

The Landfill Allowance Scheme (Northern Ireland) Regulations (2004) (as amended) (NILAS)

2018/19 Annual Report

28th November 2019

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Executive Summary

This report covers the fourteenth scheme year of the Landfill Allowance Scheme (Northern Ireland) Regulations 2004 (as amended) and summarises district council compliance with the scheme during 2018/19.

The Waste and Emissions Trading Act 2003 (Amendment) Regulations 2011 and the Landfill Allowances Scheme (Amendment) Regulations (Northern Ireland) 2011 came into effect on the 21st and 22nd November 2011 respectively. Their main purpose was to provide for the use of the terms “local authority collected municipal waste” and “biodegradable local authority collected municipal waste”. This annual report only reports on Local Authority Collected Municipal Waste (LACMW) collected under “arrangements”¹ by district councils in Northern Ireland. This change has no impact on the WasteDataFlow data that is reported, and the calculation of Biodegradable Local Authority Collected Municipal Waste (BLACMW) as regards the Northern Ireland Landfill Allowances Scheme (NILAS).

This is the fourth NILAS annual report as regards the 11 new councils which came into existence on the 1st April 2015. All 11 district councils in Northern Ireland achieved their 2018/19 landfill allowance obligations by diverting BLACMW from landfill. BLACMW is calculated using a mass balance methodology via the WasteDataFlow online waste reporting system.

In 2018/19 the total amount of BLACMW which was permitted to be sent to landfill was 234,284 tonnes. The total amount of BLACMW reported to have been sent to landfill was 153,324 tonnes i.e. 34.6% of landfill allowances were not utilised. This was an increase of 3.5% percentage points compared to 2017/18 (31.1%). Since the implementation of the NILAS regulations in 2005 district councils have collectively reduced the amount of BLACMW sent to landfill by 404,685 tonnes. The proportion of local authority collected municipal waste statutorily defined to be biodegradable (i.e. BLACMW) decreased from 71% to 64% from 1st April 2009 following additional research (which included sampling) into the composition of various (local authority collected) municipal waste streams.

¹ s21 WET Act 2003 [as amended] (<http://www.legislation.gov.uk/ukpga/2003/33/section/21>)

The three district councils not associated with a waste management group (Armagh City, Banbridge and Craigavon Borough; Fermanagh and Omagh District and Mid Ulster District Councils) sent 28,129 tonnes of BLACMW to landfill, 52.1% less than their allocated allowances.

The North West Regional Waste Management Group (NWRWMG) consisting of Causeway Coast and Glens Borough and Derry City and Strabane District Councils sent 25,330 tonnes of BLACMW to landfill, 32.0% less than their allocated allowances.

arc21 consisting of Antrim and Newtownabbey Borough; Ards and North Down Borough; Belfast City; Lisburn and Castlereagh City; Mid and East Antrim Borough; and Newry, Mourne and Down District Councils sent 99,865 tonnes of BLACMW to landfill, 27.8% less than their allocated allowances.

After the final reconciliation Newry Mourne and Down District Council had a surplus of allowances which exceeded its allocation by at least 90%.

Mid Ulster DC, and Armagh City, Banbridge and Craigavon Borough Council had a surplus of allowances which exceeded their allocations by at least 60%.

Derry City and Strabane District Council had a surplus of allowances which exceeded their allocations by at least 50%.

Antrim & Newtownabbey Borough Council had a surplus of allowances which exceeded their allocation by at least 30%.

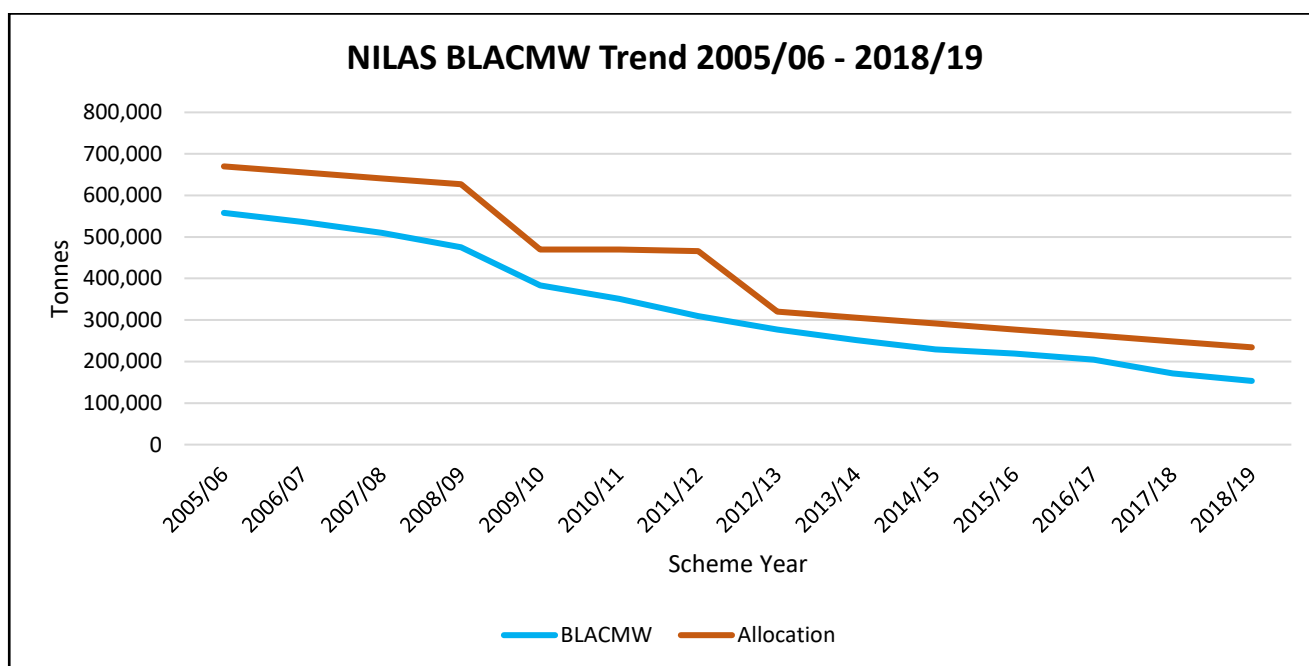
Belfast City Council, and Mid & East Antrim BC had a surplus of allowances which exceeded their allocations by at least 10%.

Over the next year under NILAS the allocation for each district council, and consequently Northern Ireland as a whole, reduces toward the EU Landfill target making it vital for more BLACMW to be diverted from landfill. The EU Landfill Directive obligated Member States to reduce their BMW to landfill (which includes BLACMW) to 35, 50 & 75% of 1995

baseline levels by 2010, 2013 & 2020 respectively. The revised Waste Management Plans (WMPs) of the WMGs detail how they propose to deal with Northern Ireland’s LACMW up to 2020. The plans set out the range of facilities required to deliver both the statutory (NILAS) and other strategic targets within the Northern Ireland Waste Management Strategy – “Delivering Resource Efficiency” (<https://www.daera-ni.gov.uk/publications/delivering-resource-efficiency-northern-ireland-waste-management-strategy>).

The chart below shows the downward trend at the Northern Ireland level over the period which NILAS has been operational.

Chart: BLACMW utilisation and allocation over operation of NILAS.



