

# Public Document Pack



**PLEASE NOTE THAT PRAYERS WILL BE HELD AT 6.50PM BEFORE THE COMMENCEMENT OF THE BUSINESS OF THE COUNCIL.**

**THE MAYOR REQUESTS THAT ANY MEMBER WISHING TO PARTICIPATE IN PRAYERS BE IN ATTENDANCE BY NO LATER THAN 6.45PM.**

## **SUPPLEMENTARY AGENDA**

Dear Sir/Madam,

You are summoned to attend the meeting of the Borough Council of Newcastle-under-Lyme to be held in the **Hybrid Meeting - J2 - Brunswick Street, Newcastle, Staffs** on **Thursday, 18th March, 2021** at **7.00 pm**.

### **B U S I N E S S**

- 3      REPORT OF THE ECONOMY, ENVIRONMENT AND PLACE      (Pages 5 - 358)**  
**SCRUTINY COMMITTEE INTO CONCERNS ABOUT WALLEY'S**  
**QUARRY LANDFILL**
  
- 4      REPORT ON ODOUR INCIDENT 26 TO 28 FEBRUARY AND THE      (Pages 359 - 426)**  
**ENVIRONMENT AGENCY'S RESPONSE**

Yours faithfully

Chief Executive







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## NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

### EXECUTIVE MANAGEMENT TEAM'S REPORT TO

Council  
18 March 2021

**Report Title:** Walley's Quarry Landfill Site – Scrutiny Report

**Submitted by:** Economy, Environment and Place Scrutiny Committee

**Portfolios:** Environment & Recycling

**Ward(s) affected:** Wards in south, central and north Newcastle.

#### Purpose of the Report

To receive the report of the Economy, Environment and Place Scrutiny Committee.

#### Recommendation

**That Council receive the report of the Economy, Environment and Place Scrutiny Committee and consider the recommendations therein.**

#### Reasons

So that Council can consider the outcome the review that it asked the Economy, Environment and Place Scrutiny Committee to undertake.

## 1. Background

- 1.1 At Full Council on 20 November 2019, questions were tabled regarding the Borough Council's role and that of other regulators in relation to the investigation and resolution of odour complaints made about the landfill operations at Walley's Quarry Landfill Site and the impacts on the health of residents living and working in the surrounding community.
- 1.2 During the discussion that took place the Leader of the Council made a request that this matter be referred to the Economy, Environment and Place Scrutiny Committee for further consideration.
- 1.3 On 17 December 2019, the Economy, Environment and Place Scrutiny Committee established a Working Party to undertake a scrutiny review. During the course of 2020, and notwithstanding interruptions caused by the Council's Covid-19 response and recovery operations, the Working Party undertook its review. The resultant report is attached detailing the process undertaken, the evidence heard and the conclusions and recommendations reached.

## 2. Issues

- 2.1 The Working Party considered a full range of issues all of which are set out in detail in the attached report.

3. **Proposal**

- 3.1 That Council receive the report of the Economy, Environment and Place Scrutiny Committee and consider the recommendations therein.

4. **Reasons for Proposed Solution**

- 4.1 So that Council can consider the outcome the review that it asked the Economy, Environment and Place Scrutiny Committee to undertake.

5. **Options Considered**

- 5.1 The Economy, Environment and Place Scrutiny Committee was obligated to undertake the review, having been instructed by Council to do so. Considerable care was taken to ensure that the review was undertaken on a balanced and inclusive basis with measures put in place to ensure that Working Party was able to hear from all interested parties on the full range of issues that the interested parties wanted to raise.

6. **Legal and Statutory Implications**

- 6.1 The Local Government Act 2000 introduced the concept of “overview and scrutiny” in local government to counter-balance the new style of “executive” or “cabinet” governance models in local government administration. The main legal powers of scrutiny committees relate to holding a local authority’s executive to account and include the ability to require cabinet/council to make information available to it and Cabinet to respond to recommendations that it makes.

- 6.2 Scrutiny committees also have another key function in terms of influencing policy development and investigating issues which affect the local area or its inhabitants. Scrutiny can undertake reviews or investigations at its own behest, or at the request of full Council or Cabinet. When operating in investigatory or policy development mode, Scrutiny committees have no formal power to require external agencies or third parties to appear before it or provide information. They rely on the co-operation of others to complete effective reviews. Scrutiny committees do not have powers to compel anyone to make any changes as a result of their recommendations. They are reliant upon others with the power/ability to make changes to do so as a result of the outcome of their careful, comprehensive and inclusive consideration of the matters that they investigate.

- 6.3 The legal and statutory implications of the matters affecting the operation of Walley’s Quarry are set out in the attached report.

7. **Equality Impact Assessment**

- 7.1 There are no direct equality implications in terms of the process undertaken by the Scrutiny Committee, which has been designed to accommodate contributions from all quarters irrespective of any protected characteristics of any actual or potential contributors.
- 7.2 The matters discussed in terms of the impacts of operations at Walley’s Quarry are capable of disproportionate impacts on persons with certain protected characteristics which present a particular sensitivity towards or difficulty avoiding the effects of the issues discussed.

8. **Financial and Resource Implications**

8.1 In terms of the review itself, there was a significant investment of resource from all of those who participated in or supported the same. That resource cost was absorbed within normal operations alongside other priorities.

8.2 In terms of the recommendations made, each will have differing resource implications which are for those able to implement the recommendations to assess. The Committee did not consider any potential resource implications do be disproportionate to the likely benefits they would bring.

## 9. **Major Risks**

9.1 The most significant risk from this process is that it does not bring about real change, on a cross organisation and sector basis, for the benefit of the inhabitants of the borough.

## 10. **UN Sustainable Development Goals (UNSDG)**

10.1 As an exercise undertaken principally to try and find ways of better balancing the operations at Walley's Quarry with a need to improve the environmental well-being of the area, and so associated health and quality of life improvements, the following UNSDGs are engaged and supported:-



## 11. **Key Decision Information**

11.1 There are no Key Decisions involved in this process

## 12. **Earlier Cabinet/Committee Resolutions**

12.1 These are referred to in the body of the attached report.

## 13. **List of Appendices**

13.1 The attached report of the Economy, Environment and Place Scrutiny Committee

## 14. **Background Papers**

14.1 Relevant background materials are referred to and/or appended to the attached report.

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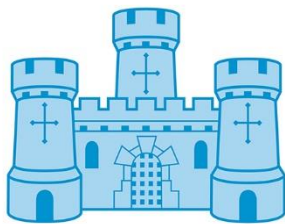
## Walleys Quarry Landfill Site Scrutiny Review



### Report of the Task and Finish Working Group

March 2021

Economy, Environment & Place Scrutiny Committee



**NEWCASTLE·UNDER·LYME**  
**BOROUGH COUNCIL**

## **1. Executive Summary:**

- 1.1** The scrutiny process provided a structured, publicly accessible forum to formally acknowledge the issues of community concern and to hear from interested parties. The Working Party heard factual information about the role and responsibilities of the landfill operator; the role and responsibilities of respective agencies and regulators; impact on the communities surrounding the site, current research and understanding of landfill impacts on health, wellbeing and the environment. The Working Party, as a result of what it heard, makes a series of recommendations.
- 1.2** The working group held several meetings, listened to and received written submissions from eleven different organisations. The operator of the landfill did not participate.
- 1.3** The landfill operates under a permit issued by the Environment Agency and planning permission issued by Staffordshire County Council. The working group identified the main issues of concern; odour, highway and vehicles, wind-blown litter, dust emissions, public health, pests and gull activity, visual amenity and the quantity and quality of daily cover.
- 1.4** The working group findings were that odour was by far the biggest issue and cause for complaint from all parties. The operator has responsibilities to manage the site and any matters which may arise outside of the site. The primary regulator of any odour emanating from the landfill site is the Environment Agency through the permit. It is acknowledged that there are also regulatory responsibilities placed on the Council's Environmental Health function, through the statutory nuisance regime, however its status as an Environment Agency regulated site, leads to additional considerations when it comes to operating the statutory nuisance regime.
- 1.5** A total of 40 recommendations are made to various organisations including the environment agency, the borough council, red industries, members of parliament, Staffordshire county council, the liaison committee and the police. The immediate and overriding recommendation is for the Environment Agency to suspend the permit and therefore prohibit the importation of waste until source of odour has been identified and mitigated.

## **2. Scrutiny Process:**

- 2.1** At Council on 3<sup>rd</sup> April 2019 a question was asked about the number of complaints received regarding odours arising from Walley's Quarry; the Leader explained that 61 cases of odour complaints had been received. This issue was again raised at Council on 20<sup>th</sup> November 2019 when it was referred to the Economy Environment and Place Scrutiny Committee on 17<sup>th</sup> December 2019. That committee resolved as follows:

*"That the Scrutiny Committee set up a task and finish group to examine evidence from the Agencies and organisations concerned with the landfill site and to hear from representatives of parties affected by the landfill activities."*

- 2.2** The Task and Finish Working Party was set up with the following Membership:
  - Councillor Gary White (Chairman until March 2020)



- Councillor Andrew Fear (Chairman from March 2020)
- Councillor Gill Heesom
- Councillor Dave Jones
- Councillor Marion Reddish
- Councillor Amelia Rout

**2.3** The Working Party had the following Terms of Reference:

1. To examine the issues giving cause for public concern in relation to the landfill site at Walley's Quarry, Cemetery Road, Silverdale.
2. To listen to concerns from Local Members, community and stakeholder groups and local businesses surrounding the operation of the site, including the potential impact of any permanent increase in the waste input from 250,000 to 400,000 tonnes per annum
3. To invite and consider representations from the site operators and relevant statutory bodies into the current operation of the site.
4. To consider any options and identify opportunities to alleviate community concerns surrounding the continued operation of the site

**Activity and Meetings**

- 2.4** The Working Party undertook a site visit to the Quarry on 28<sup>th</sup> February 2020 and were given a comprehensive tour and explanation of the operation of the site by RED. Members returned to the Council offices where they were then given a detailed presentation by the Environmental Protection Team Manager about the history, regulatory arrangements and how a modern landfill facility operates.
- 2.5** Following a period of pause due to Covid-19 the Scrutiny Working Party then resumed its work in August 2020 with a series of meetings, held via video conferencing, to gather information from interested groups and agencies.

