”.⁶⁷

37. While there have been positive reactions to a Northern Ireland-wide BPEO,⁶⁸ the implications of waiting for a BPEO report until the summer of 2005 caused the Waste Management Advisory Board some concern.⁶⁹

38. **If the intention is to defer decisions on planning applications for facilities still further on the basis that these might not be part of some future Best Practicable Environmental Option (BPEO), then the likelihood of those facilities being procured, let alone becoming operational in the short to medium term, will be reduced radically. Delays in procurement processes compound this problem. It is also difficult to see how a regional level BPEO exercise can overcome the problem identified by the Department in respect of site-specific BPEO justifications.**

39. **There is a danger of confusion over the level at which decisions should be taken about the type, scale, and location of facilities for dealing with waste. If the regional level process is not prescriptive, then its local impact will be limited. On the other hand, if the intention is to be prescriptive, the process runs the risk of excluding local input. A**

63 Q 282

64 Q 247

65 Ev 108.

66 “BPEO as a concept was the basis of the Integrated Pollution Control regime during the 1990s, and originates from the fifth (1976) and twelfth (1988) reports of the Royal Commission on Environmental Pollution. It entails a systematic and balanced assessment of options, in order to identify which one provides the maximum environmental, economic and social benefits, as well as meeting legislative and practicability constraints.” BPEO – A Decision Maker’s Guide, EHS, 2001 (Executive Summary)

67 Q 286

68 Ev 6

69 Q 247

delicate balance must be found if an inclusive, transparent, and effective process is to be put in place.

40. The desire for ‘integration’ across sub-regional plans, and the determination of applications by a regional level Planning Service, appear to be in conflict with the local political character of decisions concerning waste management. The WMAB, in its report on the Waste Management Strategy stated that “There remains a lack of understanding amongst key stakeholder groups of what each was supposed to do to deliver the strategy. There was not enough clarity in the Strategy on the key actions for each sector”.⁷⁰

41. These issues go to the heart of the important questions posed by the Department in its submission: “Should the individual District Councils remain responsible for waste disposal? Should the three existing sub-regional Groups be formalised in some way to facilitate procurement on behalf of the constituent District Councils? If further co-operation between the three Groups is required, how can this be facilitated and formalised? Should some aspects of the waste disposal function be centralised for Northern Ireland as a whole, e.g. the responsibility for waste management planning, or ‘waste business planning’?”⁷¹ The Department noted the dilemma it faced in having to make significant decisions about Northern Ireland’s waste management prior to any conclusions by the current Review of Public Administration in Northern Ireland⁷²

42. We are concerned that waste management infrastructure planning and procurement processes are seriously behind schedule. The Department seems fairly confident that Northern Ireland is on track to meet the 25% recycling target by 2005. However, as planning applications take at least a year to determine, and procurement processes have barely begun, the prospect of meeting the first Landfill Directive target in 2010 looks bleak.

43. We call on the Minister to identify quickly the required infrastructure taking account of the shortening timescale available for planning, procurement, and construction. An analysis of the views of would-be providers should also be undertaken to establish why greater investment in the sector is not taking place.

Finance

44. Funding is a vital element in delivering the Waste Management Strategy. The main burden of providing funding for the management of household waste has fallen on District Councils, largely through the rates system. The Department has estimated the likely capital expenditure by the three sub-regional groups as £42.4 million for the period 2003/04 - 2005/06.⁷³ Central Government funding has been provided to District Councils since 2001.⁷⁴ This grant aid, currently £10 million per year, covers “roughly 45 per cent”⁷⁵ of

70 Northern Ireland Waste Management Strategy Review Report, report from the WMAB, June 2004.

71 Ev 113.

72 Ev 113

73 Ev 109 Table 3.2

74 The level of grant was £2.2m in 2001/02; £3.85m in 2002/03; £10m in 2003/04, DOE News Release, 7 September 2004.

75 Q 288

District Council expenditure on waste management, with the remainder coming from the rates.

45. There are two funding concerns. First, the announcements about the level of financial support available have been made rather late in any given year, and without any substantial forward commitment. Second, this money has to be spent within a short time period. These factors together limit seriously the possibilities for strategic planning.⁷⁶ Future uncertainty over the funding continues to cause concerns for District Councils. In May 2004 John Quinn of TAG, told us that “Unfortunately, within the last few weeks we have been advised that in the current review of public expenditure there is a danger that that money could be reduced by 25 per cent.”⁷⁷ It was not until September 2004 that the Minister confirmed that the Councils would receive the full £10 million in the current year 2004/05, but the announcement contained no commitment to funding in future years.⁷⁸

46. Widely differing estimates of the overall cost of implementing the Strategy were given to us, and there is recognition in the Department’s submission that the question of how it will be financed has yet to be addressed. Finance is also mentioned as one of four key issues that appear to be awaiting the outcome of the Northern Ireland-wide Best Practicable Environmental Option. The Department told us:

“The level of investment required will clearly be beyond the financial resources of the District Councils, and is likely to be an order of magnitude greater than the current grant support being provided through the Department. The overall estimate for new infrastructure investment alone is of the order of £400 million.”⁷⁹

47. Professor Boyd, Northern Ireland Waste Management Advisory Board, stressed that “The infrastructure is the key, it is the link and there is...somewhere around three billion pounds needed over the next 20 years....In fact, over the next five years if we are to meet targets the estimated expenditure is around £500 million.”⁸⁰ The Department disputed these figures, stating that, in addition to the costs to implement the District Council plans, “the macro-infrastructure costs range, we think, from £250 million to establish new high-tech plant and landfills and other bits and pieces to maybe up to £400-£450 million.”⁸¹ When asked about this difference of opinion over estimates the Minister introduced a further figure:

“I think the guidelines I would use are those from the Strategic Investment Board, and the figure they have given us for the infrastructure bid over the next three years is £268 million, and that is the figure on which we would operate. How that will be allocated, as to capital or PFI/PPP, that is not something we can give you a decision on today, that is something we need to address, we need to work on, fairly quickly, in terms of having the right structure and infrastructure in place.”⁸²

76 Ev 4; Q5

77 Q 8

78 *Angela Smith gives Councils £10 million to fight against waste*, DOE News Release, 7 September 2004.