List of Acronyms

AA	Allocating Authority (EPD)
arc21	Eastern Regional Waste Management Group
BMW	Biodegradable Municipal Waste
BLACMW	Biodegradable Local Authority Collected Municipal Waste
CIWM	The Chartered Institution of Wastes Management
CWD	Climate & Waste Division – DoE(NI)
DAERA	Department of Agriculture, Environment & Rural Affairs
Defra	Department of Environment, Food and Rural Affairs
DoE(NI)	Department of the Environment (Northern Ireland)
EHS	Environment and Heritage Service
EPD	Environmental Policy Division – DAERA
EWC	European Waste Catalogue
LACMW	Local Authority Collected Municipal Waste
MA	Monitoring Authority (NIEA)
MRF	Materials Recovery Facility
MSW	Municipal Solid Waste
NIEA	Northern Ireland Environment Agency
NILAS	Northern Ireland Landfill Allowance Scheme
NWRWVG	North West Regional Waste Management Group
P&EPG	Planning and Environmental Policy Group – DAERA
SASB	Statistical & Analytical Services Branch
SWaMP2008	Southern Waste Management Partnership
WDF	WasteDataFlow
WET Act	Waste and Emissions Trading Act
WMG	Waste Management Group
WMP	Waste Management Plan

Introduction

Council Directive 1999/31/EC, on the Landfill of Waste (the Landfill Directive) became law on the 26th April 1999. The aim of the Landfill Directive is to reduce the pollution from landfilled waste that can impact on surface water, groundwater, soil, air and also climate change. Article 5(2) of the EU Landfill Directive (1999/31/EC) requires member states (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31999L0031:EN:HTML>) to reduce the amount of Biodegradable Municipal Waste (BMW) sent to landfill through setting challenging targets.

The targets for the reduction of BMW landfilled are:

- To reduce by 2010 the quantity of BMW landfilled to 75% of that produced in 1995.
- To reduce by 2013 the quantity of BMW landfilled to 50% of that produced in 1995.
- To reduce by 2020 the quantity of BMW landfilled to 35% of that produced in 1995.

The Landfill Allowance Scheme (Northern Ireland) Regulations 2004 (NILAS) (<http://www.legislation.gov.uk/nisr/2004/416/contents/made>) made under the Waste and Emissions Trading (WET) Act 2003 (<http://www.legislation.gov.uk/ukpga/2003/33/contents>), have been designed to help local authorities in Northern Ireland meet their targets as set out in the Landfill (Scheme Year and Maximum Landfill Amount) Regulations 2004 (<http://www.legislation.gov.uk/uksi/2004/1936/contents/made>) by allocating progressively challenging limits on the amount of BLACMW which can be landfilled by each District Council.

The NILAS Regulations came into operation in Northern Ireland on 1st April 2005 hence, 2018/19 is the fourteenth scheme year. The Regulations place a statutory responsibility on district councils, in each scheme year, to landfill no more than the quantity of BLACMW for which they have allowances (each allowance represents one tonne of BLACMW that can be sent to landfill). If the annual limit is exceeded this may result in financial penalties of £150 per exceeded allowance as per the Landfill Allowances Scheme (Amendment) Regulations (Northern Ireland) 2005 (<http://www.legislation.gov.uk/nisr/2005/588/contents/made>).

The scheme facilitates the transfer and borrowing (with restrictions e.g. allowances cannot be borrowed in a target year or in the year preceding a target year) of allowances between district councils which promotes a flexible and partnership working arrangement. The scheme in Northern Ireland does not facilitate the trading of landfill allowances. The methodology for allocating allowances to each district council was selected following consultation by P&EPG (now EPD), who are designated under NILAS as the Allocating Authority (AA).

The Department, after consultation, allocated NILAS allowances in 2005 to each council, for each year, to 2019/20 on the basis of an 'early convergence simple population' model, with weightings applied using population projections, and proportionately based each councils percentage share of the total population. Each allowance permits one tonne of biodegradable municipal waste to be landfilled and the allowances allocated to each council reduce over time in line with the Directive targets. In April 2015 the number of councils in Northern Ireland was reduced from 26 to 11 in line with planned local government reforms. Following local government reorganisation the Department re-allocated NILAS allowances to the 11 new councils from 1 April 2015 using the same approach as was used for the original allocations to the existing councils in 2005.

Consequently the AA, in order to facilitate long term planning, set the maximum allowance for each district council for each year of the scheme. Going forward for 2015/16 onwards the AA has used the mid 2012 NISRA population statistics as the basis for the NILAS allocations for the eleven new district councils (Annex C) i.e. each council has shared the overall allocation on the basis of its share of the Northern Ireland population. The overall NILAS allocation for Northern Ireland remains the same for each of the remaining years for the scheme.

The method used to determine the amount of BLACMW sent to landfill for a scheme year is the mass balance approach. At its simplest this takes the LACMW arisings in a scheme year and converts it to BLACMW by using the deemed biodegradable percentage (64%). For the purposes of calculating the BLACMW sent to landfill only, any distinct / separate rubble waste stream (rubble, soil & plasterboard) collected is excluded on the basis that it is unlike household waste and is therefore considered to be non-municipal in nature.

Biodegradable materials diverted from landfill for recovery or recycling are also subtracted from this figure at either 100% or 50% according to the schedule of the NILAS Regulations in order to determine the remaining BLACMW sent to landfill. Further details of the methodology used in WasteDataFlow throughout 2018/19 in calculating the mass balance can be found at

[http://www.wastedataflow.org/documents/guidancenotes/NorthernIreland/LandfillAllowanceScheme/KPI_\(g\)_DC_Mass_Balance_Schematic_v4.pdf](http://www.wastedataflow.org/documents/guidancenotes/NorthernIreland/LandfillAllowanceScheme/KPI_(g)_DC_Mass_Balance_Schematic_v4.pdf).

In line with local government reform on 1st April 2015 SWaMP2008 was formally dissolved and its assets, liabilities and staff transferred to Armagh City, Banbridge and Craigavon Borough Council (<http://www.legislation.gov.uk/nisr/2015/183/article/12/made>).

England, Scotland and Wales each have their own specific Landfill Allowance Regulations:

England: <http://www.legislation.gov.uk/uksi/2004/3212/contents>

Scotland: <http://www.legislation.gov.uk/ssi/2005/157/contents/made>

Wales: <http://www.legislation.gov.uk/wsi/2004/1490/contents/made>

However, only the landfill allowance schemes in Northern Ireland and Wales are currently continuing to operate following England's decision to end its Landfill Allowance Trading Scheme (LATS) on the 30th September 2013. In Scotland the Landfill Allowance Scheme (LAS), which formerly administered a system of banking, borrowing and penalties concerning the disposal of Biodegradable Municipal Waste (BMW), was revoked by the Scottish Government in 2012.

Consultation paper on meeting EU landfill diversion targets:

Following discussions with the European Commission it was agreed that the UK's approach to meeting the Landfill Directive's diversion targets should be changed. Consequently on 25 June 2010 the AA issued an initial consultation paper addressing the implications of this change in relation to Northern Ireland (NI).

The consultation included setting out the new interpretation of the definition of municipal

waste; revisions to the 1995 baseline and targets; and the reporting and monitoring obligations necessary to enable robust reporting against the targets to the European Commission. It also sought views on the future of the Northern Ireland Landfill Allowance Scheme (NILAS) in addressing both the district council and private sector elements of municipal waste and providing the necessary confidence that Northern Ireland will meet its overall Landfill Directive targets. The revised interpretation will mean that much more commercial and industrial waste than previously will fall within the scope of the term 'municipal waste'. This is because the new definition is based on waste types (as defined by European Waste Catalogue codes) rather than who manages the waste (i.e. district council).

The consultation closed on the 8th October 2010 and the Department subsequently published a summary of the comments received.

The Department considered policy options in respect of NILAS on the basis of this consultation and issued a policy position on the future of the scheme in February 2011.