**Meetings**

**2.6 Wednesday 12<sup>th</sup> August** – the group heard from:

- Background to Walley's Quarry – Mr Andrew Bird, Head of Recycling & Fleet Service, Newcastle-under-Lyme Borough Council.
- Walley's Quarry Liaison Committee – County Councillor Simon Tagg, Chair of the Committee;
- Stop the Stink Campaign Group – Steve Meakin;
- Thistleberry Residents Association (TRA) – Dr Angela Drakakis-Smith;
- Chair Silverdale Parish Council (PC) - Henryk Adamczuk;
- Chair Western Communities Locality Action Partnership (LAP) - Henryk Adamczuk;
- Aspire Housing Group – Sarah Oliver;

- Aaron Bell MP.

The recordings of this meeting is available at the following link:

<https://moderngov.newcastle-staffs.gov.uk/ieListDocuments.aspx?CId=464&MId=3769>

- 2.7 Wednesday 7<sup>th</sup> October** – the group heard from the Council’s Head of Planning regarding the planning background to the site and then from representatives of the Environment Agency (EA) regarding their role

The recording of this meeting is available at the following link:

<https://moderngov.newcastle-staffs.gov.uk/ieListDocuments.aspx?CId=464&MId=3755>

- 2.8 Wednesday 18<sup>th</sup> November** – the Working Party heard from the Council’s Environmental Health Service (EH).

The recording of this meeting is available at the following link:

<https://moderngov.newcastle-staffs.gov.uk/ieListDocuments.aspx?CId=464&MId=3775>

### **RED Industries Limited Engagement with the Process**

- 2.9** The Council’s records show that its first engagement with RED Industries in respect of this scrutiny process occurred on 20 December 2019, when RED wrote to the Chairman of the Economy, Environment and Place Scrutiny Committee (EEP) after learning of the resolution of EEP on 17<sup>th</sup> December 2019 referred to above.
- 2.10** In that 20 December 2019 letter, RED questioned the Committee’s ability to be “*impartial and unbiased*”, asserting that RED had been subjected to “*considerable unfair treatment by the Council*”. The letter went on require a number of their concerns to be allayed before they would participate in any scrutiny process.
- 2.11** The correspondence with the Council continued into January 2020 and can fairly be characterised as the Council trying to address RED’s concerns, with RED continuing to express a reluctance to engage with the scrutiny process, intimating bias or a lack of objectivity on behalf of the Council and seeking to impose a number of conditions or requirements upon the Council before it would be prepared to engage.
- 2.12** During January and into February 2020, RED sent correspondence to the EEP Chair, the Leader of the Council, the Chief Executive and the Council’s Head of Legal and Governance. The correspondence continued in the theme of implying partiality or bias and began to question justification or jurisdiction of Council/EEP to undertake the scrutiny review. The Council’s responses disclose continued attempts to address RED’s stated concerns, meet their conditions and secure their engagement in the scrutiny process.
- 2.13** On 25 February 2020, the Council’s Chief Executive met with RED Industries to try and resolve the impasse. At this point, to secure RED’s engagement with the process, it was proposed that they could attend a scrutiny meeting in private (no press or public attendance) but would be content for a transcript of that meeting would be made publically available. Whilst RED were agreeable to this, there was

wider concern from the Council's membership that this approach would not be sufficiently transparent for a scrutiny process. This was at a time prior to the routine video-recording/broadcasting of meetings being held remotely, and the concern was principally around the ability to produce, for the public record, a complete and accurate transcript of a "face to face" meeting, as was the intended approach at the time.

- 2.14** These discussions culminated on 18 March 2020 with the Group Managing Director of RED lodging a formal corporate complaint against the council asserting a flawed rationale behind or lack of justification for initiating the scrutiny process, prejudice and "*kowtow to political pressure*". The outcome sought was for the Council to withdraw from the scrutiny review. The complaint was rejected, and the Council is not aware that RED asked the Local Government and Social Care Ombudsman to review the matter. At that point, the scrutiny process and related correspondence with RED was put on hold whilst the Council focused on Covid-19 response and recovery operations.
- 2.15** The Scrutiny process and correspondence with RED was revived on 5 August 2020 when the Council wrote to Red to advise them of the arrangements that had been made to hold the scrutiny hearings detailed above by Zoom. RED were invited to participate via a private Zoom session with the Task and Finish group, the recording of which would be made public after the event, mirroring the approach agreed by RED at the 25 February 2020 meeting. RED's response, received on 10 August 2020, continued in the theme of its previous correspondence, asserting a lack of justification for the review, asserting that the Council was prejudiced, that the outcome was predetermined and calling into question whether it was proper for two of the Working Group members to sit on that group because they had not been able to attend a site visit earlier in the year.
- 2.16** The Council responded to RED's 10 August 2020 letter on 12 August 2020. The Council's letter sought to address the concerns raised by RED and repeated the invitation to RED to engage in the process as put in its previous letter, as RED had not responded to that invitation when it wrote to the Council on 10 August. The Council did not receive a response from RED.
- 2.17** The Council wrote to RED again on 1 December 2020 to update RED as to the meetings that had been held to date, providing RED with links to the video recordings of those meetings. The letter repeated the previous offer of participation via a private Zoom meeting (with the recording later being published). It also indicated that it would welcome written submissions from RED and made some suggestions about the process through which this report would ultimately be published, to try and address concerns expressed by RED and secure their engagement in the process.
- 2.18** RED responded to the Council's 1 December 2020 letter on 18 December 2020. RED indicated that they were minded to participate, but hadn't yet decided whether to do so by participating in a Zoom meeting, or by submitting written representations. RED requested further information from the Council to help them decide. The Council responded to RED's letter on 19 January 2021 providing the information requested and reminding RED of the availability of the video recordings of the previous meetings of the Working Group.
- 2.19** RED next wrote to the Council on 27 January 2021. The letter indicated that RED were confused as to whether or not the Council still wanted them to participate in the process, and asked the Council to provide further information about

contributions that had been made to the process to date. The Council responded to RED on 3 February to assure RED that the Council did still want to hear from it, and to provide it with the some of the further information it had requested. The remainder of the requested additional information was sent to RED on 5 February.

- 2.20** RED next wrote to the Council on 9 February 2021. In that letter, RED committed to providing written representations by 15 March 2021. However, RED also said that:-

*“As we undertake the process of review and consideration, it may become apparent to us that elements of our response may be made more efficiently via a meeting with the scrutiny committee. If this arises, we shall contact you directly to organise a suitable time, date and means of delivery.”*

- 2.21** The Council responded to RED on 11 February 2021. The Council pointed out what it considered to be the ample time RED had been given to review all of the materials and determine whether or not it wanted to participate in the scrutiny process. It explained the administrative timetable associated with producing this report and the need for the matter to be concluded without further delay. It expressed the view that none of the issues would be new to RED and it shouldn't take RED long to make submissions into the process, if it intended to do so. The letter explained that the Council could not accommodate an open-ended time-scale or process as suggested by RED in the passage quoted above, and asked RED to make whatever contribution it wished to make to the process before 5.00pm on Friday 26 February 2021.

- 2.22** RED responded to the Council on 16 February 2021. In its letter RED took issue with the chronology set out by the Council in its 11 February 2021 letter, accused the Council of “seeking to impose an arbitrary submission date” for “highly self-justifying” reasons. The letter levels a number of other criticisms against the Council, including that “9 months delay down to COVID, is not tenable”, before concluding with observations that:

*“this Company is aggrieved by the actions of the Council and that as far as we are aware the Council has taken up a position against the landfill and the Company. These endeavours to impose this arbitrary deadline shows to us that the Council remains firmly committed to this position.”*

- 2.23** RED sign off that letter by saying:-

*“...this Company will endeavour to get its submission to you as soon as it can. We cannot guarantee that we will be able to do this by 26th February 2021. We can guarantee that we will provide it by 15th March 2021. We expect this to be fully respected.”*

- 2.24** The Council responded and concluded its correspondence with RED on this topic on 22 February by reiterating its intention to conclude the review on a timetable which required submissions by RED before 5.00pm on Friday 26 February 2021. No such submissions were received. On 25 February 2021 the Council did, however, receive another corporate complaint from RED in respect of the Council's unwillingness to extend the deadline for submissions.

## **Materials Provided and Considered**

- 2.25** There has been considerable written material provided to the working group, copies of all the documentation and presentations used are attached in the appendices to this report. These are as follows:

1	Planning permission N.12/09/216 MW
2	Section 106 agreement
3	Environment Agency permit
3a	Odour Management Plan
4	Staffordshire County Council written representation
4a	Staffordshire County Council Route Options
5	Environment Agency presentation
5a	Environment Agency complaint data
5b	Environment Agency odour assessment summary
6	Environmental Health presentation
6a	Odour source map
7	Walley's Quarry Liaison Committee report
8	Silverdale Parish Council report
8a	Silverdale Parish Council additional report
9	Western Communities Locality Action Partnership report
10	Thistleberry Residents Association report
10a	Thistleberry Residents Association supplementary report
11	Police Report
12	Aspire Report
13	MP – Aaron Bell report
14	Stop the Stink report
15	Environmental Health complaint data

## **3. Background and Introduction:**

- 3.1** Walley's Quarry Landfill is located off Cemetery Road Silverdale. The landfill is located on the site of a former clay extraction quarry. The location of the landfill site is shown in the plan in Figure 1 below. The site covers an area of 23.5 hectares.