79 Ev 113

80 Q 254

81 Q 288

82 Q365

A subsequent Government submission gave a breakdown of the £268 million with only £51 million of this for the first three years and the remaining £217 million over the following seven years. The submission made it clear that the Strategic Investment Board figures were “provisional preliminary estimates only”.⁸³

48. Local authorities are required to consider budgets and set the level of rates despite these uncertainties, and Derry City Council explained the consequent difficulties: “the increase in rates projected for next year...is a 20% increase to cover waste management. Over the past two years we have seen very significant increases in rates...”. It acknowledged that central Government aid was important but said “...faced with the issue that we are faced with, that level of grant aid is almost insignificant in reality and as time progresses it will become even more so...”⁸⁴ A Departmental official agreed that local authorities would probably have to increase their rates to meet the additional cost of waste management,⁸⁵ but the Minister seemed more hesitant about this approach.⁸⁶

49. The availability of funds is not in itself sufficient to guarantee the timely provision of facilities. There appears to be uncertainty also over how districts or sub-regions will procure new facilities. The CBI noted that “there is a need to develop a procurement/investment framework that sets out the roles and responsibilities for all parties involved in the procurement, development and funding of facilities, to generate the appropriate confidence for investment by the private sector.”⁸⁷ Until these issues are resolved progress will continue to be unacceptably slow.

50. We welcome the recognition of the need for investment in waste management infrastructure included in the recent draft consultation document ‘Investment Strategy for Northern Ireland 2005-2015’.⁸⁸ However, the level of investment needed has not been developed in any detail. We call on the Minister to draw up urgently a robust and realistic funding plan to provide the necessary infrastructure over the life of the Waste Management Strategy.

51. Within this overall funding plan clear lines of responsibility for the provision of local infrastructure by District Councils need to be identified. The Minister must clarify the extent to which this local infrastructure will require to be funded from local rates, and make a firm commitment to provide an adequate level of central Government funding for future years.

52. We recommend that a review of the relevant legislation is carried out to ensure that adequate powers exist to enable District Councils, either individually or collectively, to enter into appropriate arrangements with the private sector and community sector providers of waste services.

83 Ev 227

84 Q 90

85 Q 293

86 Q 366

87 Ev 42

88 Draft Investment Strategy for Northern Ireland 2005-2015, OFMDFM 20 December 2004, pages 56-57

2 Leadership by Government

53. One of the most serious and consistent criticisms we heard was the failure of Government to show robust leadership in implementing the Waste Management Strategy.⁸⁹ The Department acknowledged this criticism.⁹⁰ It was made clear to us that this was a criticism levelled at all Government departments. Bryan Gregory, CBI, summarised the problem succinctly: “The Strategy is led by DOE, and rightly so. Other Departments perceive it to be the responsibility of DOE to implement and do not recognise the part that they can play”.⁹¹

54. The Waste Management Strategy contained fifteen key targets on strategic leadership, but the Waste Management Advisory Board Report shows positive progress has been achieved in only four targets, three of which relate to the establishment and work of the Advisory Board itself.⁹² This is a lamentable performance and remedial action must be put in hand at once to ensure substantive progress.

55. The Department of the Environment established a waste management steering group in early 2004 to co-ordinate implementation of its Action Plan, although this should have taken place much earlier.⁹³ Other Departments appear to have taken little action to date, and this is unacceptable. We look to the Minister for the Environment to set appropriately rigorous milestones for action within Government.

‘Green’ procurement

56. So-called ‘Greening’ Government, in which the substantial purchasing power of the public sector is used to achieve environmental gains, was one of the original three key themes identified as necessary to implement the Strategy.⁹⁴ To achieve this, Government Departments agreed to develop and implement green purchasing policies. The Southern Waste Management Partnership highlighted the potential benefits: “The introduction of appropriate specifications in the exercising of purchasing decisions and contractual arrangements would stimulate the market for recycling in both services and products, an area where progress needs to be improved.”⁹⁵

57. When asked to identify achievements and failures in implementing the Strategy, the Department acknowledged that, among the failures “Greening government was right up there. We were going to green government because it was a good leadership step. I do not think we have done but later on I think we will discover that the latent action is very strong and very positive.”⁹⁶ The Minister also acknowledged that: “we need to up our game a little

89 Ev 26

90 Ev 107

91 Q 107

92 *Northern Ireland Waste Management Strategy Review Report*, Waste Management Advisory Board for Northern Ireland, June 2004

93 Ev 226

94 Ev 100

95 Ev 26

96 Q 274

bit and look at far more strategic and major Government procurement issues”, and she pointed to a Green Procurement Guide, adopted in September 2004,⁹⁷ as evidence of “a very good step forward in that direction”.⁹⁸

58. Friends of the Earth expressed concern about reliance on ‘guidance’ and called for a code of practice.⁹⁹ In response, the Minister sought to assure us that there would be “very strong monitoring” of the guide over the period of a year, and that “if that is not effective then I think we have to re-evaluate how we ensure that guidance is taken or do something more...”.¹⁰⁰ While action is proposed to measure the success of the guidance, it is clear that performance indicators have yet to be developed.¹⁰¹

59. We are deeply concerned at the Government failure to provide strong leadership in implementing the Waste Management Strategy. The Minister must address this issue at once, and ensure that all Government Departments are fully aware of their joint responsibility for the successful implementation of the Strategy.

60. The failure to live up fully to its commitment to develop and implement green purchasing policies and practices was a major missed opportunity for the Government to lead by example. The recent issue of a low-key internal guidance note (the Green Procurement Guide) is too little too late, and we believe Northern Ireland cannot afford to wait a further year to judge its impact. We urge the Minister to consider the introduction of a strong code of practice, incorporating clear targets.

Non-municipal waste

61. One of the Strategy’s primary targets is to reduce the landfilling of industrial and commercial waste to 85% of 1998 levels by 2005, but a clear strategy for non-municipal waste is lacking. We heard evidence that the Strategy was not considered to have dealt with commercial and industrial wastes adequately. In particular, the CBI considered that the sub-regional plans failed to give sufficient emphasis to non-municipal wastes, and that this position was not sustainable.¹⁰²

62. In addition, the Department recognised that verifying such a target would be difficult because of inadequate data “If we take commercial and industrial waste, we already have a figure for that from a survey from 2002, but we immediately would question that baseline data of 660,000 tonnes simply because it is an extrapolation from questionnaires”.¹⁰³

63. Commercial and industrial waste processing is not receiving adequate attention. While the regional BPEO (Best Practicable Environmental Option) exercise may help to identify appropriate treatment options for non-municipal waste, we are concerned

97 *Central Procurement Directorate, Procurement Guidance Note 04/04, Subject: Integrating Environmental Considerations into Public Procurement, DFP 2004*

98 QQ 347, 349

99 Q 342

100 Q 347

101 Ev 226

102 Ev 43

103 Q 279

that the absence of firm proposals to process such waste places a question mark over the ability of the present arrangements to deliver the infrastructure required at the appropriate time. Poor data is undermining the integrity of targets for non-municipal waste and the Government must take steps now to improve the quality of such data.