Changes to legislation to incorporate the new definition of municipal waste were made across the UK during 2011/12. On the 21 and 22 November 2011 the Waste and Emissions Trading Act 2003 (Amendment) Regulations 2011

(http://www.legislation.gov.uk/ukxi/2011/2499/pdfs/ukxi_20112499_en.pdf) and the Landfill Allowances Scheme (Amendment) Regulations (Northern Ireland) 2011

(http://www.legislation.gov.uk/nisr/2011/373/pdfs/nisr_20110373_en.pdf)

came into effect. Their main purpose was to provide for the use of the terms "local authority collected municipal waste" and "biodegradable local authority collected municipal waste".

Therefore, this report uses the terminology above. However, these name changes have no impact on the WDF data that is reported.

2. Reporting

2.1 District Councils

District councils in Northern Ireland are required to report data on local authority collected waste arisings on a quarterly basis as per NILAS Regulation 10 (5). The data for each quarter must be submitted to the Monitoring Authority within 2 months after the relevant quarter end. Table 1 shows the NILAS reporting deadlines in each scheme year. District councils must submit their data via the WasteDataFlow (WDF) system (<http://www.wastedataflow.org>).

Initially developed in 2004 by the Chartered Institution of Waste Management (CIWM) WDF is now owned, operated, and managed by Defra in partnership with the UK's devolved administrations through an Operational Group and Programme Management Board who support the maintenance and development of the system via an IT contractor (currently Jacobs Ltd).

Northern Ireland district councils began formally reporting municipal waste data via WDF from January 2005. Data is managed within the system through various user levels representing district councils, WMGs, NIEA and public access. After the final reconciliations and annual report for the scheme year have been issued by NIEA, the raw data for the relevant scheme year is made publically available on WDF.

Table 1: NILAS reporting deadlines

Quarter	Period in scheme year	Return MUST be submitted by:
1	1 st April – 30 th June	31 st August
2	1 st July – 30 th September	30 th November
3	1 st October – 31 st December	28 th February
4	1 st January – 31 st March	31 st May

Table 2a shows when data was submitted to NIEA during the scheme year. For comparison, the date when the data was submitted to the WMG is also shown.

During the course of the 2007/08 scheme year an ‘e-mail notification alert’ was introduced aimed at improving the timeliness of returns. The relevant users, at each submission level, are informed by an automatically generated email that data is awaiting their approval and submission to the next level. This measure and the issue of further guidance from NIEA in February 2010 (see 2.1.1) have continued to improve data submission times.

Table 2a: Date on which district council returns were submitted to WMG and NIEA in 2018/19

District Council	Q1 due 31/08/2018		Q2 due 30/11/2018		Q3 due 28/02/2019		Q4 due 31/05/2019	
	WMG	NIEA	WMG	NIEA	WMG	NIEA	WMG	NIEA
Antrim & Newtownabbey BC	30/08/2018	31/08/2018	28/11/2018	29/11/2018	28/02/2019	01/03/2019	31/05/2019	31/05/2019
Ards & North Down BC	28/08/2018	28/08/2018	03/12/2018	03/12/2018	27/02/2019	27/02/2019	29/05/2019	29/05/2019
Armagh City, Banbridge & Craigavon BC*	29/08/2018	29/08/2018	26/11/2018	30/11/2018	28/02/2019	28/02/2019	29/05/2019	29/05/2019
Belfast CC	31/08/2018	31/08/2018	28/11/2018	29/11/2018	20/03/2019	20/03/2019	31/05/2019	01/06/2019
Causeway Coast & Glens BC	17/08/2018	20/08/2018	28/11/2018	29/11/2018	27/02/2019	27/02/2019	22/05/2019	22/05/2019
Derry City & Strabane DC	30/08/2018	31/08/2018	30/11/2018	30/11/2018	28/03/2019	28/03/2019	31/05/2019	31/05/2019
Fermanagh & Omagh DC*	28/08/2018	29/08/2018	26/11/2018	26/11/2018	27/02/2019	28/02/2019	31/05/2019	31/05/2019
Lisburn & Castlereagh CC	28/08/2018	28/08/2018	29/11/2018	29/11/2018	27/02/2019	27/02/2019	29/05/2019	29/05/2019
Mid & East Antrim BC	28/08/2018	28/08/2018	30/11/2018	30/11/2018	26/02/2019	26/02/2019	28/05/2019	29/05/2019
Mid Ulster DC*	31/08/2018	31/08/2018	30/11/2018	30/11/2018	28/02/2019	01/03/2019	30/05/2019	30/05/2019
Newry, Mourne & Down DC	30/08/2018	30/08/2018	30/11/2018	30/11/2018	27/02/2019	27/02/2019	21/05/2019	24/05/2019
% received by WMG / NIEA by due date	100%	100%	90.91%	90.91%	100%	100%	100%	90.91%

Green font denotes return made on or before deadline.

Red font denotes late return.

* Data rollup carried out by NIEA in absence of waste management group.

2.1.1 Penalty Guidance

In February 2010 NIEA, as NILAS Monitoring Authority in conjunction with the AA, introduced penalty guidance for district councils and landfill operators (<https://www.daera-ni.gov.uk/publications/nilas-forms-and-guidance>).

The purpose of the guidance was to improve the timeliness of WDF returns from district councils and from landfill operators submitting landfill operator returns. The guidance

provides a framework by which procedures can be implemented to impose fines where late returns are an issue. The guidance details the transparent, proportionate and fair process by which any fines would be applied.

The introduction of the guidance has improved the timeliness of all returns since its introduction in the second half of the 2009/10 scheme year as can be seen in table 2a.

To facilitate the production of accurate and timely quarterly waste management statistics NIEA request that any queries generated are responded to within five working days of issue.

Table 2b shows which district councils met the 5 working day turnaround time in relation to NIEA WDF queries for each quarterly return for the 2018/19 scheme year.

Although, most district councils are able to meet the five working day turnaround relatively easily, there are some who experience difficulties in meeting the deadline for various reasons. These district councils tend to have one person responsible for data entry, and no-one else trained in the compilation of the relevant data which creates difficulties in situations where the designated officer is absent due to leave or unforeseen circumstances such as sickness. NIEA has recommended from the outset of formal WasteDataFlow reporting in May 2005 that district councils should have more than one officer trained in the compilation of data and the operation of WasteDataFlow to deal with situations where the main designated officer is unable to deal with the issues concerned and to ensure that the various deadlines are met in order to provide accurate data in a timely manner.

Additionally, NIEA undertake an annual validation exercise during October each year in conjunction with SASB. This exercise looks at the data submitted during the scheme year and compares it with the previous scheme year's data for trends and analysis, and to prepare data for publication in the annual local authority collected municipal waste report (<https://www.daera-ni.gov.uk/articles/northern-ireland-local-authority-collected-municipal-waste-management-statistics>). Table 2c shows the dates by which district councils responded to annual queries for 2018/19.