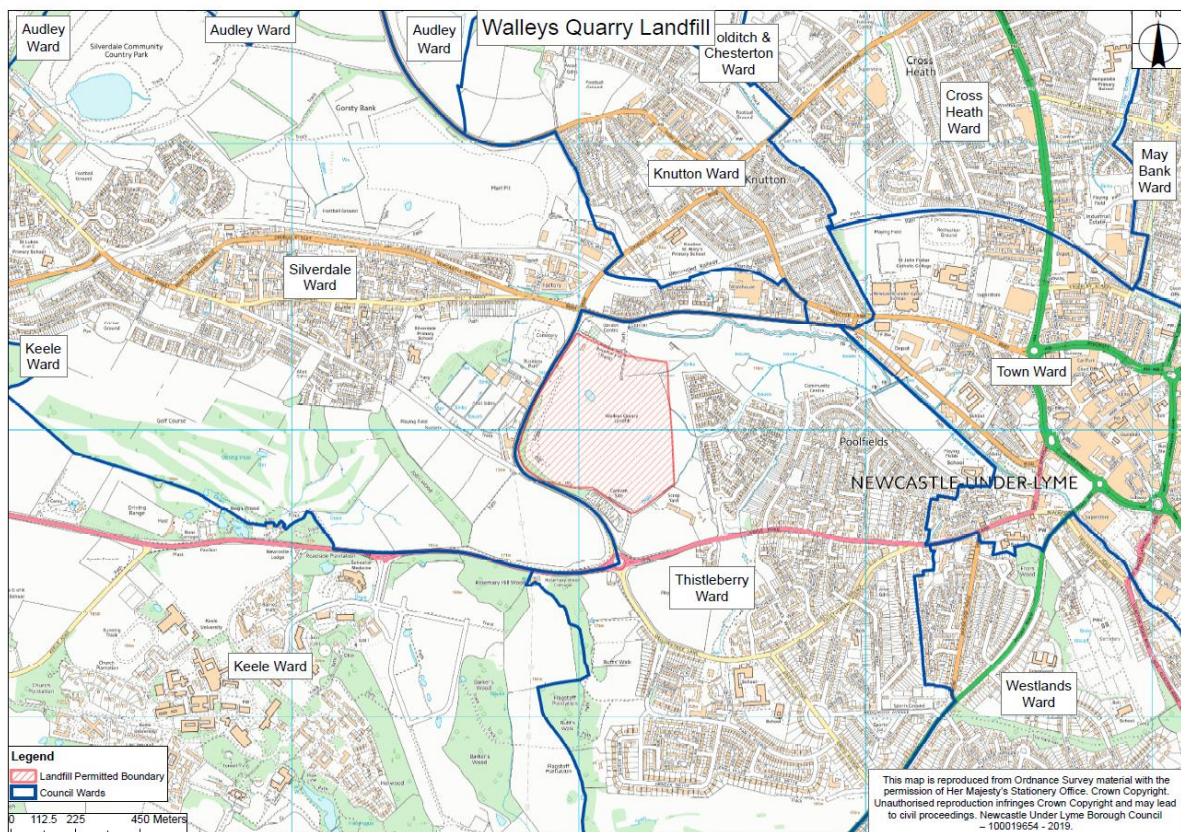


Figure 1: The location of the landfill site and surrounding area.

- 3.2 The site is a former clay pit from which Etruria marl was extracted to manufacture bricks and tiles.
- 3.3 A chronology of the relevant permissions relating to the site and the area immediately adjacent to it is as follows:
- 3.4 On 9 September 1992, an 'Interim Development Order' (IDO) permission was formally registered for Walley's Quarry and approval was sought for a Scheme of Conditions (ref. IDO/N/1). The Scheme of Conditions was reported to the County Council's Planning Committee where it was resolved to amend several conditions and an amended IDO Scheme of Conditions was issued on 17 June 1994. This decision was appealed and the Secretary of State for the Environment, Transport and Regions approved the conditions on 14 November 1997. The permission was also subject to a Section 106 Legal Agreement which was completed on 15 July 1998.
- 3.5 In 2000 application (ref 99/00341/OUT) for development for residential development was granted by the Borough Council with conditions for the Persimmons Estate – Keele Road. In 2003 a subsequent reserved matters application (ref 03/00790/REM) was made to the Borough Council for siting, design, external appearance and landscaping. An appeal was made for failure to give notice within the prescribed period of a decision on an application for the approval of details pursuant to reserved matters and conditions of an outline planning permission. Permission was granted by Planning Inspectorate in 2005, giving approval for the siting, design and appearance of a residential development comprising 280 dwellings. Further applications for the substitution of house types on a number of plots within the development have also been permitted involving a



small increase in house numbers to that approved on appeal. A total of 291 dwellings have been constructed on the site.

- 3.6** In 2005, the EA issued a permit to Lafarge aggregates, for the operation of a Landfill site. The permit allows the operation of a non-hazardous landfill with a separate cell for stable non-reactive hazardous waste (gypsum & asbestos).
- 3.7** The landfill commenced engineering works in 2006 and landfilling operations in 2007.
- 3.8** Planning permission for the retention of a mess room and ancillary facilities comprising storage areas and a fuel tank within a compound was granted in July 2007 (ref. N.07/04/216 MW). Permission was granted in 13 March 2009 for the construction of a landfill gas utilisation compound to control and convert gas into electricity (ref. N.09/01/216 MW), and permission for an additional gas engine was granted in October 2013 (ref. N.13/04/216 MW). The erection and operation of a leachate treatment plant was confirmed to be permitted development on 11 July 2013.
- 3.9** Copies of the main site planning permission (N.12/09/216 MW) and associated s.106 legal agreements are attached (App 1 & 2). These are monitored by the County Council Planning Regulation team making visits to the site, both pre-arranged and unannounced (usually unannounced if in response to complaints).
- 3.10** In 2014, Hamptons Field, Keele Road – application (ref 14/00948/OUT) for development was refused by the Borough Council on 3<sup>rd</sup> June 2015, this was appealed and permission was granted by Planning Inspectorate in 14<sup>th</sup> September 2016 (ref APP/3420/W/15/3138033) for the development of 138 dwellings, stating that odour is adequately controlled via EA permit.
- 3.11** The IDO permission was subject to a periodic review of the conditions with a new set of conditions being approved in May 2016 (reference N.12/09/216 MW) along with an associated legal agreement.
- 3.12** The Review of Old Mineral Permissions (ROMP) application on the IDO in 2016, changed some of the waste classifications but didn't amend the overall nature of the material allow to be tipped within the landfill.
- 3.13** The environmental permit was transferred from Lafarge Aggregates to Red Industries on 3<sup>rd</sup> Nov 2016. A copy of the permit is attached at Appendix 3.
- 3.14** In 2020, the Environment Agency approved a variation of the environmental permit for the landfill to receive 400,000 tonnes of non-hazardous waste per annum.
- 3.15** The IDO permission required the winning and working of minerals, the extraction of minerals from stockpiles and the depositing of waste to cease on or before 21 February 2042, where the site is required thorough the planning permission be fully restored by 2042 in accordance with details previously approved by Staffordshire County Council (SCC) as the Waste Planning Authority (WPA).
- 3.16** Post closure, the site will continue to be the legal responsibility of the owner & operator, with ongoing duties under the environmental permit until such time as the EA formally accept surrender of the environmental permit.

**3.17** The plans shown below in figure 2 show the finished contours of the landfill site in 2042.

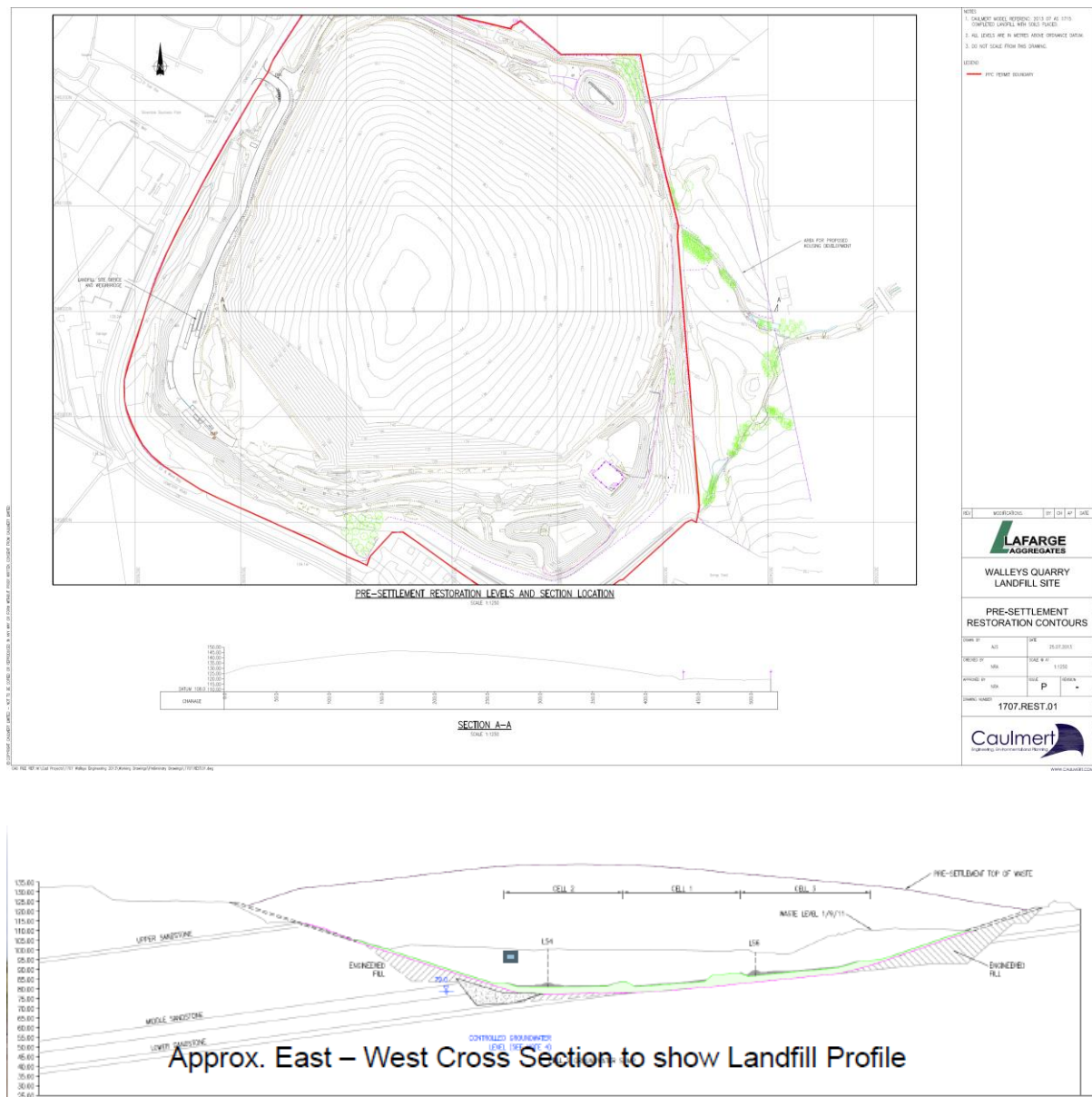


Figure 2: Plans showing contour of site following restoration.