64. Responses from the Department also revealed tensions over the way in which targets for commercial and industrial waste might affect Northern Ireland's economic competitiveness. It pointed out that "if we set too high a standard, which is beyond what they would find elsewhere, they may not come unless there was a specific advantage."¹⁰⁴ However, when asked whether there was any firm evidence to suggest that better resource management and better waste management would damage competitiveness, the policy of driving up waste efficiencies to provide industry-wide benefits was clear:

"The synergy that we have is that by focusing on resource management, by making it better, easier and simpler for the producers of waste to spend less in producing waste and more on the production processes, in other words to make them efficient, we will benefit industry and in benefiting industry with our systems, with our techniques, we will export that expertise."¹⁰⁵

65. Given the relatively low cost of waste management relative to turnover for most industrial sectors, it remains to be demonstrated whether any increase in such costs would diminish Northern Ireland's attractiveness to inward investors. Furthermore, significant social benefits are likely to flow from improvements by the commercial and industrial sectors in waste management.

66. The establishment and work of the Aggregates Recycling Task Group is a positive development and there is a belief within the industry that this is likely to enhance sustainability. The role of the Central Procurement Directorate in instigating the Task Group has received recognition. The Quarry Products Association Northern Ireland told us: "Various government departments have now signed up to sustainable construction, etc., and although there has been very slow progress to date I think that is going to speed up."¹⁰⁶

67. The Department for Agriculture and Rural Development (DARD), in conjunction with EHS, is developing an Agricultural Waste Strategy; and the DoE Environmental Policy Group is preparing draft Agricultural Waste Regulations. While DARD recognises the potential impact of bringing agricultural waste under the regime for controlled wastes¹⁰⁷, the pace of these initiatives has been criticised. Friends of the Earth (FOE) attacked the delay in developing the Agricultural Waste Strategy, pointing out that awaiting the introduction of the Agricultural Waste Regulations "was the approach that was committed to about four or five years ago and it was at the strategy review point that the Agricultural Waste Strategy was supposed to be merged." FOE drew a general point from the case of agricultural waste: "... the whole non-emphasis on agricultural waste is symptomatic of

104 Q 275

105 Q 278

106 Q 307

107 Ev 148

how the focus has been for the past four to five years on the municipal waste stream and everything else has been seen as a secondary consideration.”¹⁰⁸

68. We are concerned that non-municipal wastes have not been given the priority they warrant in the sub-regional plans. We recommend that clear consideration should be given to ways in which the relevant facilities can be created. When mechanisms for procuring municipal waste facilities are being developed, consideration must be given to how these can incorporate non-municipal wastes in ways that are attractive to the partners involved.

69. We received no evidence that higher costs in the management of commercial and industrial waste would necessarily undermine the economic competitiveness of Northern Ireland or deter investors. We recommend that the Department of the Environment and Invest Northern Ireland cooperate in the development of a coherent strategy for dealing with such wastes in which the efficiency of energy and materials resource management has a central place. We believe this is necessary if Northern Ireland is to develop expertise in resource management in commerce and industry for future export.

Waste reduction

70. The Waste Management Strategy set out a secondary target to “Stem the increase in waste arisings per household¹⁰⁹, returning to 1998 levels by 2005 and thereafter reduce arisings by 1% every three years”. Little, if anything, has been done to achieve this target. In its report on the Interim Needs for Landfill Capacity, EHS projected growth of municipal waste arisings to 2007 at 4% per annum.¹¹⁰

71. Local authorities suggested that reductions in the frequency of refuse collection helped to reduce the quantity of municipal waste being collected,¹¹¹ and noted other measures in the Republic of Ireland, for example, the plastic bag tax, and charging households directly for waste, which had an impact on the quantity of waste collected there. While the local authorities did not comment on the appropriateness of charging systems for Northern Ireland, the Department considered that “at some stage we have to look at this most carefully to encourage and incentivise people to segregate their waste and to pay attention to the products they buy.”¹¹² **We are concerned at the absence of specific measures to reduce the growth of municipal waste. We recommend that the Department undertakes a thorough review of potential measures, including charging.**

3 Market development

72. The Department suggested that “the major obstacle to increasing levels of recycling and resource recovery in Northern Ireland is the lack of local markets containing recycled

108 Q 309

109 The amount of waste produced per household

110 EHS Interim Needs for Landfill Capacity, 2003-2007, March 2003.

111 QQ 55-56

112 Q 293

material.”¹¹³ However, there were differing views on the availability of markets for recycled materials, and whether such capacity is required in Northern Ireland. TAG supported the development of local markets and local processing capacity.¹¹⁴ Bryson House Recycling told us that finding markets has not been a problem.¹¹⁵ WRAP pointed out that there was no “particular virtue in saying that all waste has to be reprocessed where it arises. We are talking about materials which are traded nationally, internationally and globally. Therefore, where the reprocessing capacity arises is something which, at the end of the day, will be sorted out by the market.”¹¹⁶

73. We believe there is a need to develop a clearer and more sophisticated understanding of markets for recycled materials, and to identify those materials for which it is desirable to develop local markets. The aim should be to avoid giving undue support for investment in local reprocessing capacity which has little chance of survival in competitive global markets.

74. One of the key targets in the Waste Management Strategy was for the Department of the Environment and the Department of Enterprise Trade and Industry to initiate and coordinate a Market Development Programme. The purpose of the Programme was “to stimulate local demand for recycled materials by promoting uptake of products, developing specifications and exercising the purchasing power of Government, District Councils and major businesses in Northern Ireland”¹¹⁷ The Waste Management Advisory Board’s assessment is that Northern Ireland membership of the Waste & Resources Action Programme (WRAP)¹¹⁸ indicates “some progress” towards this objective.¹¹⁹

75. However, Friends of the Earth pointed out that WRAP “is being used as the main delivery mechanism for market development in the rest of the UK and this has been instrumental in development of reprocessing capacity. The full WRAP programmes need to be rolled out in Northern Ireland as there is a severe lack of reprocessing capacity and need for targeted markets development.”¹²⁰ This position was supported by claims from other organisations, including TAG¹²¹ and the Chartered Institution of Wastes Management,¹²² which stressed that Northern Ireland was not participating in the full range of WRAP programmes.

113 Ev 111

114 Q 15

115 Q 159

116 Q 184

117 Ev 111

118 “WRAP is a not-for-profit company that was created by Government in 2000 to work with industry, the public sector and the wider community to bring about positive change in the management of waste in the UK by increasing recycling.” (WM7)

119 *Northern Ireland Waste Management Strategy Review Report*, Waste Management Advisory Board for Northern Ireland, June 2004 (page 29)

120 Ev 203

121 “We feel in Northern Ireland that a two-tier system now exists in that WRAP has extended its programme in GB a way which cannot be accessed in Northern Ireland.” WM2

122 “... the Waste Strategy commits to developing a centre of excellence in waste management in Northern Ireland, and recent developments within WRAP have meant that Northern Ireland is now out of kilter with the programmes currently being rolled out in England and Wales.” WM10

76. The Department has sponsored WRAP work in Northern Ireland since 2002 and recognises its potential contribution to market development: “Membership of WRAP affords Northern Ireland access to a £34 million market development programme with developed products and processes that are fully applicable to Northern Ireland.”¹²³ There was general support for Northern Ireland’s participation in WRAP, and particularly the appointment of a Northern Ireland Liaison Officer.