Table 2b: Date by which councils had responded to NIEA quarterly queries in 2018/19

District Council	Q1 (Apr – Jun 2018)		Q2 (Jul – Sep 2018)		Q3 (Oct - Dec 2018)		Q4 (Jan – Mar 2019)	
	issue	response	issue	response	issue	response	issue	response
Antrim & Newtownabbey BC	14/09/2018	28/09/2018	13/12/2018	20/12/2018	11/03/2019	22/03/2019	12/06/2019	17/06/2019
Ards & North Down BC	13/09/2018	20/09/2018	07/12/2018	14/12/2018	14/03/2019	20/03/2019	07/06/2019	13/06/2019
Armagh City, Banbridge & Craigavon BC	07/09/2018	14/09/2018	07/12/2018	13/12/2018	08/03/2019	13/03/2019	07/06/2019	14/06/2019
Belfast City CC	07/09/2018	14/09/2018	12/12/2018	19/12/2018	13/03/2019	20/03/2019	12/06/2019	22/06/2019
Causeway Coast & Glens BC	10/09/2018	14/09/2018	07/12/2018	13/12/2018	11/03/2019	13/03/2019	10/06/2019	17/06/2019
Derry City & Strabane DC	11/09/2018	18/09/2018	10/12/2018	14/12/2018	12/03/2019	13/03/2019	11/06/2019	17/06/2019
Fermanagh & Omagh DC	07/09/2018	14/09/2018	18/12/2018	19/12/2018	13/03/2019	21/03/2019	14/06/2019	19/06/2019
Lisburn & Castlereagh CC	12/09/2018	18/09/2018	13/12/2018	19/12/2018	12/03/2019	20/03/2019	14/06/2019	24/06/2019
Mid & East Antrim BC	12/09/2018	20/09/2018	18/12/2018	19/12/2018	15/03/2019	22/03/2019	10/06/2019	17/06/2019
Mid Ulster DC	12/09/2018	18/09/2018	11/12/2018	18/12/2018	13/03/2019	15/03/2019	12/06/2019	19/06/2019
Newry, Mourne & Down DC	11/09/2018	13/09/2018	07/12/2018	11/12/2018	08/03/2019	19/03/2019	17/06/2019	25/06/2019
% received by NIEA by due date	100%	81.8%	100%	100%	100%	81.8%	100%	72.7%

Table 2c: Date by which councils had responded to NIEA annual queries in 2018/19

District Council:	Query Sheet Issued	Query Sheet Response
Antrim & Newtownabbey BC	16/10/2019	23/10/2019
Ards & North Down BC	15/10/2019	16/10/2019
Armagh City, Banbridge & Craigavon BC	11/10/2019	16/10/2019
Belfast CC	11/10/2019	21/10/2019
Causeway Coast & Glens BC	15/10/2019	17/10/2019
Derry City & Strabane DC	15/10/2019	25/10/2019
Fermanagh & Omagh DC	21/10/2019	25/10/2019
Lisburn & Castlereagh CC	16/10/2019	24/10/2019
Mid & East Antrim BC	18/10/2019	23/10/2019
Mid Ulster DC	16/10/2019	23/10/2019
Newry, Mourne & Down DC	14/10/2019	18/10/2019

Green font denotes return made within requested five working day target.

Red font denotes return made later than requested five working day target.

NIEA rely on the prompt receipt of comprehensive and accurate data to issue quarterly Official (National from October to December 2013 onwards) Statistic reports in conjunction with the DAERA's Statistical and Analytical Services Branch (SASB) which provides each District Council with an indication on their waste management key performance indicators (KPIs) and how many landfill allowances they have utilised for the quarter. This is calculated

using the mass balance calculation, which indicates the performance of local authorities in relation to their allocation of allowances and the diversion of biodegradable waste from landfill.

2.1.2 Validation Process

To assist district councils with self-validation a summary spreadsheet has been developed within WDF through the data authorisation functionality. This enables quick checks to be viewed easily e.g. comparison of reported tonnages collected for recycling with reported tonnages of the waste sent for recycling; residual waste collected vs. residual waste treated/disposed etc. Similarly a spreadsheet detailing an indicative mass balance calculation has also been developed to enable district councils to easily review the calculated amount of BLACMW sent to landfill in any particular quarter and hence monitor their progress towards meeting their obligations under NILAS.

In previous years upon receipt of the district council's data NIEA, as Monitoring Authority, conducted a qualitative assessment of the municipal waste arisings data in WDF. The validation process involved cross checking figures between questions and previously submitted quarterly returns. However, since the 2009/10 scheme year NIEA have been assisted by Central Statistics & Research Branch (CSRB) primarily through a significant automation of the validation process. This involves downloading the relevant quarterly data and processing it through SPSS (Statistical Package for the Social Sciences) to identify trends and potential anomalies which allows a quicker and more detailed data analysis than was previously possible. This information was then used by NIEA to formulate queries to each district council. Queried data for the relevant quarter is rejected back to the WMG who then reject the data to the relevant district council to facilitate, where appropriate, any amendments. The data can usually only be entered and amended at district council level by data entry officers.

NIEA aims to complete the validation of all returns within one month of the relevant deadline and therefore requests that a response is made to all validation queries within 5 working

days to ensure the production of timely and accurate local authority collected municipal waste statistics.

Data for the 2010/11 scheme year was validated, as in the preceding scheme years, by NIEA in its role as the Monitoring Authority but the responsibility for the compilation and publication of the reports was passed to CSRБ from April 2009. CSRБ published the quarterly reports to a specified timetable in line with the Pre-release Access to Official Statistics Order (Northern Ireland) 2009

(<http://www.legislation.gov.uk/nisr/2009/71/contents/made>)

These Official Statistics were compiled in accordance with Official Statistic Protocols and subsequently published on the Departmental website

(<https://www.daera-ni.gov.uk/articles/northern-ireland-local-authority-collected-municipal-waste-management-statistics>)

Until March 2011 CSRБ was a branch within the Department for Regional Development (DRD) providing services to DoE(NI). In April 2011 CSRБ became Analytical Services Branch (ASB) within DoE(NI). On 8th May 2016 DoE(NI) ceased to exist and its functions were transferred to a new department – the Department of Agriculture, Environment & Rural Affairs (DAERA). Since 1st July 2016 ASB has become Statistics and Analytical Services Branch (SASB) within DAERA.

2.1.3 National Statistics

The data for October to December 2013 was the first LACMW quarterly dataset to be published to National Statistics accreditation. National Statistics are produced to a high professional standard. They undergo regular quality assurance reviews to ensure that they meet customer needs and are produced free from any political interference.

The UK Statistics Authority has designated the Northern Ireland quarterly waste statistics as National Statistics, in accordance with the Statistics and Registration Service Act 2007 (<http://www.legislation.gov.uk/ukpga/2007/18/contents>) and signifying compliance with the Code of Practice for Official Statistics (<https://www.statisticsauthority.gov.uk/code-of-practice/>).

Designation can be broadly interpreted to mean that the statistics:

- meet identified user needs;
- are well explained and readily accessible;
- are produced according to sound methods; and
- are managed impartially and objectively in the public interest.

Once statistics have been designated as National Statistics it is a statutory requirement that the Code of Practice shall continue to be observed.

The Department further demonstrates its commitment to the Code of Practice by publishing a series of supporting statements related to its use of administrative data, publication strategy, confidentiality arrangements, revisions policy, customer service and complaints procedure. For details see <https://www.daera-ni.gov.uk/articles/dard-statistics-charter-and-pre-release-access-statements>.

The timetable for the publication of provisional quarterly and annual reports is published, and updated, on the Gov.uk website: (https://www.gov.uk/search/research-and-statistics?content_store_document_type=upcoming_statistics&organisations%5B%5D=department-of-agriculture-environment-and-rural-affairs-northern-ireland).

2.1.4 WasteDataFlow Northern Ireland User Group

On 10th July 2007 NIEA hosted the inaugural Northern Ireland WasteDataFlow User Group with the overall aim of contributing to making WasteDataFlow a successful data capture and reporting system with a high level of timely good quality data returns from district councils in Northern Ireland.

The main objective is to provide an accurate database of waste management information, with reporting functions available for district councils, WMGs and regional government.

The Group aims to achieve this by:

- Identifying barriers to the effective use of the WDF system by district councils.

- Proposing practical solutions to these barriers. For example through specific proposals on contents of on-line help, Guidance Manual, revisions to questions, adjustments to web-based data screens, reporting functionality etc.
- Identifying and sharing good practices in waste data management.
- Facilitating communication within the WasteDataFlow community.
- Providing input to reporting developments.