### How a landfill operates:

- 3.18** A landfill site is for the disposal of waste materials. It is a designed structure built into or on top of the ground in which waste is isolated from the surrounding environment (groundwater, air, rain). This isolation is accomplished with a bottom liner and daily covering of an approved cover material.
- 3.19** Landfills for non-hazardous waste meet predefined specifications by applying techniques to:
1. confine waste to as small an area as possible
  2. compact waste to reduce volume
- 3.20** During landfill operations, a weighbridge will weigh vehicles delivering waste materials, and site personnel may inspect loads for wastes that do not accord with the landfill's waste acceptance criteria. Afterward, the vehicles delivering waste use the existing road network on their way to the tipping face or working front, where they unload their contents. After loads are deposited, waste compactor machines, essentially large loading shovel type machines with large steel wheels with blades rather than tyres spread and compact the waste on and down the working face of the operational area. Bulldozers can also be used for this operation but are less effective in compacting waste on the operational face. After depositing waste and before leaving the landfill, vehicles pass through a wheel-cleaning facility and are re-weighed without their load.
- 3.21** At the working face, the compacted waste is covered with soil or alternative permeable materials daily. Landfills operate as biological reactors in which microbes will break down complex organic waste into simpler, less toxic compounds over time. Usually, aerobic decomposition is the first stage by which wastes are broken down in a landfill. These are followed by anaerobic degradation.

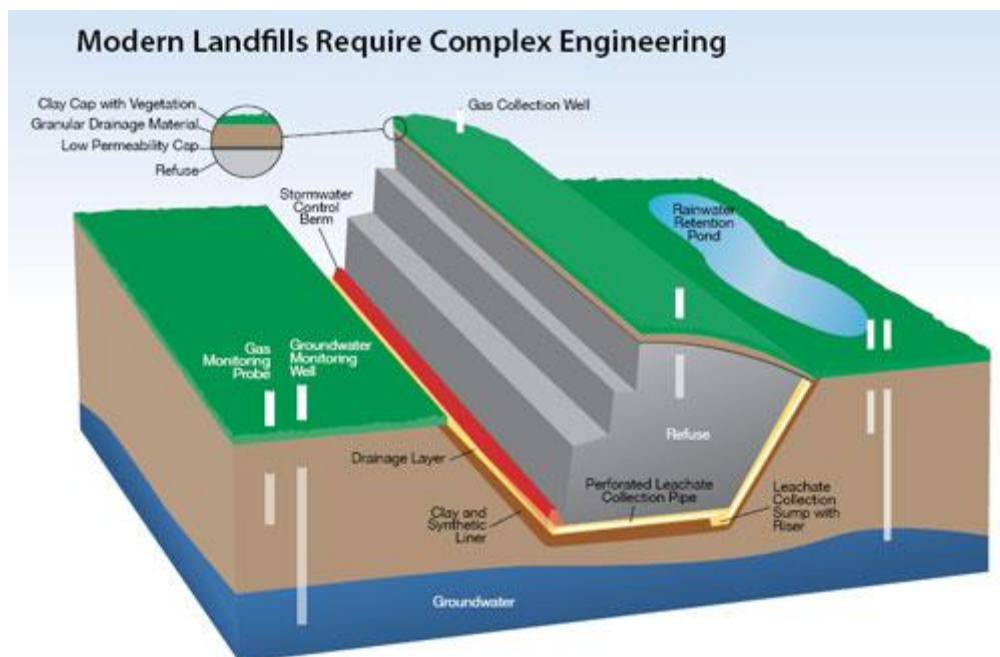


Figure 3: Diagram of how a landfill works.

### **Red Industries RM Ltd (RED)**

**3.22** RED are the current landfill owners, operators and holders of Environmental Permits (issued by the EA) which allows:-

- The operation of a Non-Hazardous waste landfill with a separate cell for Stable Non-Reactive Hazardous Waste (gypsum and asbestos). The permit also allows the operation of:
  - a leachate treatment plant for management of leachate arising from the landfill;
  - landfill gas engine and flare for treatment and utilisation of landfill gas from the landfill;
  - the treatment of waste to produce soil, soil substitutes and aggregates.

**3.23** Monitoring is required for landfill gas, leachate, surface water and groundwater at a number of points at the facility at different frequencies (weekly, monthly, quarterly and annually).

**3.24** RED are legally responsible for compliance with the Environmental Permit conditions along with compliance with the planning permission for the site.

A copy of the current Environmental Permit is available to view at <https://www.redindustries.co.uk/walleys-landfill-community/>

**3.25** The site is engineered into four distinct areas or cells, engineered to contain the waste, as shown in figure 4. Waste disposal started in 2007 in cell 1, in 2011, cell 4c became operational. Waste has been deposited in all cells to varying depths. Cell 1 is the current active tipping cell, the remaining cells have been in use at various times and have been temporarily capped pending their reopening for the further deposition of wastes.



Figure 4: Landfill cells

### Walleys Quarry Landfill Engineering

**3.26** All putrescible wastes degrade, and as they do, in a modern containment engineered landfill, they produce polluting substances known as leachate and landfill gas which is mainly made up of methane. If these substances escape in an uncontrolled manner they can cause pollution to the environment or harm to human health.

**3.27** Modern Landfills are therefore engineered to:

- Contain the waste;
- Collect and treat the contaminated water generated (leachate);
- Collect gas generated within the landfill.

#### Desired outcomes:

**3.28** The environment is protected by preventing uncontrolled releases of liquids and gases. Landfills are constructed using methods and materials that are fit for purpose and will provide a stable structure with the expected levels of environmental protection over their design lives.

**3.29** Effectively the base and sides of a modern landfill have to be constructed using impervious materials such as clay or manmade plastic in order to prevent leakage of leachate or gas to surrounding ground. All engineering works to ensure containment of landfills is quality assured to high standards as follows.

- 3.30** The permit requires all Construction Quality Assurance documents to be submitted to the Agency for review. No engineering works are allowed to commence until the Agency has confirmed that it is satisfied with the construction proposals (the CQA Plan) and waste cannot be tipped in a new cell until the Agency has confirmed that it is satisfied with the CQA Report. Construction Quality Assurance (CQA) is a process that is used to ensure that engineering works are undertaken to a high standard. The CQA Plan details what materials are to be used, what their specifications are and how they are to be installed and tested. The CQA Report details how the works were undertaken and how the requirements of the specification were met. The CQA process is overseen by an independent third party CQA Consultant (CQA Project Manager, CQA Engineer, CQA Inspector)
- 3.31** Leachate and gas generation need to be carefully managed. Leachate and landfill gas will be generated from degrading of putrescible waste, but will also be affected by weather conditions, particularly with leachate, where rain and snowfall can have a significant impact on levels. For that reason, operational areas, or areas with exposed waste need to be kept to a minimum, and areas not currently operational, but none the less containing waste, should be adequately capped in order to prevent water ingress, which would lead to increased levels of leachate. The base of a modern landfill will have a drainage system built into it which allows leachate to be pumped out and treated, either on site, prior to discharge to a sewer, assuming the correct permissions are in place, or tankered off site to a specialist treatment facility. Landfill Gas similarly has to be removed on an ongoing process, with extraction wells drilled into previously landfilled operational cells, and then each well connected together by pipework which then conveys the gas to a flare stack where it is burnt off to atmosphere, or more likely these days to gas engines which then generate electricity. Each gas extraction well and associated pipework will operate under negative pressure, and the area where gas is being extracted from will need to be adequately capped to ensure air and water cannot enter the area where gas is being pumped from.

#### **4. Regulatory Regimes & Other Groups:**

The roles and responsibilities of various parties concerned with the landfill are detailed as follows:

##### **Planning Permission (Staffordshire County Council)**

- 4.1** Staffordshire County Council are the Waste Planning Authority for the landfill. See section 3 for details of the planning history for the site.
- 4.2** The planning permission (N.12/09/216 MW) and associated s.106 legal agreements are monitored by the Planning Regulation team making visits to the site, both pre-arranged and unannounced (usually unannounced if in response to complaints). We are not aware of any other current breaches of conditions at the site.
- 4.3** Where any breaches of planning control are identified, in the first instance officers would normally bring these to the attention of the site operator and ask them to remedy the breach (unless the breach was having such a detrimental effect on amenity to require immediate formal enforcement action). Where any such breaches have been identified in relation to Walley's Quarry, actions have been taken by the operator and therefore no formal enforcement action has been taken.

- 4.4 Condition 39 of planning permission N.12/09/216 MW required the submission of a detailed restoration and aftercare scheme. The scheme has been submitted and is currently being considered. The submitted documents are not yet valid but when they are validated they can be viewed on SCC website under reference N.12/09/216 MW D2.

#### **Environmental Permit (Environment Agency)**

- 4.5 The Environment Agency issued an Environmental Permit for Walley's Quarry's Landfill site on the 9 June 2005.
- 4.6 The permit allows the operation of a Non-Hazardous waste landfill with a separate cell for Stable Non-Reactive Hazardous Waste (gypsum and asbestos). The operator has never used a separate cell and therefore Stable Non-Reactive Hazardous Waste is **not** accepted.
- 4.7 The total quantity of waste allowed to be accepted at the facility is 400,000 tonnes per year. Non-Hazardous waste includes municipal and industrial wastes.
- 4.8 The permit also allows the operation of:
- a leachate treatment plant for management of leachate arising from the landfill;
  - landfill gas engine and flare for treatment and utilisation of landfill gas from the landfill;
  - Monitoring is required for landfill gas, leachate, surface water and groundwater at a number of points at the facility at different frequencies (weekly, monthly, quarterly and annual).
- 4.9 Landfill sites are required to hold an Environmental Permit, with the conditions of the permit and its regulation meeting with the requirements of The Landfill Directive (EU Directive 1993/31/EC).
- 4.10 The Landfill Directive is enacted into English law under The Environmental Permitting (England and Wales) Regulations 2016, and subsequent amendments. These regulations also provide the mechanism to regulate permitted activities, including landfills.
- 4.11 The objective of the Directive and resulting permit conditions is to prevent or reduce as far as possible negative effects on the environment, in particular on surface water, groundwater, soil, air, and on human health from the landfilling of waste by introducing stringent technical requirements for waste and landfills. For these purposes, the landfill operator is required to operate their site by employing Best Available Techniques (BAT).
- 4.12 The Landfill Directive defines the different categories of waste (municipal waste, hazardous waste, non-hazardous waste and inert waste) and applies to all landfills, defined as waste disposal sites for the deposit of waste onto or into land. Landfills are divided into three classes:
- landfills for hazardous waste;
  - landfills for non-hazardous waste;
  - landfills for inert waste.