77. Participation in the Waste and Resources Action Programme (WRAP) has helped to develop processing capacity, both inside and outside Northern Ireland, for materials collected in the region. The Department must continue to support WRAP in Northern Ireland as its range of activities develops. We welcome the work that is taking place with the Republic of Ireland to develop markets on an all-Ireland basis.¹²⁴

Waste Management Industry Fund

78. The principle of a Waste Management Industry Fund set up by EHS and Invest NI “to encourage the practical development of sustainable markets for reused, recycled or recovered materials by offering grants to capital projects” has received a general welcome.¹²⁵ However, its practical effectiveness has been questionable, and the Minister acknowledged that it “probably has not been as successful as we would have liked”.¹²⁶

79. The Waste Management Advisory Board told us that the Fund was envisaged originally as a catalyst to provide regional facilities, but with a budget of just £1 million it has proved utterly inadequate in meeting demand. It attracted some 63 applications seeking £30 million of funding. In addition, delays in obtaining planning approval or licences within the relevant timescale have effectively forced applicants to withdraw.¹²⁷ The Chartered Institution of Wastes Management called for changes to the Fund including a wider remit and quicker consideration of proposals,¹²⁸ and Friends of the Earth highlighted the exclusion of the community and voluntary sector from the scheme, and its failure to fund the Strategy commitment of supporting ten demonstration schemes for reduction, recycling and recovery.¹²⁹

80. We call on the Minister to undertake an urgent review of the Waste Management Industry Fund, and market development funding generally, with a view to ensuring greater participation by the private sector and the involvement of the community and voluntary sector.

123 Ev 111

124 QQ 21; 246 & 381

125 Ev 111

126 Q 378

127 Q 265

128 Ev 240

129 Q 336

Standards

81. The evidence from WRAP brought home to us the crucial importance of having clearly defined standards for recycled materials in place to help determine when a material “is not waste any more but it is a product [with] a purpose, a function and a market value.”¹³⁰ WRAP gave evidence about their work on developing a standard for compost, known as PAS100, and assured us that it was having a positive impact in Northern Ireland.¹³¹

82. The Quarry Products Association told us of recent progress in setting standards for recycled aggregates. However, the Association expressed concern that the Quality Protocol for the production of aggregates from inert waste, developed by the Association and WRAP and recognised in England and Scotland, had yet to receive recognition in Northern Ireland.¹³²

83. In making use of the work underway by WRAP, Northern Ireland must seek to develop new markets for materials extracted from the waste stream by supporting the establishment of standards which use secondary materials. For example, the PAS100 standard can provide assurance about the quality of compost; and the Quality Protocol is able to provide confidence that quality aggregates can be produced from inert wastes. The Department should consider linking recycling and composting targets to the PAS100 standard to ensure the production of good quality products for the market.

Animal By-Products Regulations

84. Two of the sub-regional groups highlighted problems with the production of compost following recent legislation on the disposal of animal by-products.¹³³ The Department told us that the existing guidelines on process standards are based on those issued by the Department for Environment, Food and Rural Affairs (Defra) for in use in England. However, the groups were concerned that this guidance is currently entitled ‘Draft Guidance’, and claimed that the absence of finalised guidance for process standards has caused problems in tenders for a regional contract, and may affect their ability to meet recycling targets.¹³⁴

85. We recommend that the Department clarifies the status of existing guidance by the Department for Environment Food and Rural Affairs on the production of compost following the recent Animal By-Products Regulations. If the term ‘Draft’ no longer applies to the guidance, it should be dropped. If it is the intention to develop the Guidance, an indication of how and when this will be done should be given to enable equipment suppliers to tender for contracts on a sound basis.

130 Q 204

131 QQ 204-206

132 Ev 186 & Q 314

133 The Animal By-Products Regulations (Northern Ireland) 2003 (SR 2003 No 494)

134 Q 85

4 Illegal dumping

86. We heard of serious concerns about the dramatic increase in recent years of the incidence of illegal dumping of waste both within Northern Ireland, and from the Republic of Ireland. TAG explained that there are now “very robust economic reasons for people to break the law...the higher standards that are now pertaining in terms of landfill, the landfill tax situation and the increasing costs and legislative burdens that apply to both the generators of waste and the people who are supposed to deal with that waste.”¹³⁵ The Organised Crime Task Force Assessment for 2004 identified, for the first time, the involvement of organised criminal activity in illegal dumping.¹³⁶

87. The Department estimates that about 250,000 tonnes are being illegally dumped.¹³⁷ In addition to depriving the economy of legitimate landfill charges and tax, the cost of repairing the environmental damage will be substantial.¹³⁸ We learned that “a specially formed team, the Environmental Task Force, has been working day and night in conjunction with Customs, DVLNI, Garda Síochána, councils north and south, and PSNI”.¹³⁹ **We were encouraged to hear from the Southern Waste Management Partnership that “in recent months there have been some very firm measures taken by the Police Service of Northern Ireland and the Garda Síochána with regard to illegal trans-frontier shipments. To some extent this has been quite effective and has dealt with the large movements of waste across the border”.**¹⁴⁰

88. Concerns were expressed that “the structures, resources and mechanisms needed for efficient regulation have not been put in place”.¹⁴¹ TAG highlighted “a lack of resources within DOE which has resulted in a focus on individual high risk cases.”¹⁴² Nine million Euros per year for the next five years has been provided in the Republic of Ireland to enhance enforcement there.¹⁴³ The Department told us that “we think we need probably another 70 people to deal with this”, and on this basis it has bid for an additional £2.5 million for additional staff and surveillance equipment.” and it recognised that “if we do not match the northern resources with the southern resources tighter controls down south will move [the problem] up north.”¹⁴⁴

89. Friends of the Earth suggested that legislative changes were needed because “the Department and the police appear not to have the powers that they need at the moment. There appears not to be a criminal offence being committed in the transporting of the waste through Northern Ireland”.¹⁴⁵ The Minister acknowledged that she was considering

135 Q 32

136 Organised Crime Task Force Assessment 2004, page 13

137 Q 297

138 Q 297

139 Q 297. DVLNI is Driver Vehicle Licensing Northern Ireland

140 Q 75

141 Ev 203

142 Ev 6

143 Ev 115

144 Q 297

145 Q 330

the need to amend legislation to allow the seizure of lorries and the detention of drivers. She also confirmed that she was “not convinced that the existing legislation is addressing the problem adequately” and was prepared to consider new legislation if that appeared to be required.¹⁴⁶ The Department stated that it “will examine the potential for new powers to seize and sell vehicles, requirements to fit electronic transponders (satellite trackers) to registered vehicles, higher automatic fines to tackle a significant, mobile problem which presents serious environmental and economic threats.”¹⁴⁷

