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| <b>Landfill Communities Fund Policy Review</b>                      | <b>8 August 2017</b> |
| <b>To: The Leisure &amp; Development Committee<br/>For Decision</b> |                      |

| <b>Linkage to Council Strategy (2015-19)</b> |                      |
|--|----------------------|
| <b>Strategic Theme</b>                       |                      |
| <b>Outcome</b>                               |                      |
| <b>Lead Officer</b>                          | Funding Unit Manager |
| <b>Cost: (If applicable)</b>                 | N/A                  |

**The purpose of this report is to review the Landfill Communities Fund (LCF) policy.**

### **Background**

In Feb 2016 Council agreed the Landfill Communities Fund Policy. The policy sets out a framework for the processing of Landfill Communities Fund applications. The overall aim of the process outlined in the policy is:

*“To ensure a consistent and transparent process with proper and accountable procedures is in place”.*

In April 2016 Council agreed the Ulster Wildlife Trust as the Environmental Body to administer the fund until 31<sup>st</sup> March 2019.

In November 2016 Council agreed the programme and criteria for the landfill Communities fund for the 2017/18 period.

In April 2017 Council awarded £225,591.21 funding to 9 successful LCF projects.

### **Policy Review 2017**

The purpose of the Landfill Communities Fund Policy is to outline the agreed approach to approval of the funding in relation to LCF applications. In determining the policy Council should be mindful of the likely remaining life of the Craigahullier landfill site. It is expected that the site will operate for a further 5 years with an annual reduction in tonnage going to the site as it nears closure. This will impact on the amount of funds available through LCF which will reduce accordingly each year as the tonnage going to landfill is reduced.

The expected value of the fund for 18/19 is in the region of c£115k net of fees.

**(The revised LCF Policy is attached as Annex A).**

*The following policy changes are recommended:*

#### Change 1:

Causeway Coast and Glens Borough Council is able to claim a credit (currently 5.7%) against their landfill tax liability.

To;

Causeway Coast and Glens Borough Council is able to claim a credit (5.3%) against their landfill tax liability.

Change 2: In Section 4.3 Eligibility:

To be eligible the proposed project must be located within a 10 mile radius of a licensed landfill site.

To;

To be eligible the proposed project must be located within a 10 mile radius of a licensed landfill site *within Causeway Coast and Glens Borough Council area.*

Change 3:

Projects are only eligible “where it is for the protection of the environment, the provision, maintenance or improvement of (i) a public park; or (ii) another public amenity.

To;

Projects are only eligible “where it is for the protection of the environment: *Biodiversity Conservation and Enhancement; Built Environment: Restoration of Buildings or Structures; Maintenance or improvement of a public amenity.*

Change 4:

In the 2017/18 Grant period we used a 2 stage process. Stage 1 - the Expression of Interest was used to test eligibility. As the main measurement for this test is the proximity to a landfill site it is proposed that this test be carried out by the Funding Unit and Ulster Wildlife at enquiry stage. This will reduce the bureaucracy and simplify the application and decision making processes.

**The revised process proposed for 2018/19:**

| Step | Actions  | Remarks   |
|------|--|---|
| 1    | Enquiries in relation to the availability of funds are made to the Central Funding Unit. | Both internal & external enquiries.   |
| 2    | Applications are made via Council’s online system.                                       | -   |
| 3    | Eligibility Checks & Assessments carried out by the Funding Unit and UWT.                | -   |
| 4    | Funding Unit Manager will prepare report to relevant Council Committee.                  | <ul style="list-style-type: none"><li>• Funds available.</li><li>• Object under which each application is made.</li><li>• Recommendation on grant awards.</li></ul>   |
| 5    | Committee decision will be taken to full Council meeting for approval.                   | A project may only proceed to full registration with the Regulator if approval is granted by Council.   |
| 6    | Project Registration with ENTRUST.   | The Environmental Body register the project once satisfied that all the necessary information on the project has been submitted. (Project approval is a regulatory requirement and all works must be registered with ENTRUST before expenditure is incurred). |
| 7    | Project Approval / Rejection by ENTRUST.   | Decision is made within 10 working days. (If a project is refused because it is considered non-compliant with the Landfill tax regulations, it will automatically be referred to the Review Panel).   |
| 8    | Environmental Body will issue letter of Offer.   | -   |

|    |   |  |
|----|---|--|
| 9  | Verification of expenditure & monitoring carried out by the Environmental Body. | -  |
| 10 | ENTRUST undertakes compliance reviews.  | To verify project expenditure and controls in place at the Environmental Body. |