The User Group also enables NIEA to provide a forum for dialogue between the three parties as well as an element of training to district council users involved in the entry of data through demonstrations of the reporting functionality etc.

No user group meetings took place during 2018/19.

2.1.5 WasteDataFlow Training

No training sessions were conducted by NIEA during the 2018/19 scheme year for district councils. Such sessions are provided as and when required for new council officers involved in WasteDataFlow data entry and reporting.

2.1.6 WasteDataFlow Guidance

No guidance was amended or added to the WDF website during the year.

2.1.7 WasteDataFlow Developments

No major development work was carried out to the system during the course of the year.

2.2 Landfill Operators

Under NILAS Regulation 11 (4), landfill operators are required to report, in each year, the amount of LACMW deposited in landfill at their sites. In 2018/19, seven landfills in Northern Ireland reported accepting local authority collected municipal waste. LACMW data from landfill operators is statutorily required within 2 months of the quarter end, corresponding with the district councils' submissions of data via WDF.

Table 3 shows the dates on which landfills accepting LACMW for disposal made returns to NIEA.

Table 3: Dates on which landfill operators submitted returns in 2018/19

Landfil Site (Operator)	Apr - Jun 2018 Return Submitted due 31/08/18	Jul – Sept 2018 Return Submitted due 30/11/18	Oct – Dec 2018 Return Submitted due 28/02/19	Jan – Mar 2019 Return Submitted due 31/05/19
Baird's Brae (Biffa)	27/07/18	29/10/18	22/01/19	12/04/19
Craigahulliar (Causeway Coast & Glens BC)	23/08/18	30/11/18	25/02/19	30/05/19
Craigmore (River Ridge Recycling)	23/08/18	30/11/18	25/02/19	30/05/19
Crosshill (Eastwoods)	31/08/18	30/11/18	28/02/19	27/08/19
Drummee (Fermanagh DC)	30/08/18	3/12/18	14/02/19	21/05/19
Mullaghglass (Whitemountain Group)	01/08/18	30/10/18	28/01/19	24/04/19
Tullyvar (Mid Ulster DC)	30/08/18	30/11/18	24/01/19	N/A

Green font denotes return made on or before deadline.

N/A –Mid Ulster DC's Tullyvar landfill site closed on 25th October 2018 and is no longer accepting waste for disposal.

Landfill operator returns are submitted electronically to NIEA using the 'Landfill Operator – LACMW Data Return Form (NILAS 001)'

(<https://www.daera-ni.gov.uk/sites/default/files/publications/daera/NILAS-001-Landfill-Operator-Return-Form.xls>).

2.2.1 Validation Process

The return includes the following information:

- Weight of each load (to the nearest tonne);
- EWC code;
- District council area where the waste originates;
- Name of transfer station, where applicable;
- Any treatment applied to waste prior to its landfill.

The amount of residual LACMW reported by landfill operators on the landfill operator return was cross checked with the returns from district councils submitted via WasteDataFlow.

Where there was more than 10 tonnes difference and this variation exceeded +/- 1% of the total between the landfill operator return and the district council return, NIEA as the Monitoring Authority queried both sets of returns to establish the reason, and if appropriate to enable one or both sets of data to be corrected.

Some variation between the amounts of municipal waste reported as sent to landfill by landfill operators and by district councils will be attributable to:

- Rounding errors – landfill operators report the weight of each load which is rounded to the nearest tonne;
- Private contractors may deal with both commercial and municipal waste streams within the same facility and take the residue to landfill in the same collection vehicle and therefore an estimated apportionment is used;
- NIEA do not receive returns from landfill operators outside Northern Ireland;
- Accurate reporting by landfill operators is dependent on them knowing the origin of the waste. This can be difficult when waste arrives via intermediate stages such as transfer stations or residual material recovery facilities; this has increasingly become a factor in establishing an audit trail between the waste disposed of by district councils and landfill operators. Additionally, both local authority collected municipal and commercial wastes may be handled by such facilities and therefore the outputs are based on the proportion of inputs received from each source.

In the 2018/19 scheme year, in addition to the cross checks with WasteDataFlow, data checks were also carried out on the quarterly waste summary returns submitted to NIEA for waste management exemptions, licences and permits.

2.2.2 Guidance to Landfill Operators

The guidance for landfill operators had been updated in March 2015 to take account of the forthcoming local government reform.

2.2.3 Landfill Operator Data Audit

During the fourteenth scheme year six audits were carried out on the landfill sites accepting LACMW in Northern Ireland (see Table 4). These audits were conducted by NIEA as NILAS Monitoring Authority under Regulation 11 (5) of the NILAS Regulations.

The returns submitted by the landfill operator were compared with actual weighbridge dockets to validate the submissions made via the landfill operator returns under NILAS Regulation 11. Records kept by landfill operators were in both paper and electronic form.

Table 4: Landfill operators audited during the scheme year 2018/19.

	Landfill Site (Operator)	Audit date	Quarter(s) audited
1.	Drumee (Fermanagh & Omagh DC)	21/08/18	October to December 2018
2.	Tullyvar (Mid Ulster DC & Fermanagh Omagh DC)	21/08/18	October to December 2018
3.	Craigahulliar (Causeway Coast & Glens BC)	23/10/18	January to March, April to June 2018
4.	Cottonmount (Biffa)	27/02/18	October to December 2018
5.	Mullaghglass (Alpha Resource Management/ Lagan Group)	28/02/18	October to December 2018
6.	Crosshill (Eastwood)	28/03/18	October to December 2018

A sample of the submitted data was selected from each landfill site to be audited. A randomly selected period of at least one week for each month within each quarter was

audited. Any discrepancies found were discussed with the operator prior to the close of the audit, and resolved through an audit report subsequently agreed with the landfill operator.

Each of the six landfills audited presented satisfactory records e.g. waste transfer notes, invoices and weighbridge printouts which were generally well ordered and readily available. The documentation matched or agreed closely with landfill return figures sent to NIEA. There were, on occasions, some missing waste transfer notes, however it was still possible to track the tonnages using the weighbridge printouts or other data sources such as invoices and customer reports from each site's weighbridge systems.

During the 2018/19 scheme year NIEA continued to seek data on LACMW sent to landfill via waste transfer stations both through WasteDataFlow and quarterly waste summary returns. This work has enabled the capture of appropriate data for these waste material streams, and helped the audit process and correlation between the data reported by district councils via WasteDataFlow and that reported by landfill operators in their quarterly NILAS landfill operator returns.

3. District Council Data Audits

Between 29th November 2018 and 24th January 2019, NIEA as Monitoring Authority carried out three-audits of district councils for LACMW data submitted via WDF during the scheme year. The audits were conducted under Regulation 10 (6) (a) of the NILAS Regulations. The district councils selected from each WMG were contacted by telephone, letter and e-mail informing them of NIEA's intention to audit. Table 5 lists the district councils selected, the dates of the audits and the quarter for which the audit was conducted.

Table 5: District councils audited during the scheme year 2018/19

	District council:	Audit Date	Quarter audited
1.	Newry Mourne & Down DC	29/11/18	April to June 2018
2.	Mid & East Antrim BC	25/01/19	July to September 2018
3.	Causeway Coast & Glens BC	24/01/19	July to September 2018

Each audit involved checking and confirming the relevant quarterly data which was submitted to the Monitoring Authority (NIEA) via WDF. One quarter of each district council's LACMW returns was selected, generally the most recent submission. The areas inspected related to:-

1. Landfilling of LACMW.
2. Collection, recycling, reuse and recovery of LACMW.
3. The standard of reporting / evidence for end destinations of recycled / recovered material streams.