**4.13** A standard procedure for the acceptance of waste in a landfill is laid down so as to avoid any risks, including:

- waste must be treated before being landfilled;
- hazardous waste within the meaning of the Directive must be assigned to a hazardous waste landfill;
- landfills for non-hazardous waste must be used for municipal waste and for other non-hazardous waste;
- landfill sites for inert waste must be used only for inert waste;
- criteria for the acceptance of waste at each landfill class must be adopted by the Commission in accordance with the general principles of Annex II;
- The following wastes may not be accepted in a landfill:
  - liquid waste;
  - flammable waste;
  - explosive or oxidising waste;
  - hospital and other clinical waste which is infectious;
  - used tyres, with certain exceptions;
  - any other type of waste which does not meet the acceptance criteria laid down in Annex II of the Landfill Directive.

**4.14** The Directive sets up a system of operating permits for landfill sites. Applications for permits must contain the following information:

- the identity of the applicant and, in some cases, of the operator;
- a description of the types and total quantity of waste to be deposited;
- the capacity of the disposal site;
- a description of the site;
- the proposed methods for pollution prevention and abatement;
- the proposed operation, monitoring and control plan;
- the plan for closure and aftercare procedures;
- the applicant's financial security;
- an impact assessment study, where required under Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment.

**4.15** Member States must ensure that existing landfill sites may not continue to operate unless they comply with the provisions of the Directive.

**4.16** The current landfill permit, application documentation, information required from the operator to comply with permit conditions, inspections, investigations and monitoring undertaken by the EA are all a matter of public record. This information can be found on the Environment Agency Public Register which it is required by law to keep.

**4.17** Compliance with the Environmental Permit is assessed by trained and experienced officers of the Environment Agency, and follows various technical protocols and procedures. Inspections and reports follow EA published policy and result in the production of Compliance Assessment Report (CAR) form. A copy of the form is provided to the permit holder, with a copy also appearing on the EA's public register. Guidance on inspections and the production of CAR forms can be found at <https://www.gov.uk/government/publications/assessing-and-scoring->

- 4.18** The EA have provided Figure 5 which provides data on the waste types and quantities imported to Walley's.

<b>Non Hazardous waste types accepted 2019</b>	
<b>EWC Chapter</b>	<b>2019 (tonnes)</b>
01 - Mine & Quarry	1259
02 - Agriculture & Food	9
03 - Furniture & Paper/Card	130
07 - Organic Chemical Processes	11
08 - Paints and Inks	97
10 - Thermal Processes	9231
11 - Metal Treatment & Coating	11
12 - Shaping Metal/Plastics	303
15 - Packaging	23
16 - Other waste from industrial processes	1244
17 - Construction and Demolition	50911
18 - Healthcare	953
19 - Water & Waste Treatment	292653
20 - Municipal	4157

Figure 5: Table of waste types imported in 2019.

- 4.19** As can be seen by far the largest quantity of material imported is from water and waste treatment. This could/would include materials such as filter cake from sewage treatment works, fines from waste processors, and any material following a waste processing activity.

### **Newcastle under Lyme Borough Council**

#### **Planning:**

- 4.20** The Borough Council is the local planning authority with responsibility for planning matters in the area surrounding the site. It has no planning responsibility for current activities on the site as these fall within the remit of SCC as the Minerals and Waste Planning Authority.
- 4.21** In recognition of the environmental impacts of landfills and proximity to the surrounding residential areas, the Borough Council has sought to resist the use of the former quarry for landfilling both through the 1992 IDO application to the County Council and the subsequent appeal to the Secretary of State.
- 4.22** The Council in its capacity as the local planning authority also sought to resist residential development in close proximity to the site by refusing planning



permission for residential development on the Hamptons Field site at Keele Road, citing grounds for refusal to include adverse impact on residential amenity caused by pollution from odours.

**4.23** The refusal of planning permission was subsequently appealed to the Planning Inspectorate (PI). The Council put forward a robust argument, supported by expert evidence about the then impacts of landfill odours and likely future impacts on the development and surrounding communities. The PI however granted permission for residential development and in dismissing the argument about odour impacts, made reference to national planning policy which assumes that pollution control regimes operate effectively and that this would protect amenity. The PI decisions effectively mean that the Council is no longer able to refuse permission for development due to impacts of the landfill.

**4.24** The Planning Inspectorate's decision can be viewed at <https://acp.planninginspectorate.gov.uk/ViewCase.aspx?CaseID=3138033&CoID=0>

#### **Environmental Health:**

**4.25** The Council's Environmental Health Service is investigating complaints about odour where it affects people in their home or workplace to determine if the odour can be actioned as a statutory nuisance for the purposes of Part III of the Environmental Protection Act 1990 (EPA 1990). The Council is under a legal duty to undertake a reasonable investigation into complaints about odour nuisance which has the potential to unreasonably interfere with the reasonable use and enjoyment of a person's premises.

**4.26** In relation to the legal role of the Council, where there is evidence which shows that the odour is actionable as a "statutory nuisance" and this can be linked back to the activities of the landfill, the Council is legally required to serve a nuisance abatement notice on the landfill operator. The decision on whether a matter constitutes an actionable statutory nuisance or not, is delegated to Environmental Health Officers who are trained and experienced in the assessment of statutory nuisances and the law.

**4.27** An abatement notice cannot require the cessation of landfilling activities or the closure of the site. As with any notice there is a right of appeal on a number of specified grounds. In the event of an appeal, it would be for a Magistrates' Court to determine if the appeal grounds are met with the court then being able to confirm cancel or vary the notice.

**4.28** A breach of an abatement notice is a criminal offence, however as the site is permitted by the Environment Agency, any decision by the Council to prosecute for non-compliance would require the formal approval of the Secretary of State. This is because the criteria for complying with an abatement notice served by the Council upon a business and the Environmental Permit issued by the Environment Agency are essentially the same.

**4.29** Anyone affected by the activities of the site can also take their own action under section 82 of the Environmental Protection Act 1990.

**4.30** See the following for further information on the interaction between statutory nuisance and environmental permitting:



<https://www.gov.uk/government/publications/environmental-permitting-guidance-statutory-nuisance/interaction-between-environmental-permitting-and-local-authorities-statutory-nuisance-duties-web-version>.

- 4.31** The Environmental Health Division has also published a dedicated webpage which provides details on the role of the council and others and also gives factual information and details Frequently Asked Questions:

<https://www.newcastle-staffs.gov.uk/all-services/environment/environmental-health/walley%E2%80%99s-quarry-%E2%80%93-what-we-can-do>

**Public Health England:**

- 4.32** Officers from the Council's Environmental Health Division have been and remain in contact with Public Health England (PHE). PHE review data relating to GP consultations and calls to NHS 111 to identify issues of local concern which require further investigation. PHE scientists also provide advice to government and regulators based on scientific research and understanding.

**Walley's Quarry Landfill Liaison Committee:**

- 4.33** It is a requirement of the county council issued planning permission, through a section 106 obligation, that the landfill operator sets up and operates a landfill liaison committee.

- 4.34** This committee has been in operation since the landfilling operations commenced in 2007. It operates in accordance with agreed Terms of Reference. The liaison committee is a forum for the local committee representatives to raise issues relating to the landfill operation but has no formal powers to act. This committee meets quarterly. Its membership consists of representative's from the following organisations:

- Red Industries RM LTD (current landfill operator and Environmental Permit holder);
- Environment Agency (national regulator for landfills);
- Staffordshire County Council (Waste Planning Authority and regulator for planning permission conditions);
- Newcastle under Lyme Borough Council officers (Environmental Health and Planning);
- Thistleberry Residents Association;
- A residents representative from the local community;
- A representative from Silverdale Parish Council;
- Two county councillors (one of which also chairs the liaison committee);
- A councillor from the Thistleberry ward;
- A councillor from the Silverdale ward;
- A councillor from the Knutton ward.

- 4.35** The liaison committee meeting minutes are available to view at

<https://www.redindustries.co.uk/walleys-landfill-community/>

**Parish Council:**

- 4.36** Silverdale Parish Council represents 5,000 residents living in 2,700 households and 100 businesses.
- 4.37** The Parish Councils represents residents and the main concerns are odour and the effect on public health, alongside HGV movements, parking and damage to the highways verges.

**Western Communities LAP**

- 4.38** The total population is about 13,000 in the three wards of Cross Heath, Knutton and Silverdale.
- 4.39** At a local level the issues are
- Odour
  - Dust
  - Debris from the vehicles
  - Seagulls
  - Visual appearance within the locality

**Thistleberry Residents Association (TRA):**

- 4.40** *'On the Executive we have three professions experts on waste management and air quality who have advised us on this issue. The Chair of the TRA sits on the Liaison Committee and has done since the beginning. The TRA has worked with three different companies who have run the site. The Chair has visited the site on many occasions, often unannounced, and just after the infilling began the Chair walked on the waste to get some idea of what was involved.'*

**Police:**

- 4.41** The police have the responsibility for criminal law enforcement, including some road traffic enforcement.
- 4.42** Local PCSOs while on patrols, are often approached by residents about the smell that is produced by the quarry, especially in Silverdale village.

**Aspire:**

- 4.43** Aspire Housing represent approximately 40 people at the traveller's site situated on Cemetery Road.

**MP:**

- 4.44** As the representative of thousands of local people in parliament. Mr Bell MP detailed:

*"The issue of the landfill site was a major topic of conversation on the doorstep when I was campaigning for the general election in 2019, and I therefore made it a priority as a new MP to explore what more could be done to address the issue facing this group of constituents. It has been made clear to me by many constituents that this is a significant problem, and it has repeatedly been*

*impressed upon me, not only by constituents contacting me directly, but also through conversations with Stop the Stink, how significant and widespread the concern is about the odour in particular.*

*I immediately, upon being elected, undertook to meet with the relevant parties to raise concerns and discuss a way forward. I met with representatives of the Environment Agency in January to discuss the site. I also had a meeting with representatives of RED industries upon being elected."*

#### **Stop the Stink Campaign Group:**

- 4.45** This group represents 2500 people from around the Poolfields and Knutton area. A petition in relation to the landfill operations was arranged by the group, it received 2500 signatures to close the landfill. This petition is on-line and as of 1<sup>st</sup> March it has 7,732 signatures.
- 4.46** The campaign group main concern is odour but they have also raised issues relating to gull control, highway safety concerns and the height of the mound.