**Recommendation**

Council agree the recommended policy changes for the Landfill Communities Fund:

**Change 1:** Update policy to reflect the change in the amount of credit rate from 5.7% to 5.3%.

**Change 2:** To be eligible the proposed project must be located within a 10 mile radius of a licensed landfill site *within Causeway Coast and Glens Borough Council area.*

**Change 3:** Projects are only eligible “where it is for the protection of the environment: *Biodiversity Conservation and Enhancement; Built Environment: Restoration of Buildings or Structures; Maintenance or improvement of a public amenity.*”

**Change 4:** Removal of a Stage 1 Expression of Interest.



## Landfill Communities Fund Policy

|                |                  |
|----------------|------------------|
| Policy Number  | CCG/             |
| Version Number | 2                |
| Author         | Patricia O'Brien |

|                             |               |
|-----------------------------|---------------|
| Date of Screening of Policy |               |
| EQIA Recommended?           | YES/NO        |
| Date Adopted by Council     | February 2016 |
| Date Policy Revised         | July 2017     |

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## 1. INTRODUCTION

The Landfill Communities Fund (LCF) is an innovative tax credit scheme that enables Landfill Operators to use some of their landfill tax to directly fund projects that improve the lives of communities living in the vicinity of the landfill sites. Causeway Coast and Glens Borough Council is able to claim a credit (currently 5.3%) against their landfill tax liability. Council then make this contribution to an Environmental Body (currently the Ulster Wildlife Trust), who administer the fund on Council's behalf.

The Landfill Communities Fund Policy is built on a set of agreed principles and an understanding that:

- Council approval of projects to the LCF is at the sole discretion of Council and will be dependent on the current available LCF funds.
- Activities funded must be fully consistent with the objects of the fund.
- Due regard will be given to equality considerations in accordance with Section 75 and any other statutory duty.
- Council must ensure proper, prudent and effective use of Public Money.
- Contracted administration services must be tendered in adherence to the Council's Procurement Process.
- Eligibility for funding is determined through ENTRUST's specified criteria.

## 2. POLICY STATEMENT

Council is committed to making decisions on the approval of available Landfill Communities Funds fairly, efficiently and effectively. The purpose of Council's Landfill Communities Fund Policy is to outline the agreed approach to approval of the funding in relation to LCF applications. .

This policy is written for Councillors and the Council's officers and any who enquire about our policy and procedures. It applies to all dealings, whether formal or informal, between potential applicants and officers.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Mayor  
Causeway Coast and Glens Council

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Chief Executive  
Causeway Coast and Glens Council

### 3. ACCOUNTABILITY AND RESPONSIBILITIES

This section outlines the role of elected members, officers and the Environmental Body, in relation to the Policy:

*The Mayor and Elected Council Members are responsible for:*

- Accountability to the electorate to ensure proper, prudent and effective use of Public Money and Ensure Equality and the promotion of Good Relations are considered in all applications in line with section 75 of the Northern Ireland Act 1998.

*The Chief Executive is responsible for:*

- Accountability to the Council to ensure that activities that are recommended to the ENTRUST Regulator are fully consistent with the strategic aims and priorities of the Landfill Community Fund.

*The Directors are responsible for:*

- Being accountable to the Chief Executive for ensuring proper procedures are in place and followed accordingly and for the application of a consistent, fair and equitable process for the processing of Landfill Communities Fund Applications

*The Environmental Body (EB) is responsible for:*

- Accountability to the Regulator (ENTRUST), including overseeing the following processes in line with ENTRUST requirements:
  - Registration of Projects with ENTRUST
  - Issuing guidance documents and receiving applications
  - Assessing applications against stated criteria
  - Checking and ensuring proper approvals from Causeway Coast and Glens Borough Council
  - Issuing Letters of Offer
  - Financial verification on all expenditure
  - Monitoring progress
  - Submitting statutory returns to ENTRUST (must be completed within 28 days of the 31<sup>st</sup> March). Must include all income and expenditure for LCF activity
  - Keeping and maintaining a clear audit trail

## 4. IMPLEMENTATION PROCEDURES

### 4.1 Underpinning Principles

The following principles, aims and objectives will apply. The policy acknowledges the need for a transparent and fair means of allocating the Landfill Communities Fund, while maintaining due diligence in the management of public monies.