In each case documentation was requested relating to each waste stream recorded within WDF. The documentation requested had to provide robust evidence of reported figures (e.g. waste transfer notes, Annex VIIs, invoices, Quality Protocol test results etc) and was compared against figures entered in WDF, and from landfill operator returns. The type of documentation used to compile returns was noted as were the names of any intermediate facilities, and waste carriers used. Where facilities had been selected which were not considered to be final destinations, further information on the final destination of the waste stream was also requested.

Records were requested to confirm the data entered for household and non-household residual waste collections e.g. regular household collections and civic amenity site skips. Evidence was sought as to the composition of, and origin of components in the final residual waste stream as well as the methodology used to determine these respective tonnages. A similar methodology to the landfill operators was employed for the inspection of the residual waste tonnages sent directly to landfill i.e. at least one week in each month of the relevant quarter was inspected and compared with the landfill operator return.

Residual waste sent to MRFs for recovery was inspected on the basis of a sample of the waste transfer notes and invoices to confirm and verify the tonnage input to the facility. Evidence was sought in the form of waste transfer notes and / or export documentation (Annex VIIIs) to verify materials recovered for recycling or energy recovery.

All records for recycling, including weighbridge dockets and invoices, were inspected and totalled for comparison with the figures entered in WDF. Where minor discrepancies were discovered these were pointed out to the council officers concerned and rejected by NIEA for rectification on the WDF system accordingly.

Upon completion of the audit a draft report was issued to the district council within twenty five working days of the audit taking place. The draft report summarised the evidence presented during the course of the audit and highlighted where action was required. When the report's recommendations had been agreed the WDF data was rejected to enable the council officer(s) to make the necessary changes, and a final version of the audit report was issued to the district council and the relevant waste management group.

Arrangements for audits were made with the agreement of the council concerned which NIEA visited, for a period of 2-3 days. It is envisaged that in time records will be stored in a single location as local government reforms structures and consolidates contracts to deliver further efficiencies.

The systems used by district councils for the collection and storage of data varied. The majority of data is held in a paper format, although increasing amounts of data are managed through internal spreadsheets and databases. On occasions additional material was e-

mailed to the NILAS Team subsequent to the audit. In the majority of cases the collection and storing of data was managed by one person thereby considerably increasing the risk to the district council as a corporate body for a failure to make a timely statutory submission should that person be absent due to sickness or leave.

Although, the information recorded regarding final destinations has improved considerably over the course of the fourteen scheme years more effort is urgently required by some district councils to determine this information. NIEA from the outset of WDF reporting has advised district councils that MRFs were not considered to be a final destination for the recovery of materials, and that councils should determine this information which is also required to discharge their obligations under NILAS Regulation 10 (1) (c). In a wider sense this is one of the main considerations addressed by the overall Duty of Care which covers the whole waste management industry (<https://www.daera-ni.gov.uk/publications/waste-management-duty-care-code-practice>).

NIEA recommends that information on final destinations is obtained on a regular basis, best practice is considered to be at least once every other quarter, to ensure that materials collected are being sent for recycling/ reuse/ recovery and that any rejection prior to reprocessing is accurately recorded. The minimum adequate evidence expected to adequately demonstrate final destinations would be sample copies of waste transfer notes for waste transfers within the UK and / or export documentation (Annex VII notifications) for waste transfers to destinations in other countries outside the UK showing the movement of a particular waste stream between the MRF and the reprocessing destination.

NIEA expect that reprocessing destinations within the UK are accurately recorded with the WDF system, and will accept the name of the country to which waste is sent for processing for EU and non-EU exports with the proviso that export documentation (Notification/ Annex VII) accompanies the evidence presented for the relevant period.

4 Reconciliation Process:

The Monitoring Authority (NIEA) has a statutory duty under NILAS Regulation 13 to calculate the amount of BLACMW sent to landfill by each district council for the scheme year and to prepare a draft reconciliation of the tonnages involved and allowances used. This process must be completed no later than 5 months after the end of the scheme year i.e. by 30th September. The BLACMW sent to landfill is calculated via a mass balance approach.

NIEA delivered each district council's draft reconciliation to the district council & WMG concerned as well as the Allocating Authority on 25th July 2019. This showed that all district councils had surpluses of allowances, and that no transfers of allowances from other district councils in order to meet their obligations under NILAS would be necessary for the scheme year.

The Monitoring Authority has a statutory duty under Regulation 14 to reconcile the allowances available with the amount of BLACMW as calculated under Regulation 13 as soon as reasonably practicable after the end of the reconciliation period. The final reconciliation was completed by 28th November 2019, and issued simultaneously with the annual municipal waste management report (<https://www.daera-ni.gov.uk/articles/published-waste-data>) and the publication of the NILAS Public Register (<https://apps.d.aera-ni.gov.uk/landfillallowances/>).

5. District Council Performance

The scheme year 2018/19 was the fourteenth year of the landfill allowances scheme. In 2018/19 the total number of landfill allowances allocated under NILAS was 234,284 tonnes. Each allowance permits the landfilling of one tonne of BLACMW.

The total amount of BLACMW reported to have been sent to landfill was 153,324 tonnes, a decrease of 17,971 tonnes from 171,295 tonnes in 2017/18. In 2018/19, 34.6% of landfill allowances were not utilised compared to 31.1% not utilised in 2017/18. Over the past 14 years district councils in Northern Ireland have collectively reduced the amount of BLACMW sent to landfill by 404,685 tonnes. Although, it should be noted that the deemed BLACMW percentage in the NILAS Regulations decreased from 71% to 64% from 1st April 2009.

Councils not associated with a waste management group sent 28,129 tonnes of BLACMW to landfill, 52.1% less than their allocated allowances.

The amount of BLACMW sent to landfill by arc21 was 99,865 tonnes, 27.8% less than their allocated allowances.

The amount of BLACMW sent to landfill in the North West Regional Waste Management Group (NWRWVG) was 25,330 tonnes, 32.0% less than their allocated allowance.

Figure 1 shows the calculated BLACMW for the fourteenth scheme year against the allowances allocated to each of the district councils

Table 6 shows the percentage of allowances utilised by each district council ranked according to the balance remaining of the allocation at the end of the scheme year.