90. The underlying solution is to remove the financial incentive to illegal dumping. We understand that the differential in the level of landfill gate fees on each side of the border is rarely less than £30 per tonne, and could be as high as £100 per tonne in some cases.¹⁴⁸ The North West Region Waste Management Group expressed the hope that “As the differential between the two sides of the border lessens and you get almost a convergence in cost, we hope that this will not be a problem and it will be contained on the northern side of the border.”¹⁴⁹ The Department told us about the action that had been taken on this front so far: “One of our first steps has been to move from the magistrates' court to the crown court because we move from a £20,000 penalty to an unlimited fine and a longer term of imprisonment for criminal activity.”¹⁵⁰

91. We welcome the action that has been taken to tackle illegal dumping, including the high level of cross-border co-ordination and co-operation, and meetings at Ministerial level.¹⁵¹ We recognise the difficulty that the difference in landfill costs on either side of the border raises for Northern Ireland. We strongly support the bid by the Department for additional resources to tackle illegal dumping activity and we urge the Minister to proceed with urgency to assess whether legislative changes may be required.

Fly Tipping

92. Fly tipping is sometimes presented as causing relatively little environmental damage apart from a negative visual impact. However, the Chartered Institution of Wastes Management cautioned that it must not be ignored,¹⁵² while TAG warned of the cumulative effect of fly tipping on the environment citing a recent ENCAMS report which concludes that “the cost of fly tipping in the UK could be around £40 million per year to the taxpayer.”¹⁵³

93. Responsibility for enforcement and prosecution in relation to fly tipping transferred recently from District Councils to the Environment and Heritage Service. Friends of the Earth claimed that “EHS seems unwilling to exercise its regulatory powers. There is a

146 QQ 376-377

147 Ev 229

148 Q164 “In Cork, apparently, ... it costs 230 Euros per tonne to landfill; in Northern Ireland it is going to be somewhere in the region of £45 a tonne”.

149 Q 74

150 Q 297

151 Q 376

152 Ev 242

153 Ev 6

policy of not prosecuting domestic or small-scale trade dumping, with no real protocols or policies in place for dealing with the issue.”¹⁵⁴

94. The Chartered Institution of Wastes Management cautioned that “it is likely that these activities continue for many waste streams and particularly for construction and demolition wastes. These wastes are currently being illegally landfilled under the guise of agricultural improvement.”¹⁵⁵ TAG, too, considered that fly tipping was likely to be a growing problem.¹⁵⁶

95. In addition, the Chancellor of the Exchequer’s commitment to an incremental increase in landfill tax,¹⁵⁷ while encouraging the authorities to speed up their search for alternatives to landfill, could, perversely, lead to an increase in fly tipping.

96. Fly tipping is a growing and insidious problem, and we are pleased that the Department of the Environment is considering a range of measures to deal with it more effectively.¹⁵⁸ We urge the Minister to ensure that this work proceeds without delay and that the existing regulatory powers are enforced fully.

5 Environmental Protection Agency

97. Some waste management regulatory functions have been transferred from District Councils to the Waste Management & Contaminated Land Unit (WMCL) within the Environment and Heritage Service (EHS) in recent years. A number of witnesses, while clear that the previous arrangements had not been ideal, doubted the ability of the WMCL to discharge this function adequately. The Waste Management Advisory Board highlighted “a lack of appropriate ‘field and management expertise’ in some posts ...” while recognising “the ongoing difficulties in recruiting and maintaining appropriately qualified staff.”¹⁵⁹

98. Friends of the Earth drew a comparison between the Environmental Policy Division of the Department of the Environment which “has been very well resourced to bring forward...legislation”, and the EHS which “has not been resourced to deal with its implementation”¹⁶⁰ The Department made it clear that its bid for resources recognised the need for more staff, and that a process of expansion had begun. In any expansion of the EHS, the staff appointed must be of the highest possible calibre.

99. A key recommendation of the Waste Management Advisory Board Report, reflecting the views of a range of stakeholders, was strong support for “the establishment of an

154 Ev 203

155 Ev 242

156 Q 34

157 In March 2004 the Chancellor announced that landfill tax will rise from its current level of £15 per tonne by at least £3 per tonne per annum up to a level of £35 per tonne.

158 Ev 115

159 *Northern Ireland Waste Management Strategy Review Report*, Waste Management Advisory Board for Northern Ireland, June 2004 (page 14)

160 Q 345

Independent Environmental Protection Agency”.¹⁶¹ Friends of the Earth stated bluntly that “EHS is failing as a regulator and Northern Ireland needs an Independent Environmental Protection Agency”.¹⁶²

100. A report by Professor Richard Macrory in February 2004, commissioned by a coalition of environmental organisations in Northern Ireland, recommended that an independent Environmental Protection Agency (EPA) should be established.¹⁶³ Subsequently, a survey of interested organisations found that more than three-quarters of the respondents supported the establishment of an EPA, independent of Government, and acting as a champion for the environment as a whole.¹⁶⁴ Northern Ireland is unique within the United Kingdom in not having such an organisation. The Minister expressed qualified sympathy for the idea of an EPA.¹⁶⁵

101. We support the calls for the establishment of an Environmental Protection Agency for the Northern Ireland although we recognise that its remit would extend well beyond the issue of waste management. We are pleased that the Minister appears receptive to this, and call on her to undertake a review to identify the best option for Northern Ireland.

6 Conclusion

102. We commend the commitment of those working to develop and implement a strategic approach to waste management in Northern Ireland. We recognise that much good work has resulted. Nevertheless, Northern Ireland’s response to the challenge of managing waste and compliance with EU Directives has been patchy and much too slow.

103. We believe that mere compliance with the EU Waste Management Directives is insufficient. Northern Ireland must strive to develop a strong indigenous waste management strategy. Only by doing so can the vision for Northern Ireland set out in the Strategy as a “centre of excellence in resource and waste management” be realised.

104. The development of the Strategy through the involvement of stakeholders, and the co-operation and partnership achieved among District Councils, have been positive achievements. However, the failure of Government departments to provide strong overall leadership is disappointing, and has put in jeopardy the likelihood of meeting the EU targets, and realising the strategy’s vision.

105. There are a number of immediate challenges facing the Government. A revised Strategy cannot wait until the end of 2005. The crisis in planning is delaying the provision of infrastructure and endangering the further involvement of the private

161 *Northern Ireland Waste Management Strategy Review Report*, Waste Management Advisory Board for Northern Ireland, June 2004 (page v)

162 Ev 203

163 *Transparency and Trust: Reshaping Environmental Governance in Northern Ireland*, Professor Richard Macrory CBE Faculty of Laws of University College, London, February 2004.

164 Environmental Protection Consultation: Analysis of Responses, Liz Fawcett October 2004.

165 QQ 387-391

sector. The absence of a clear funding plan must be addressed, and better guidance on procurement provided.