- Council approval of projects to the LCF is at the sole discretion of Council and will be dependent on the current available LCF funds.
- Activities funded must be fully consistent with the objects of the Landfill Community Fund.
- Due regard will be given to equality considerations in accordance with Section 75 and any other statutory duty.
- Council must ensure proper, prudent and effective use of Public Money.
- Contracted administration services for an Environmental Body must be tendered in adherence to the Council's Procurement Process.
- Eligibility for funding is determined through ENTRUST's specified criteria.

### 4.2 Aims & Objectives

The overall aim of the process is:

*“To ensure a consistent and transparent process with proper and accountable procedures is in place”.*

The objectives of this policy are to ensure that all grants allocated via the Landfill Communities Fund will:

- Further the objectives of the Landfill Communities Fund as outlined by ENTRUST.
- Target resources to meet identified needs.
- Achieve greater accountability and openness.
- Ensure Equality and the promotion of Good Relations are considered in all applications in line with section 75 of the Northern Ireland Act 1998.
- Provide guidance to officers, members and voluntary and community organisations on policy for the Local Communities Fund.

### 4.3 Eligibility

To be eligible the proposed project must be located within a 10 mile radius of a licensed landfill site within Causeway Coast and Glens Borough Council area and must satisfy the requirements of one of the following LCF Objects:

- Object D - Public Parks and Amenity  
Object DA - Conservation of Biodiversity; or



## ANNEX A

Object E - Restoration of Religious Buildings or Buildings of Architectural or Historical Interest

### **5. REVIEW OF THE POLICY**

This policy will be reviewed every 12 months.

### **6. RELATED POLICIES AND PROCEDURES**

This policy should be read in conjunction with ENTRUST published guidelines and the Landfill Tax Regulations 1996

### **7. SECTION 75 EQUALITY AND GOOD RELATIONS**

Causeway Coast and Glens Council is fully committed to meeting its obligations in relation to Equality and Good Relations under Section 75 of the Northern Ireland Act. In this regard this policy will be screened using Section 75 guidelines and will be subject to an Equality Impact Assessment if found necessary as a result of the screening process.

### **8. CONTACT DETAILS**

Any issues or queries relating to this policy should be addressed to:

Patricia O'Brien

Funding Unit Manager

Causeway Coast and Glens Borough Council

66 Portstewart Road

Coleraine

BT52 1EY

**The Process:**

The following process must be adhered for applications to Landfill Communities Fund:

| Step | Actions   | Remarks   |
|------|---|---|
| 1    | Enquiries in relation to the availability of funds are made to the Central Funding Unit (CFU) | Both internal & external enquiries  |
| 2    | Applications are made via Council's online system   | -   |
| 3    | Eligibility Checks & Assessments carried out by the Funding Unit and UWT                      | -   |
| 4    | Funding Unit Manager will prepare report to relevant Council Committee                        | Report will detail: <ul style="list-style-type: none"> <li>• Funds available</li> <li>• Object under which each application is made</li> <li>• Recommendation on grant awards</li> </ul>  |
| 5    | Committee decision will be taken to full Council meeting for approval                         | A project may only proceed to full registration with the Regulator if approval is granted by Council  |
| 6    | Project Registration with ENTRUST   | The Environmental Body register the project once satisfied that all the necessary information on the project has been submitted.<br>(Project approval is a regulatory requirement and all works must be registered with ENTRUST before any LCF expenditure is incurred) |
| 7    | Project Approval / Rejection by ENTRUST   | Decision is made within 10 working days. (If a project is refused because it is considered non-compliant with the Landfill tax regulations, it will automatically be referred to the Review Panel).   |
| 8    | Environmental Body will issue letter of Offer   | -   |
| 9    | Verification of expenditure & monitoring carried out by the Environmental Body                | -   |
| 10   | ENTRUST undertakes compliance reviews   | To verify project expenditure and controls in place at the Environmental Body   |