Figure 1: Landfill Allowance Utilisation for 2018/19

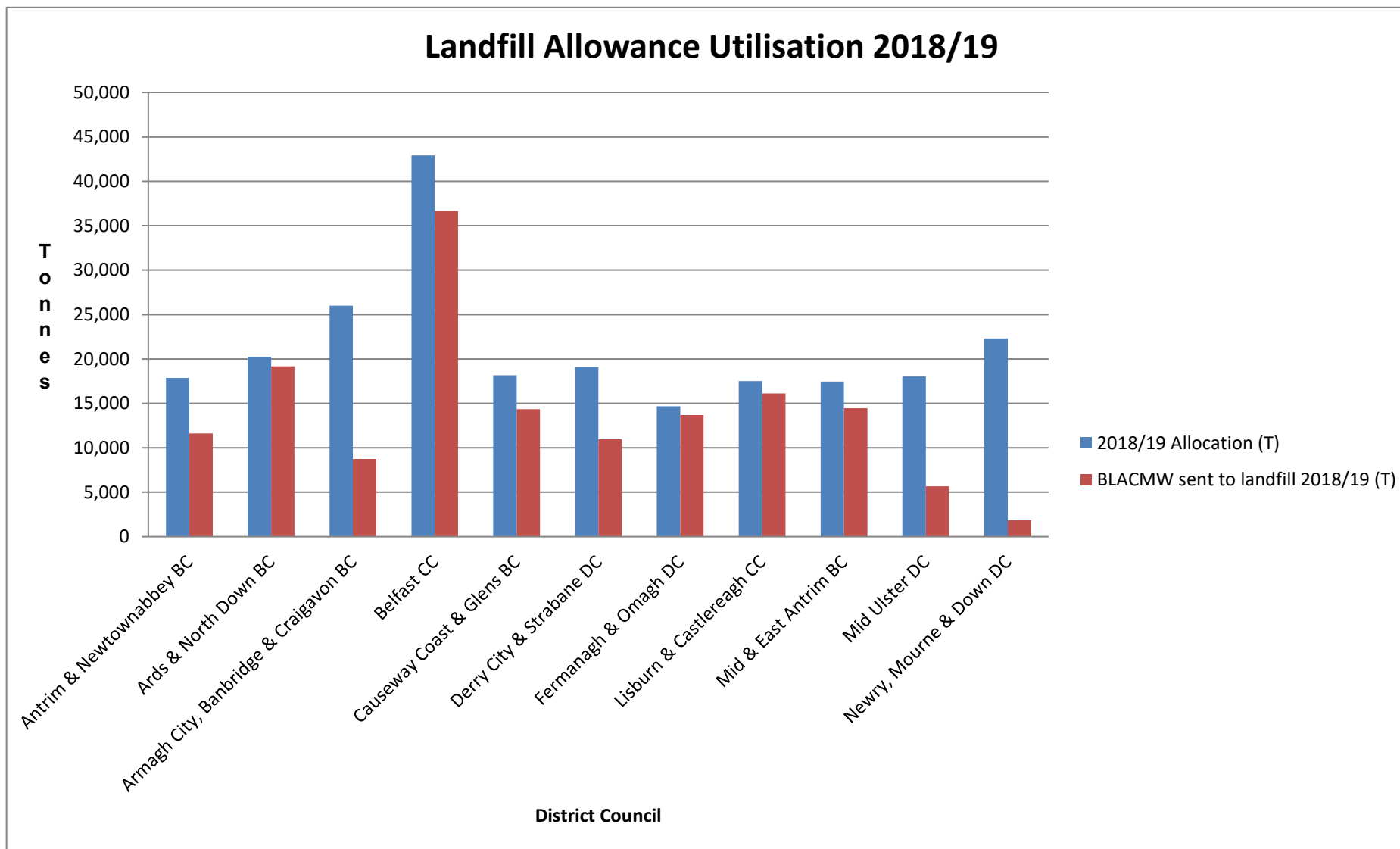


Table 6: Landfill Allowance Utilisation for 2018/19

District Council	BLACMW allowance	BLACMW reported sent to landfill rounded to the nearest tonne	Allowances Utilised (%)
Newry, Mourne & Down DC	22,314	1,846	8.27%
Mid Ulster DC	18,032	5,681	31.50%
Armagh City, Banbridge & Craigavon BC	26,002	8,771	33.73%
Derry City & Strabane DC	19,093	10,974	57.48%
Antrim & Newtownabbey BC	17,878	11,622	65.01%
Causeway Coast & Glens BC	18,170	14,356	79.01%
Mid & East Antrim BC	17,451	14,444	82.77%
Belfast CC	42,904	36,658	85.44%
Lisburn & Castlereagh CC	17,512	16,108	91.98%
Fermanagh & Omagh DC	14,675	13,677	93.20%
Ards & North Down BC	20,252	19,186	94.74%
Northern Ireland total	234,284	153,324	65.44%

Table 7 illustrates the differences between the amount of BLACMW landfilled between the first and fourteenth; and previous and current, scheme years at the Northern Ireland level.

Table 7: Comparison between 1st and current scheme years; and previous and current scheme years

District Council:	Decrease from 2005/06 to 2018/19 (T)	Decrease from 2017/18 to 2018/19 (T)
Northern Ireland – Total	-404,685	-17,971

Figure 2 and Table 8 show and quantify the % increase or decrease in BLACMW landfilled in 2018/19.

Figure 2: Comparison of BLACMW sent to landfill broken down by district council 2018/19

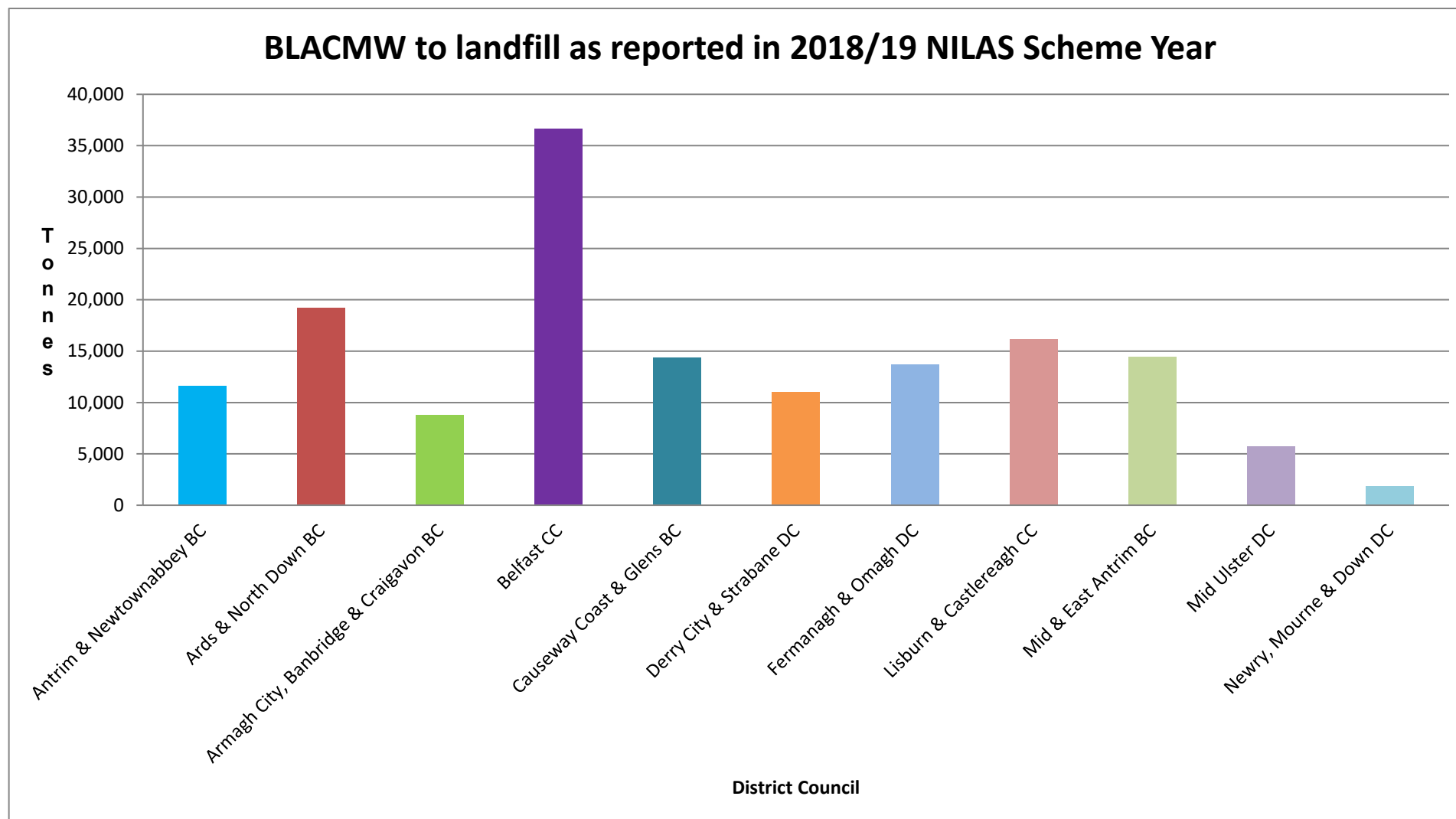


Table 8: Comparison of BLACMW reported as sent to landfill by district council & WMG by NILAS scheme year.