106. To enable overall progress to be made, strong Government vision and leadership is needed. The Minister for the Environment should adopt the role of 'waste champion' in Government to ensure that all Departments and public bodies play their full part. However, Government action alone will not ensure a sustainable environment. A strong response from Government needs to be matched by timely and effective action from all stakeholders.

Conclusions and recommendations

1. Northern Ireland's poor record of converting EU Directives on waste into regulations has changed recently. The Minister confirmed that some 45 pieces of legislation had been implemented which had "brought Northern Ireland up to date with the UK and our EU partners". We welcome this progress. (Paragraph 15)
2. Some progress in implementing the Waste Management Strategy has been achieved, but overall it has been slight. The crucial issue is the pace of change, and whether Northern Ireland can achieve even its statutory obligations in the remaining time available, far less a major shift to the sustainable management of resources. (Paragraph 19)
3. If the 2010 and subsequent targets for the amount of household waste sent to landfill are not met, significant EU financial penalties, estimated to be of the order of £180 million per annum for the United Kingdom as a whole, may be imposed, and could be passed on to Northern Ireland. (Paragraph 21)
4. The race is on to meet the first major target in 2010 for reduction of waste going to landfill. However, the excessive delays in the planning process, the lack of appropriate infrastructure to provide alternatives to landfill, and the absence of a clear funding strategy mean that this target may not be met. (Paragraph 23)
5. The Planning Service has been widely criticised for inordinate delays in reaching decisions on applications for waste management facilities. We were astonished to learn that it can take up to ten years to get planning permission for waste management facilities, and we were given details of a specific application by a private sector company for an extension to a landfill site on which no decision has been made more than eight and a half years after it was lodged. (Paragraph 24)
6. We are deeply concerned that the continuing substantial delays in dealing with planning applications for waste management facilities are having a major impact on the provision of infrastructure to implement the Waste Management Strategy. We also have concerns that the Department appears to be limiting landfill applications at a time when disillusionment with the planning process is deterring applications for alternatives to landfill. (Paragraph 30)
7. There is a pressing need to restore confidence in the waste management sector if Northern Ireland is to create the infrastructure necessary to fulfil its obligations. We appreciate that the Planning Service is currently involved in a major review of process. However, we believe that the diminishing time available for implementing the Waste Strategy demands action now. We call on the Minister to take immediate steps to ensure that decisions are taken on existing applications, and that future planning decisions relating to waste management are made within a reasonable time. Such decisions also need to be made following adequate public consultation, not only with statutory consultees. (Paragraph 31)

8. We believe that the efforts to remedy the absence of alternatives to landfill may be hindered by current work to develop a Northern Ireland-wide Best Practicable Environmental Option (BPEO) (Paragraph 36)
9. If the intention is to defer decisions on planning applications for facilities still further on the basis that these might not be part of some future Best Practicable Environmental Option (BPEO), then the likelihood of those facilities being procured, let alone becoming operational in the short to medium term, will be reduced radically. Delays in procurement processes compound this problem. It is also difficult to see how a regional level BPEO exercise can overcome the problem identified by the Department in respect of site-specific BPEO justifications. (Paragraph 38)
10. There is a danger of confusion over the level at which decisions should be taken about the type, scale, and location of facilities for dealing with waste. If the regional level process is not prescriptive, then its local impact will be limited. On the other hand, if the intention is to be prescriptive, the process runs the risk of excluding local input. A delicate balance must be found if an inclusive, transparent, and effective process is to be put in place. (Paragraph 39)
11. We are concerned that waste management infrastructure planning and procurement processes are seriously behind schedule. The Department seems fairly confident that Northern Ireland is on track to meet the 25% recycling target by 2005. However, as planning applications take at least a year to determine, and procurement processes have barely begun, the prospect of meeting the first Landfill Directive target in 2010 looks bleak. (Paragraph 42)
12. We call on the Minister to identify quickly the required infrastructure taking account of the shortening timescale available for planning, procurement, and construction. An analysis of the views of would-be providers should also be undertaken to establish why greater investment in the sector is not taking place. (Paragraph 43)
13. We welcome the recognition of the need for investment in waste management infrastructure included in the recent draft consultation document 'Investment Strategy for Northern Ireland 2005-2015'. However, the level of investment needed has not been developed in any detail. We call on the Minister to draw up urgently a robust and realistic funding plan to provide the necessary infrastructure over the life of the Waste Management Strategy. (Paragraph 50)
14. Within this overall funding plan clear lines of responsibility for the provision of local infrastructure by District Councils need to be identified. The Minister must clarify the extent to which this local infrastructure will require to be funded from local rates, and make a firm commitment to provide an adequate level of central Government funding for future years. (Paragraph 51)
15. We recommend that a review of the relevant legislation is carried out to ensure that adequate powers exist to enable District Councils, either individually or collectively, to enter into appropriate arrangements with the private sector and community sector providers of waste services. (Paragraph 52)

16. The Waste Management Strategy contained fifteen key targets on strategic leadership, but the Waste Management Advisory Board Report shows positive progress has been achieved in only four targets, three of which relate to the establishment and work of the Advisory Board itself. This is a lamentable performance and remedial action must be put in hand at once to ensure substantive progress. (Paragraph 54)
17. The Department of the Environment established a waste management steering group in early 2004 to co-ordinate implementation of its Action Plan, although this should have taken place much earlier. Other Departments appear to have taken little action to date, and this is unacceptable. We look to the Minister for the Environment to set appropriately rigorous milestones for action within Government. (Paragraph 55)
18. We are deeply concerned at the Government failure to provide strong leadership in implementing the Waste Management Strategy. The Minister must address this issue at once, and ensure that all Government Departments are fully aware of their joint responsibility for the successful implementation of the Strategy. (Paragraph 59)
19. The failure to live up fully to its commitment to develop and implement green purchasing policies and practices was a major missed opportunity for the Government to lead by example. The recent issue of a low-key internal guidance note (the Green Procurement Guide) is too little too late, and we believe Northern Ireland cannot afford to wait a further year to judge its impact. We urge the Minister to consider the introduction of a strong code of practice, incorporating clear targets (Paragraph 60)
20. Commercial and industrial waste processing is not receiving adequate attention. While the regional BPEO (Best Practicable Environmental Option) exercise may help to identify appropriate treatment options for non-municipal waste, we are concerned that the absence of firm proposals to process such waste places a question mark over the ability of the present arrangements to deliver the infrastructure required at the appropriate time. Poor data is undermining the integrity of targets for non-municipal waste and the Government must take steps now to improve the quality of such data. (Paragraph 63)
21. Given the relatively low cost of waste management relative to turnover for most industrial sectors, it remains to be demonstrated whether any increase in such costs would diminish Northern Ireland's attractiveness to inward investors. Furthermore, significant social benefits are likely to flow from improvements by the commercial and industrial sectors in waste management. (Paragraph 65)
22. The establishment and work of the Aggregates Recycling Task Group is a positive development and there is a belief within the industry that this is likely to enhance sustainability. The role of the Central Procurement Directorate in instigating the Task Group has received recognition. (Paragraph 66)
23. We are concerned that non-municipal wastes have not been given the priority they warrant in the sub-regional plans. We recommend that clear consideration should be given to ways in which the relevant facilities can be created. When mechanisms for

procuring municipal waste facilities are being developed, consideration must be given to how these can incorporate non-municipal wastes in ways that are attractive to the partners involved. (Paragraph 68)