### **5. Issues raised:**

#### **Summary:**

- 5.1** Members have heard through the scrutiny process about many concerns regarding the operation of the landfill site, the overriding concern relates to the complaint of odour.
- 5.2** The working group heard details of many different issues arising from the current landfilling operations. These concerns cover the following matters:
1. Variation application to EA to increase tonnage from 250,000 tonnes to 300,000 tonnes, which was further updated to 400,000 tonnes;
  2. Odours impacting the community in their homes, workplaces and outdoor environment (including the cemetery);
  3. Highway and vehicles including safety concerns relating to waste vehicles accessing the site, condition of verges, material falling from waste vehicles, off-site parking of vehicles and mud on the highway;
  4. Wind-blown litter;
  5. Dust emissions;
  6. Public Health including concern about impacts on health, wellbeing and the environment in the surrounding communities;
  7. Nuisance from pests, gull activity and number of gulls;
  8. Visual amenity;
  9. Quantity and quality of daily cover.

#### **Variation Application**

- 5.3** One of the elements for the working group to consider, in its terms of reference, was the permit variation application.
- 5.4** The variation application was received by EA on 12 December 2018 to increase the permitted quantity of waste annually (January to December) from 250,000 tonnes to 300,000 tonnes. Applicant amended the application (13 May 2019) to increase annual tonnage to 400,000 tonnes. Consultation on application between

24 May 2019 to 20 August 2019. The consultation on the draft “minded to issue the variation” decision commenced on 19 August 2020 for 28 days.

- 5.5 The EA confirmed that it will only issue a permit variation, if we believe that harm to the environment, people and wildlife will be minimised and that the operator has the ability to meet the conditions of the permit.
- 5.6 The planning information details that completion of site, via the planning permission issued by Staffordshire County council requires waste disposal to cease by 2026.
- 5.7 The additional waste **could** enable the site to be completed sooner, by 2024. However, this is dependent on the operator implementing and accepting the additional waste tonnes.
- 5.8 While the application is being determined the EA have allowed the operator to accept more waste in 2019 than the current permitted limit of 250,000 tonnes subject to appropriate controls. The EA detailed that decisions to allow temporary situations like this are made on a case by case basis in line with EA regulatory remit.
- 5.9 The EA has granted the variation to permit 400,000 tonnes per annum in Autumn 2020.
- 5.10 The grant of this variation was during the period of this scrutiny process. Therefore, although the views were sought from all the contributors and can be seen in the written representations made (appendices 9 to 14). The findings of this group cannot be taken into account, so conclusions or recommendations in relation to this matter have not been detailed.

#### **Odour**

- 5.11 Information and data was received by the working group in relation to odour, this is shown below:

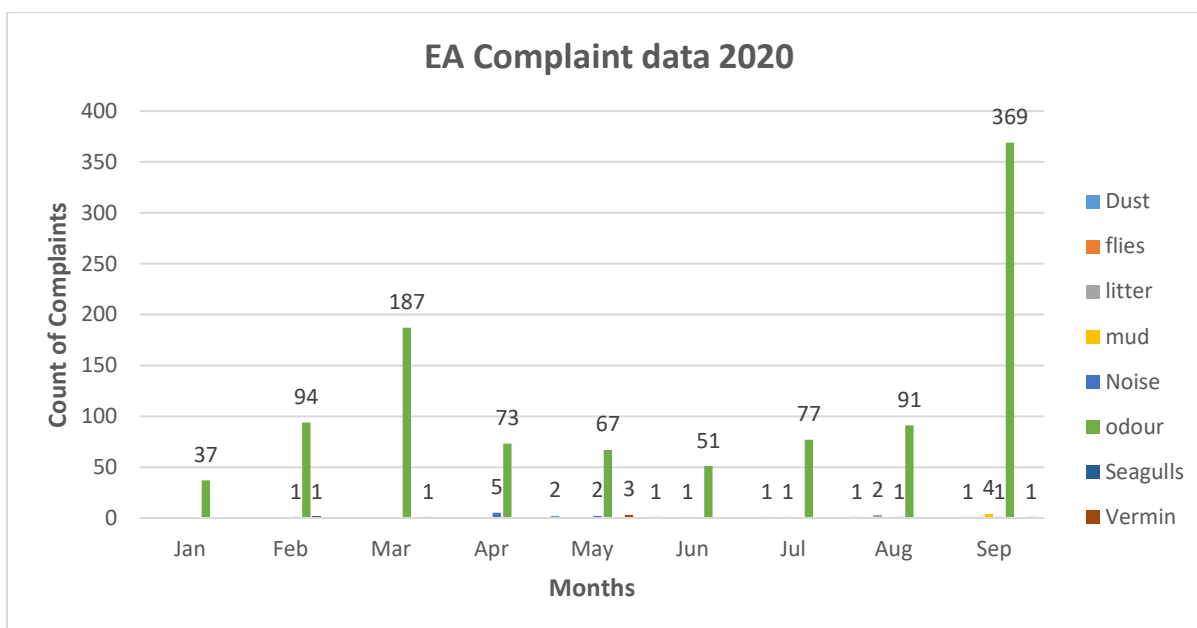
#### **Environment Agency:**

- 5.12 The permit for the site (appendix 3), at condition 3.3.1 states:

**Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.**

- 5.13 The odour management plan referred to above is attached at appendix 3a.
- 5.14 The group requested the EA to provide complaint data, as attached in appendix 5a, this has been converted into the following table and graph and shows complaint data for 2020.

Count of Months	Column Labels									Grand Total
Row Labels	Dust	flies	litter	mud	Noise	odour	Seagulls	Vermín		
Jan						37				37
Feb					1	94	1			96
Mar						187		1		188
Apr					5	73				78
May		2			2	67		3		74
Jun		1		1		51				53
Jul			1	1		77				79
Aug		1	2		1	91				95
Sep			1	4	1	369		1		376
<b>Grand Total</b>		<b>4</b>	<b>2</b>	<b>2</b>	<b>10</b>	<b>1046</b>	<b>1</b>	<b>5</b>		<b>1076</b>



**5.15** Two air quality monitoring repots have been prepared by the EA, they detailed:

*“Study 1 - 6<sup>th</sup> July 2017 to 14 February 2018:*

*Comparison of the particulate data from the monitoring at Silverdale with the Air Quality Strategy objectives showed that the monitoring location was subject to concentrations that would be expected to meet their respective AQS objectives.*

*The hydrogen sulphide data was compared with the respective World Health Organisation (WHO) guidelines and was found to be within the specified health limits. Comparison of the data with the guidelines for odour annoyance indicated that there were 34 instances during the monitoring period, on 11 separate days where the 30 minute average hydrogen sulphide concentration was greater than 7µg/m<sup>3</sup>. These results suggest that complaints due to odour nuisance from hydrogen sulphide could be expected for less than 1% of the monitoring period.*

*The highest levels of particulates were seen, not from the direction of the landfill site, but from the direction of residential properties to the south west of the monitoring site. The highest level of hydrogen sulphide and methane were seen,*

*not from the direction of the landfill site, but from north of the monitoring site. Slightly lower levels were seen from the direction of the landfill site, which were thought to be emissions from the gas management compound.*

*Study 2 - 15 January 2019 to 25 June 2019:*

*Comparison of the particulate, nitrogen dioxide and benzene data from the monitoring at Silverdale with the air quality strategy objectives showed that the monitoring location was subject to concentrations that would be expected to meet their respective AQS objectives. Toluene, ethylbenzene and m&p-xylenes were found to be below their respective environmental assessment levels.*

*The hydrogen sulphide and toluene data were compared with their respective World Health Organisation (WHO) guidelines. Toluene was found to be below the specified health and odour limits. Comparison of the hydrogen sulphide data between the 15 January 2019 and 12 February 2019 (28 days) with the WHO guidelines showed that concentrations were below health limits, but exceeded odour limits for 6% of the shorter monitoring period. Comparison of the hydrogen sulphide data between the 28 February 2019 and 25 June 2019 (118 days) with the WHO guidelines showed that concentrations were below health limits but exceeded odour limits for 1% of the monitoring period.*

*Consideration of the directional sources of hydrogen sulphide and methane suggested that the highest contributing sources were seen from the direction of the landfill site, alongside lower contributing sources.*

*Consideration of the directional sources of oxides of nitrogen suggested that the highest contributing sources were seen from the direction of the landfill site from the gas management compound, alongside lower contributing sources."*

- 5.16** The EA detailed odour monitoring tours which are conducted at a number of locations, and take into account recent complaints to ensure these locations are included in the tour. When officers have detected landfill type odours during a tour they record the type of odour, for example whether it's a gassy smell or a smell of fresh or rotting waste. The officer gives it an odour strength rating ranging from 0 (No odour) to 6 (Extremely strong odour). As part of their odour assessment work the EA has also undertaken on site monitoring with a portable hand held laser, a GeotechTDL 500. The laser is specifically calibrated to detect methane, rather than general flammable gases, at parts per million levels. This meter helps determine whether landfill gas, escaping from the site could be causing an odour. The officer also records the location of the odour, wind direction, weather conditions and whether the odour is constant or intermittent.
- 5.17** During the Covid19 period the EA continued to carry out odour tours. They carry out the tours strictly in line with Government Covid19 guidance. Our odour tours are determined by the location and frequency of the complaints, and after the tour the EA contacts the Walley's Quarry landfill site operator with the findings. Officers can also visit the site after a tour to meet the operator. The Environment Agency requires the operator to manage odours on site in accordance with its 'Odour Management Plan', which requires the operator to carry out investigations into any odour we detected during the odour tour, and report back to us.