WMG	District Council	2015/16	2016/17	2017/18	2018/19
arc21	Antrim & Newtownabbey BC	18,887	17,609	14,235	11,622
	Ards & North Down BC	27,612	20,462	18,869	19,186
	Belfast CC	45,231	47,399	38,876	36,658
	Lisburn & Castlereagh CC	17,715	19,687	16,458	16,108
	Mid & East Antrim BC	19,009	19,161	14,221	14,444
	Newry, Mourne & Down DC	16,265	5,393	2,612	1,846
NWRWMG	Causeway Coast & Glens BC	17,553	18,996	18,992	14,356
	Derry City & Strabane DC	13,429	13,242	12,074	10,974
None	Armagh City, Banbridge & Craigavon BC	10,376	11,107	9,401	8,771
	Fermanagh & Omagh DC	17,291	16,815	15,439	13,677
	Mid Ulster DC	15,531	14,509	10,117	5,681
Northern Ireland		218,898	204,380	171,295	153,324

5.1 Northern Ireland Local Government Reform Programme

The reform of local government programme implemented a reduction of the 26 district councils to 11. The process was completed by 1st April 2015. The aim of the new bodies was to be more efficient and to deliver more effective services. They will be citizen focused, responding to the needs, aspirations and concerns of their communities. In partnership with others, they will guide the future development of their areas. Therefore, 2014/15 was the last reporting year for the previous local government structures. In 2018/19 NIEA monitored NILAS on the basis of the 11 new councils which commenced operation on 1st April 2015.

The allocations for NILAS until 2020 were revised to take account of the new local government structures (Annex C). The revised allocations have been based on the proportion of the overall Northern Ireland population residing within the new administrative boundaries.

5.2 Northern Ireland Waste Compositional Study 2007/08

NIEA as Monitoring Authority have an obligation under Regulation 9(2) to keep under review the assumed amount of biodegradable waste in collected municipal waste.

Regulation 12(2) deemed the biodegradable content of collected local authority municipal waste to be 71% as determined in 2000 by the Northern Ireland Waste Characterisation Study conducted by NI2000.

The results of the new 2007/08 Northern Ireland Waste compositional study were made public in February 2008. The main finding of this study was the determination that at this time 64% was a more representative figure for the biodegradable content of LACMW within Northern Ireland.

5.3 The Landfill Allowances Scheme (Amendment) Regulations (NI) 2008

In September 2008 P&EPG issued a consultation paper on proposed amendments to the NILAS Regulations with a view to amending NILAS Regulation 12 (2)(a) from 71% to 64% in relation to the deemed biodegradable content in local authority collected municipal waste.

The Landfill Allowances Scheme (Amendment) Regulations (Northern Ireland) 2009 (<http://www.legislation.gov.uk/nisr/2009/46/regulation/2/made>) were made on 11th February 2009 to come into operation on 1st April 2009 changing the deemed statutory BLACMW percentage to 64% for the 2009/10 scheme year onwards. This change reflects the current levels of biodegradability of LACMW in Northern Ireland and is comparable to previously used levels in England (68%), Scotland (63%), and Wales (61%).

Assessment of the impact of the reduction in the BLACMW percentage must be seen in the context of the mass balance calculation, rather than a straightforward 7% reduction. Therefore, the impact of the figures for the BLACMW at 64% may appear greater than originally anticipated.

5.4 Looking Forward to 2019/20

The third and final Landfill Directive target year will come in 2019/20. The UK will report to the European Commission on the basis of the new definition of municipal waste (LACMW plus similar commercial & industrial wastes), but it is expected that NILAS will play its part in helping to achieve overall Landfill Directive targets. However, due to the lack of data following the reform / reorganisation of Northern Ireland's local government in 2015 no forecasts have been made.

Annex A: NILAS– 14th Scheme Year (2018/19) Regulation 13 Draft Reconciliation

District Council	2018/19 Allocation	BLACMW sent to landfill for scheme year 2018/19 (As reported)	BLACMW sent to landfill as % of 2018/19 allocation
Antrim & Newtownabbey BC	17,878	11,217	62.74%
Ards & North Down BC	20,252	19,141	94.52%
Armagh City, Banbridge & Craigavon BC	26,002	8,772	33.73%
Belfast CC*	42,904	37,563	87.55%
Causeway Coast & Glens BC	18,170	14,082	77.50%
Derry City & Strabane DC	19,093	10,974	57.48%
Fermanagh & Omagh DC	14,675	13,677	93.20%
Lisburn & Castlereagh CC	17,512	16,108	91.98%
Mid & East Antrim BC	17,451	14,448	82.79%
Mid Ulster DC	18,032	5,686	31.53%
Newry, Mourne & Down DC	22,314	1,845	8.27%
Northern Ireland – Total:	234,284	153,512	65.52%

Annex B: NILAS progress – 14th Scheme Year (2018/19) Regulation 14 Final

Reconciliation

District Council	2018/19 Allocation (T)	BLACMW sent to landfill 2018/19 (T)	BLACMW sent to landfill 2018/19 (% of allocation)
Antrim & Newtownabbey BC	17,878	11,622	65.01%
Ards & North Down BC	20,252	19,186	94.74%
Armagh City, Banbridge & Craigavon BC	26,002	8,77	33.73%
Belfast CC	42,904	36,658	85.44%
Causeway Coast & Glens BC	18,170	14,356	79.01%
Derry City & Strabane DC	19,093	10,974	57.48%
Fermanagh & Omagh DC	14,675	13,677	93.20%
Lisburn & Castlereagh CC	17,512	16,108	91.98%
Mid & East Antrim BC	17,451	14,444	82.77%
Mid Ulster DC	18,032	5,681	31.50%
Newry, Mourne & Down DC	22,314	1,846	8.27%
Northern Ireland total	234,284	153,324	65.44%

ANNEX C: Northern Ireland Landfill Allowance Scheme Allocations (tonnes) [New district councils]

District Council Name	2015 / 16	2016 / 17	2017 / 18	2018 / 19	2019 / 20	Population (mid-2012 %)
Antrim & Newtownabbey Borough Council	21,148	20,058	18,968	17,878	16,788	7.6%
Ards & North Down Borough Council	23,956	22,722	21,487	20,252	19,017	8.6%
Armagh, Banbridge & Craigavon Borough Council	30,759	29,173	27,588	26,002	24,417	11.1%
Belfast City Council	50,753	48,137	45,521	42,904	40,289	18.3%
Causeway Coast & Glens Borough Council	21,494	20,386	19,278	18,170	17,062	7.8%
Derry City & Strabane District Council	22,586	21,422	20,257	19,093	17,929	8.1%
Fermanagh & Omagh District Council	17,360	16,465	15,570	14,675	13,781	6.3%
Lisburn & Castlereagh City Council	20,716	19,648	18,580	17,512	16,444	7.5%
Mid & East Antrim Borough Council	20,644	19,579	18,515	17,451	16,387	7.4%
Mid Ulster District Council	21,330	20,231	19,131	18,032	16,932	7.7%
Newry, Mourne & Down District Council	26,396	25,036	23,675	22,314	20,954	9.5%
Northern Ireland	277,142	262,856	248,570	234,284	220,000	100.0%



“A living, working, active landscape valued by everyone”