24. We received no evidence that higher costs in the management of commercial and industrial waste would necessarily undermine the economic competitiveness of Northern Ireland or deter investors. We recommend that the Department of the Environment and Invest Northern Ireland cooperate in the development of a coherent strategy for dealing with such wastes in which the efficiency of energy and materials resource management has a central place. We believe this is necessary if Northern Ireland is to develop expertise in resource management in commerce and industry for future export. (Paragraph 69)
25. We are concerned at the absence of specific measures to reduce the growth of municipal waste. We recommend that the Department undertakes a thorough review of potential measures, including charging. (Paragraph 71)
26. We believe there is a need to develop a clearer and more sophisticated understanding of markets for recycled materials, and to identify those materials for which it is desirable to develop local markets. The aim should be to avoid giving undue support for investment in local reprocessing capacity which has little chance of survival in competitive global markets. (Paragraph 73)
27. Participation in the Waste and Resources Action Programme (WRAP) has helped to develop processing capacity, both inside and outside Northern Ireland, for materials collected in the region. The Department must continue to support WRAP in Northern Ireland as its range of activities develops. We welcome the work that is taking place with the Republic of Ireland to develop markets on an all-Ireland basis. (Paragraph 77)
28. We call on the Minister to undertake an urgent review of the Waste Management Industry Fund, and market development funding generally, with a view to ensuring greater participation by the private sector and the involvement of the community and voluntary sector (Paragraph 80)
29. In making use of the work underway by WRAP, Northern Ireland must seek to develop new markets for materials extracted from the waste stream by supporting the establishment of standards which use secondary materials. For example, the PAS100 standard can provide assurance about the quality of compost; and the Quality Protocol is able to provide confidence that quality aggregates can be produced from inert wastes. The Department should consider linking recycling and composting targets to the PAS100 standard to ensure the production of good quality products for the market. (Paragraph 83)
30. We recommend that the Department clarifies the status of existing guidance by the Department for Environment Food and Rural Affairs on the production of compost following the recent Animal By-Products Regulations. If the term 'Draft' no longer applies to the guidance, it should be dropped. If it is the intention to develop the Guidance, an indication of how and when this will be done should be given to enable equipment suppliers to tender for contracts on a sound basis (Paragraph 85)

31. We were encouraged to hear from the Southern Waste Management Partnership that “in recent months there have been some very firm measures taken by the Police Service of Northern Ireland and the Garda Síochána with regard to illegal trans-frontier shipments. To some extent this has been quite effective and has dealt with the large movements of waste across the border”. (Paragraph 87)
32. We welcome the action that has been taken to tackle illegal dumping, including the high level of cross-border co-ordination and co-operation, and meetings at Ministerial level. We recognise the difficulty that the difference in landfill costs on either side of the border raises for Northern Ireland. We strongly support the bid by the Department for additional resources to tackle illegal dumping activity and we urge the Minister to proceed with urgency to assess whether legislative changes may be required. (Paragraph 91)
33. Fly tipping is a growing and insidious problem, and we are pleased that the Department of the Environment is considering a range of measures to deal with it more effectively. We urge the Minister to ensure that this work proceeds without delay and that the existing regulatory powers are enforced fully. (Paragraph 96)
34. We support the calls for the establishment of an Environmental Protection Agency for the Northern Ireland although we recognise that its remit would extend well beyond the issue of waste management. We are pleased that the Minister appears receptive to this, and call on her to undertake a review to identify the best option for Northern Ireland (Paragraph 101)
35. We commend the commitment of those working to develop and implement a strategic approach to waste management in Northern Ireland. We recognise that much good work has resulted. Nevertheless, Northern Ireland’s response to the challenge of managing waste and compliance with EU Directives has been patchy and much too slow (Paragraph 102)
36. We believe that mere compliance with the EU Waste Management Directives is insufficient. Northern Ireland must strive to develop a strong indigenous waste management strategy. Only by doing so can the vision for Northern Ireland set out in the Strategy as a “centre of excellence in resource and waste management” be realised (Paragraph 103)
37. The development of the Strategy through the involvement of stakeholders, and the co-operation and partnership achieved among District Councils, have been positive achievements. However, the failure of Government departments to provide strong overall leadership is disappointing, and has put in jeopardy the likelihood of meeting the EU targets, and realising the strategy’s vision (Paragraph 104)
38. There are a number of immediate challenges facing the Government. A revised Strategy cannot wait until the end of 2005. The crisis in planning is delaying the provision of infrastructure and endangering the further involvement of the private sector. The absence of a clear funding plan must be addressed, and better guidance on procurement provided (Paragraph 105)

39. To enable overall progress to be made, strong Government vision and leadership is needed. The Minister for the Environment should adopt the role of ‘waste champion’ in Government to ensure that all Departments and public bodies play their full part. However, Government action alone will not ensure a sustainable environment. A strong response from Government needs to be matched by timely and effective action from all stakeholders. (Paragraph 106)

Formal minutes

Monday 21 February 2005

Members present:

Mr Michael Mates, in the Chair

Mr Adrian Bailey	Mr Eddie McGrady
Mr Roy Beggs	Mr Stephen Pound
Mr Tony Clarke	Reverend Martin Smyth
Mr Gregory Campbell	Mr Hugo Swire
Mr Stephen Hepburn	Mark Tami
Mr Iain Luke	Mr Bill Tynan

The Committee deliberated.

Draft Report (Waste Management Strategy in Northern Ireland), proposed by the Chairman, brought up and read.

Ordered, That the Chairman's draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 106 read and agreed to.

Resolved, That the Report be the Fifth Report of the Committee to the House.

Ordered, That the Chairman do make the Report to the House.

Ordered, That the provisions of Standing Order No. 134 (Select Committees (reports)) be applied to the Report.—(*The Chairman.*)

Ordered, That the Appendices to the Minutes of Evidence taken before the Committee be reported to the House.—(*The Chairman.*)

[Adjourned till Tuesday 22 February at 10 15 am.]