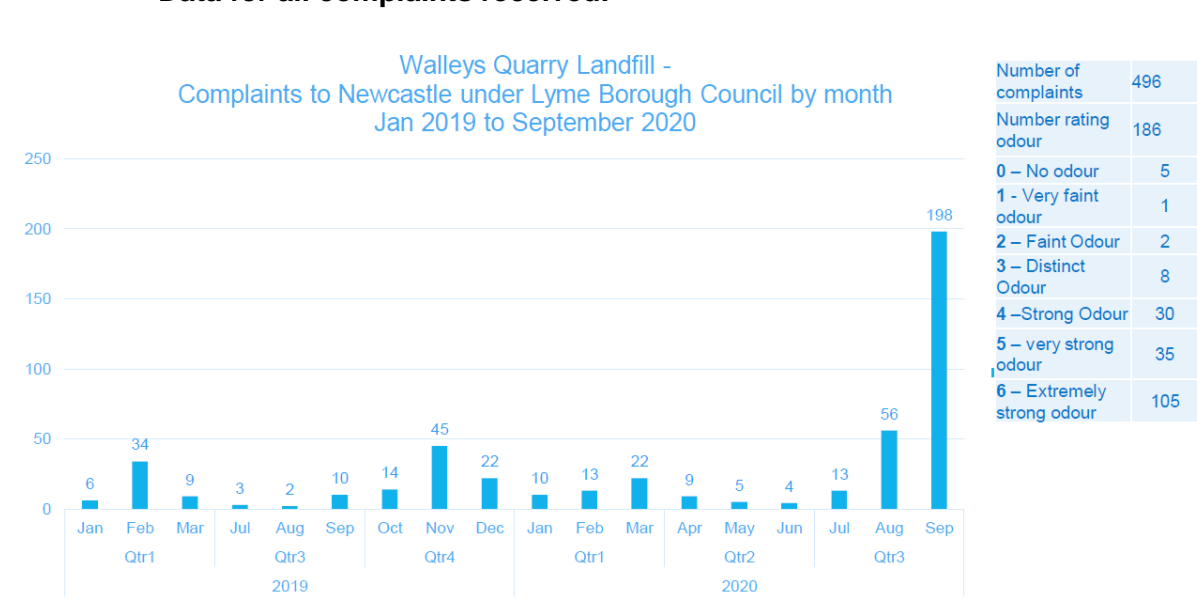
- 5.18** The operator is required to use Best Available Technique (BAT) to manage the site to ensure that its waste operations on site prevent or at least minimise odour potential.
- 5.19** Officers explained to the working group that odour sources at a landfill could be attributable to lateral migration, the active tip face or area, from uncapped active calls, from capped areas, or leaks and failure in gas collection systems.
- 5.20** Officers confirmed that there was no permanent capping on site to date but some temporary geomembrane capping was installed 2019 to prevent emissions. It was estimated that half of site would be capped by end 2020.
- 5.21** The working group explored further with EA officers the assessment and rating of odour. EA officers explained that they considered an odour rating of 3 out of 6 off site could cause pollution. On such occasions officers could go on site to check all control measures are in place on site. It was confirmed that no landfill would be odour free. Officers were asked 'How many times detected 3 or above?' it was confirmed that in January 2019 off site odour resulted in a breach permit on 1 occasion. Members also explored what officers considered to be a persistent odour and it was confirmed that this would be considered to be over 10 minutes. The details of monitoring was provided and is attached at appendix 5b.
- 5.22** Members also explored further the assessments of odour by nose as opposed to mechanical methods or instrumentation. Officers confirmed that the permit condition was written such that it was perceived by an authorised officer of the EA and not instrumentation. It was also confirmed that the EA were not intending to complete any further air quality monitoring. Members commented that the monitoring was at one location whereby predominant wind was present 50% of the time, this was considered insufficient. See section 6 for an update on monitoring. Officers confirmed that visits to the site would be a mix of planned and unannounced visits.

#### **Environmental Health:**

- 5.23** Officers detailed that odour complaints are assessed by visits to people at home / workplace during day and sometimes out of hours to coincide with when complaints are received. Officers trained and experienced in the assessment of nuisance.
- 5.24** Statutory Nuisance: need to consider and evidence material interference with reasonable use and enjoyment of property this includes frequency, duration, effects, character of area, and time of day.
- 5.25** Odour is typically characterise according to 5 'FIDOL' factors:
- Frequency – How often the exposure occurs;
  - Intensity – The perception of strength of the odour according to the VDI 0-6 scale;
  - Duration – Length of odour event or length of time exposed;
  - Offensiveness – Hedonic tone (Pleasant, neutral, unpleasant);
  - Location – Type of receptor – residential most sensitive.
- 5.26** Officers will engage with complainants, give an opinion and answer questions and acknowledge concerns. Generally like the EA instrumentation not used, this is because odour contains many chemical components. The nose is sensitive to a wide range of different chemicals/odours and it is particularly sensitive and able to

detect sulphurous odour. Portable devices typically measure in concentrations of parts per million and are designed to measure the concentration of a particular chemical. In terms of odour assessment the concentrations concerned are detected at concentrations of parts per billion and whether what is detected is a statutory nuisance.

#### Data for all complaints received:



**5.27** Members asked about complaint data and its correlation to weather conditions. Officers detailed that from the data (graph above) it could be seen that there were seasonal peaks, tending to be in the winter months, although also there has been a peak in August/September this year.

**5.28** Members also asked officers about other odour sources within the area, this is something that has been considered, on occasions other odours have been detected these may include agricultural and household sources. Any potential source has been mapped, this is attached as appendix 6a. These sources, although mapped and investigated have been eliminated from the investigations. However, we are having further discussion with regard to the sewage pumping stations to understand emissions and operation of these.

**5.29** The Coal Authority have been contacted and they confirm no H<sub>2</sub>S monitored from mine workings. They provided the following information:

*“We visited our monitoring points in the area before Christmas and did not detect any abnormal gas. In particular there was no hydrogen sulphide detected at them and only trace methane at one. The spot readings we took mirrored the readings collected periodically by our contractors.*

*We also noted that one of our vents is located in a particularly densely populated area where we detected no odour and we believe it likely there would be a number of complaints from this housing estate if there were odours associated with our venting.*



*We did not notice any odours at any of our monitoring locations during the visit, however we did notice an odour in the region of Newcastle Under Lyme College. I am not sure if this is related but this is some distance from our venting and not at a location of recorded workings."*

**Walleys Liaison Committee:**

- 5.30 Cllr Tagg presented that there had previously been odour issues 2013 & 2015 and the previous operator undertook works including changes to site layout, odour masking measures at the boundary and the building of a leachate treatment plant on site. The result was that odour subsided considerably.
- 5.31 In relation to odour, in 2018 the committee pressed for EA monitoring, which was undertaken and they also encouraged Red to liaise with the local community, which resulted in community newsletters.
- 5.32 He confirmed that there was robust challenge of operator and regulators at the liaison committee.

**Thistleberry Residents Association (TRA):**

- 5.33 The presentation detailed that the odour was inescapable in the surrounding area. They detailed that odour can be short lived or transient in nature and that they considered the EA was not sufficiently responsive to complaints.
- 5.34 Additional detail was provided in the written submission, which can be seen in Appendix 10, and which details that in terms of the issue of odour. Its prevalence and sometimes intensity, the EA appears to have failed in its duty to properly monitor the site. That said there was nothing to prevent the company from resolving the issue without any direction from the EA. It should not take 48 hours for a complaint to reach a field officer when it is known that these odours can come and go by the hour or less. The monitoring equipment should have been placed on an optimum site to capture the most relevant data.
- 5.35 The association also details that apart from spikes in the occurrence of odour the TRA has found that all three companies who have run the site have managed it well. On the occasions that the Chair has visited unannounced it has been clean, lorries were logged in and out, their wheels washed, and no odour was detected coming from the leachate plant when the leachate was being transferred to the containers for removal.

**Stop the Stink Group:**

- 5.36 The group started in mid-2017 due to odour concerns, they have detailed that 2500 people signed a petition to close the landfill due to odour. It was stated that 2020 was unprecedented in terms of odour issues. They had thousands of comments during lockdown from residents affected in homes and gardens. The odour was affecting their quality of life. The group confirmed that initial complaints were odour detailing that on bad frosty nights odour is worse, can't keep windows open, hang washing etc.
- 5.37 It was detailed that new houses were too close to site, but there is a need to consider those houses already there and impact on them and their occupiers.

- 5.38 It was detailed that the speed of EA response was shocking, residents ask for feedback, but it is never received. They consider that the EA need to speed response up, as residents are not complaining for nothing.
- 5.39 They consider it is time to stop putting in what is creating the odour and they consider it is creating a public nuisance.
- 5.40 The EA consistently state levels are within permitted levels, yet odour levels have caused schools and other businesses to close on occasion due to concerns that there was a gas leak. There is a concern that a gas leak could be dismissed as odour from the site. A full copy of the written submission is at Appendix 14.

**Western Communities LAP:**

- 5.41 Detailed during their presentation the experience of a Silverdale Road resident who experienced, odour, dust, gulls, material from vehicles, visual impact from site. They detailed the effect on mental health as the impacts from the landfill mean they cannot get outside.
- 5.42 The written submission is at Appendix 9, it is detailed that the odour can be variable both within its strength and when it can appear and so is not always weather dependant. It can also be different as to where it appears in the locality.
- 5.43 The effect is that especially with the odour that it is frequently difficult to enjoy one's home, not be able to sit out in the garden or even do the gardening. Often the smell enters the home during the night (sleeping with the window open) and does wake you up. Smell is subjective and affects people in different ways. The current way of defining the smell on reporting is flawed in this way and little notice appears to be taken of how the reporter feels about the situation at the time.
- 5.44 They also detailed a lack of response from EA, raised Red's social responsibility and the need to improve relations with residents.