Witnesses

Wednesday 26 May 2004

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Mr John Quinn and Mr Richard Burnett, **Technical Advisers Group and arc21**

Ev 10

Tuesday 15 June 2004

Mr Eamon Molly and Mr John Kelpie, **North West Region Waste Management Group** and Mr Graham Byrne and Mr Andrew Baskin, **southern Waste Management Partnership**

Ev 28

Wednesday 23 June 2004

Mrs Deirdre Stewart and Mr Brian Gregory, **Confederation of British Industry, Northern Ireland**

Ev 44

Mr Eric Randall and Mr John McMullan, **Bryson House Recycling the Northern Ireland Charity**

Ev 55

Wednesday 8 September 2004

Mr Phillip Ward and Mr Steve Creed, **Waste and Resources Action Programme**

Ev 67

Wednesday 13 October 2004

Professor Deborah Boyd and Mr Trevor Knipe, **Waste Management Advisory Board for Northern Ireland**

Ev 79

Tuesday 26 October 2004

Mr Stephen Aston, Ms Pat Corker, Mr Noel Scott and Mr Brendan O'Neill, **Department of the Environment**

Ev 171

Mr Paul Walsh, **Queen's University Belfast**, Mr Gordon Best and Mr Bill Weir, **Quarry Products Association Northern Ireland**

Ev 195

Mr John Woods and Dr Cathy Maguire, **Friends of the Earth Northern Ireland**

Ev 205

Wednesday 17 November 2004

Angela Smith MP, **Parliamentary Under-Secretary of State, Northern Ireland Office**, Mr Stephen Aston and Mr Noel Scott, **Department of the Environment**

Ev 214

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5	Southern Waste Management Partnership, Supplementary memorandum	Ev 40
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7	Bryson House Recycling	Ev 53
8	Bryson House Recycling, Supplementary memorandum	Ev 62
9	Waste and Resources Action Programme	Ev 64
10	Waste Management Advisory Board for Northern Ireland	Ev 75
11	Department of the Environment	Ev 92
12	Department of the Environment Planning Service and the Department of Agriculture and Rural Development	Ev 145
13	Department of the Environment Planning Service, Supplementary memorandum	Ev 146
14	Department of Agriculture and Rural Development, Supplementary memorandum	Ev 148
15	Quarry Products Association, Northern Ireland	Ev 182
16	Quarry Products Association, Northern Ireland, Supplementary memorandum	Ev 186
17	Professor P A Muhammed Basheer	Ev 186
18	Friends of the Earth (Northern Ireland)	Ev 201
19	Department of the Environment, Environment and Heritage Service, Supplementary memorandum	Ev 225
20	Network for Organisations Interested in the Environment	Ev 232
21	Dr Robin Curry	Ev 234
22	Frank Ferguson and Associates, Consulting Engineers	Ev 238
23	Chartered Institution of Wastes Management	Ev 239
24	Social Democratic Labour Party	Ev 242
25	Belfast City Council	Ev 243
26	Sterecycle	Ev 246
27	Sinn Fein	Ev 246
28	PM Group plc	Ev 248

Reports from the Northern Ireland Affairs Committee since 2001

The following reports have been produced by the Committee since the start of the 2001 Parliament.

Session 2004–05

First Report	Electoral Registration in Northern Ireland	HC 131
Second Report	The Parades Commission and Public Processions (Northern Ireland) Act 1998	HC 172-I
Third Report	Northern Ireland Departments' 2002-03 Resource Accounts	HC 173
Fourth Report	The work of the Committee in 2004	HC 262
Fifth Report	Waste Management Strategy in Northern Ireland	HC
First Special Report	Government Response to the Committee's Sixth Report on Social Housing Provision in Northern Ireland, Session 2003-04	HC 225

Session 2003–04

First Report	The Committee's work in 2003	HC 146
Second Report	The separation of paramilitary prisoners at HMP Maghaberry	HC 302
Third Report	Introduction of the Aggregates Levy in Northern Ireland: one year on	HC 395
Fourth Report	The Compensation Agency	HC 271
Fifth Report	'Hate Crime': The Draft Criminal Justice Northern Ireland Order 2004	HC 615
Sixth Report	Social Housing Provision in Northern Ireland	HC 493-I
First Special Report	Government Response to the Committee's Eighth Report on The Illegal Drugs Trade and Drug Culture in Northern Ireland, Session 2002–2003	HC 180
Second Special Report	Government Response to the Committee's First Report on the Work of the Committee in 2003	HC 510
Third Special Report	The Separation of Paramilitary Prisoners at HMP Maghaberry: Government's Response to the Committee's Second Report of Session 2003–04	HC 583
Fourth Special Report	Introduction of the Aggregates Levy in Northern Ireland: one year on The Government's Response	HC 666
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Fourth Report	The Control of Firearms in Northern Ireland and the draft Firearms (Northern Ireland) Order 2002	HC 67–I
Fifth Report	Forensic Science Northern Ireland	HC 204
Sixth Report	The Illegal Drugs Trade and Drug Culture in Northern Ireland: Interim Report on Cannabis	HC 353–I
Seventh Report	Peace II	HC 653–I
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First Special Report	Government Response to the Committee’s First Report: The Impact in Northern Ireland of Cross–Border Road Fuel Price Differentials: Three Years On	HC 412
Second Special Report	Government Response to the Committee’s Third Report: The Police (Northern Ireland) Bill	HC 555
Third Special Report	Government Response to the Committee’s Second Report: Annual Report 2002	HC 583
Fourth Special Report	Government Response to the Committee’s Fourth Report on the Control of Firearms in Northern Ireland and the Proposed Draft Firearms (Northern Ireland) Order 2002, HC 67–I, Session 2002–03	HC 677
Fifth Special Report	Government Response to the Committee’s Fifth Report on Forensic Science Northern Ireland	HC 722
Sixth Special Report	Government Response to the Committee’s Sixth Report on the Illegal Drugs Trade and Drug Culture in Northern Ireland: Interim Report on Cannabis	HC 935
Seventh Special Report	Government Response to the Committee’s Seventh Report on Peace II	HC 1077

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Fourth Report	The Financing of Terrorism in Northern Ireland. Volume II of this Report (HC 987–II) includes the Government Response to the Second Report, Session 2001–02, The Financing of Terrorism in Northern Ireland: Interim Report on the Proceeds of Crime Bill, HC 628	HC 978–I
First Special Report	Government Response to the Committee’s Fifth Report, Miscellaneous Financial Matters, Session 2000–01, and the Government Response to the	HC 332

	Committee's Third Report, The Northern Ireland Office 2000 Departmental Report, Session 1999–2000	
Second Special Report	Government Response to the Committee's Fourth Report, Legal Aid In Northern Ireland, Session 2000–01	HC 400
Third Special Report	Government Response to the Committee's Second Report, The Parades Commission, Session 2000–01	HC 401
Fourth Special Report	Government Response to the Committee's Third Report, Relocation Following Paramilitary Intimidation, Session 2000–01	HC 461
Fifth Special Report	Government Response to the Committee's Third Report, Introduction of the Aggregates Levy in Northern Ireland, Session 2001–02	HC 1118