**Silverdale Parish Council:**

- 5.45 Detailed during the presentation that the variation was temporarily approved by EA and Red; they considered this had been badly communicated.
- 5.46 It was detailed that they consider that the EA are complacent and have given Red the benefit of doubt
- 5.47 They recommended that new technology is considered on site in the form of electronic nose, so that monitoring could happen at all times when there is no-one onsite.
- 5.48 In respect of the two EA air quality monitoring reports, they detailed:

*"The two studies of air quality at Silverdale made comparisons of findings with the WHO Air Quality Guidelines. The choice of multiple criteria across the range of pollutants; gases, particulates and other substances emitted are complicated. I found interpretation those results was inherently very difficult (practically impossible for observers without any scientific training).*

*There is a role for an independent scientific intermediary to advise the borough on the data collection and interpretation method and methodology taken during an Air*

*Quality Monitoring episode particularly in a consultation over the variation to a landfill licence.*

*There is a role for public health education to enable residents to better understand the terminology of WHO Guidelines. Guides to the WHO Air Quality Guidance should be produced so that an air quality publication can be accessible to the non-specialist. Furthermore, WHO guidelines are not absolute standards but depend on current scientific understanding. The review published in 2006 further research may change the criteria for maximum toxicity levels.*

*I would suggest that the monitoring of scientific research takes place to ensure that any new risks from air pollution from the environment is quickly assessed and responded to expeditiously.*

*The second Air Quality report contained systematic inconsistencies in analysis because the detection point was moved in mid-February 2019. This was a significant change and meant data could be interpreted differently for Hydrogen Sulphide as follows:*

- (1) There were 76 occasions between 15 January 2019 and 12 February 2019 (28 days), on 12 separate days where the 30-minute mean value exceeded the WHO guide value of  $7\mu\text{g.m}^{-3}$ . (Report 2 pp14-15);*
- (2) There were 67 occasions between 28 February to 25 June, on 26 separate days, where a 30-minute mean value exceeded the WHO guide level of  $7\mu\text{g.m}^{-3}$ . (Report 2 pp12-13);*
- (3) (MY POINT\*) Therefore there were 143 occasions between 15 January and 25 June 2019 where a 30-minute mean value exceeded the WHO guide level of  $7\mu\text{g.m}^{-3}$ .*

*As there were no records between 13 and 27 February, the estimate where a 30-minute mean value exceeded the WHO guide level of  $7\mu\text{g.m}^{-3}$  including the missing data is...(a higher value)*

*The change in the position of the direction point meant that the extrapolation of other findings relied on a specific interpretation and a choice in the data sequence. This interpretation may have worked for the benefit of the company."*

*\*My – referred to in written submission in appendix 8.*

**MP Aaron Bell:**

- 5.49** During his presentation, Mr Aaron Bell MP sympathised with community as the landfill was affecting the quality of life and mental health. He confirmed that he had met with EA, Red and many groups on here. The EA didn't confirm smell coming from landfill, which was disappointing.
- 5.50** He had met with Red and they do a number good things for community but it was disappointing that Red say they are 'compliant' will not admit site smells despite all complaints. Red need to engage on basic facts, smell, there will be lack of trust.
- 5.51** He detailed Parliamentary debate and described the EA as toothless, with a lack of response time or powers to react quickly, DEFRA (Department for Environment, Food and Rural Affairs) need to give EA better powers.

- 5.52** He detailed that lockdown has made this harder to live with.
- 5.53** He recommended permanent monitoring sites, with live data providing RAG (Red; Amber; Green) rating, to enable community to view the data and provide faith in reporting system.
- 5.54** He detailed that this was clearly a big issue for local community, town and business and that the community were having their lives blighted.

### **Findings**

- 5.55** The working group findings were that odour was by far the biggest issue and cause for complaint from all parties. The operator has responsibilities to manage the site and any matters which may arise outside of the site. The primary regulator of any odour emanating from the landfill site is the EA through the permit. Although it is acknowledged that there are also regulatory responsibilities placed on Environmental Health, albeit as it is an EA regulated site, there were some limitations to this.
- 5.56** There is an overwhelming level of complaint in relation to odour surrounding the landfill site, it is noted that the source of the odour has not been confirmed by either the EA or RED, however it is noted that there are no significant alternative sources of odour been presented to the group.
- 5.57** The group consider that the use of scientific instrumentation should be used for the assessment of odour and specific air pollution limits should be detailed within the EA permit conditions, thereby making it more enforceable.
- 5.58** Odour is adversely affecting a wide community, the nature, duration, extent and exact chemical compounds in the odour has not been established, but it is clear that there is a regular and persistent source of odour, which needs to be addressed.

### **Highways & Vehicles:**

- 5.59** Information and data was received by the working group in relation to highways and vehicles issues. Each organisation provided the following details:

#### **EA:**

- 5.60** All landfill sites have the potential to cause nuisance with vehicles using the site leaving mud deposits at the site entrance and on the highway. At Walley's Quarry there are a number of measures in place to minimise nuisance from mud and comply with the requirements of the permit.
- 5.61** Vehicles using the site must go through the wheel wash facility before leaving the site. The site has a long exit road which helps dry vehicles after they have been through the wheel wash, before they leave the site. The use of the concrete waste transfer unloading pad also minimises vehicles travelling on muddy site roads. The operator uses a road sweeper to keep the site entrance and adjacent highway clean.
- 5.62** When EA Officers undertake odour tours, they also record whether there are issues with mud on the road, whether there is any dust nuisance from the landfill,

they record whether there are birds flying above the site or perching on adjacent buildings.

- 5.63** The Environmental Permit requires the site operator to use management systems to prevent or at least minimise environmental impact from the site regarding the above potential nuisance issues.

**Staffordshire County Council (SCC):**

- 5.64** A written response was provided to the group in relation to specific questions asked by the working group, a full copy of this is at appendix 4 and 4a and the main points are detailed as follows:
- 5.65** Reports about the highway concerns – damage, parking etc. – should be reported using the SCC online system ‘Report It’. Many of these would relate to the surrounding road and not specifically Walleys, it is therefore not possible to provide a figure of number of complaints. Where issues are reported about parking these would be forwarded to the Community Traffic Management Office. Although there was an issue raised last year by the Nursery and Silverdale Parish Council no further reports have been logged
- 5.66** SCC were asked about potential road and weight restrictions and detailed that any weight restriction must be carefully investigated and where part of the main network is being used (i.e. A and B roads) restricting their use is most likely not appropriate. In some cases, restricting lesser routes may still require ‘Except for Access’ to be added which may not provide the restriction being sought.
- 5.67** Condition 15 of planning permission N.12/09/216 MW for landfilling in Walleys Quarry allows up to 880 HGV movements per full working week (440 in and 440 out).
- 5.68** In relation to use of the layby and verge damage, SCC advise a parking restriction can be used to prevent overnight usage although enforcement of this would be problematic unless the Police would agree to do so given their 24 hour operation. A daytime restriction for the layby could be considered but would limit the use for any vehicle which may impact any visitors to the cemetery who use the layby to park. In terms of general parking causing obstruction, where identified to be occurring, this could be prevented with the use of a parking restrictions. Where considered necessary physical barriers can be introduced (bollards, railings etc.). However, the priority given will be low if purely an amenity issue with make safe works more likely to be carried out rather than the introduction of bollards etc. The bollards installed at each of the layby in the recent past were funded by the landfill operator in order to address issues caused by vehicles visiting the quarry.
- 5.69** Schedule 3 of the s.106 legal agreement for the landfilling operations requires vehicles leaving the site to use the wheel wash to prevent deleterious material being deposited on the public highway. The agreement also requires that waste being taken to the site is sheeted or otherwise contained, again to prevent any deleterious material being deposited on the public highway. Conditions 14, 16, 17 and 18 in planning permission N.12/09/216 MW also relate to quarry vehicles keeping the public highway free from mud and debris.

**Liaison Committee:**

- 5.70** The presentation detailed concerns about highways matters particularly on cemetery road. Councillor Tagg in the written submission detailed 'many highway issues particularly around the entrance to the landfill in Cemetery Road are being looked into by Staffordshire County Council, and Councillor Jones and myself as the local County Councillors for the area, have asked highway officers to work on a solution to address the road safety issues caused by lorry movements and 'parking up'. He indicated that he was seeking to use County Councillor's Divisional Highway Programme (DHP) fund to resolve some of these matters.

**Thistleberry Residents Association:**

- 5.71** Detailed that for the variation application there was a need for more monitoring & traffic control along cemetery road

**Silverdale Parish Council:**

- 5.72** The parish council reports:

*"damage to the pavements and greens next to Silverdale Cemetery by HGV manoeuvres opposite the site entrance raised which is still outstanding. I recorded the Reg. Numbers of 6 HGV's parking in a line overnight in Silverdale Road near a care home then dispersing at dawn. I sent these details to the Managing Director of Red Industries and to Newcastle Police. The problem abated to some extent but HGV parking is very difficult to police and could be eliminated by a system of appointments for drivers."*

**Stop the Stink Group:**

- 5.73** Representatives detailed that traffic on Cemetery Road was an issue, detailing that mud was terrible and if wet would have been a hazard. It was considered that vehicles were not being washed correctly.
- 5.74** They detailed that the group had been bombarded with parking and highway issues. They expressed concern with variation that when more vehicles entering site, there would be chaos, detailing further issues with high-time illegal parking and untaxed vehicles had been referred to police.
- 5.75** A funeral was detailed whereby the layby full of lorries and parking on grass verge, making lay-by unusable for its purpose, mourners had to walk through mud. This coupled with the presence of the smell throughout the service at sad time was a concern.
- 5.76** It was detailed that traffic has become terrible and an example was provided when 5 articulated lorries were parked and queuing to enter site during the morning.

**Police:**

- 5.77** The police detailed in their written submission (Appendix 11) are aware of queuing vehicles waiting to get onto the site; queuing through the traffic lights and along cemetery road, however because this generally occurs early morning (between 0500-0700) there are very few commuters/residents that are affected by this.

**Findings:**

- 5.78** The working group acknowledge that the principal regulator for off-site highway matters is SCC along with some Police responsibilities. The control of vehicle on site and exiting is the responsibility of Red, with the principal regulators being the EA and SCC. It is also acknowledged that Red do not have control of the vehicles or their behaviours but they do have opportunity to influence these behaviours through their business operations.
- 5.79** The findings were that vehicle controls outside of the site were on occasions causing disruption and inconvenience to the surrounding roads and neighbours. It has been demonstrated that the infrastructure is on the landfill site to control mud being tracked onto the highway.

**Wind Blown Litter:**

- 5.80** Limited information and data were received by the working group in relation to wind-blown litter.
- 5.81** Thistleberry residents association in their written submission indicated that they understand that there is litter and parking control outside the site.
- 5.82** In particular, it was noted during the EA question time that the primary measure to control wind-blown litter was the use of daily cover.

**Findings:**

- 5.83** The working group findings were that litter was not one of the primary areas of concern during this scrutiny review.

**Dust Emissions:**

- 5.84** Information and data was received by the working group in relation to dust.

**EA:**

- 5.85** The operator is required to know when potentially dusty waste loads arrive on site. This enables the operator to handle dusty loads to specifically minimise nuisance. Dusty waste is carefully handled and covered over as quickly as possible. The operator uses an onsite water bowser to damp down dust on site roads and the working area during dry weather. Vehicle speed restrictions are used on site to minimise dust disturbance from vehicle movements.

**EH:**

- 5.86** During the presentation a comparison of particulate matter, which are particles which are defined by their diameter for air quality regulatory purposes. Those with a diameter of 10 microns or less (PM10) are inhalable into the lungs. Fine particulate matter is defined as particles that are 2.5 microns or less in size (PM2.5). Therefore it should be noted that PM2.5 comprises a portion of PM10. In terms of sources of PM10 can include dust from construction sites, landfills, agriculture, industrial sources and products of combustion. Whereas some PM2.5 is naturally occurring, such as dust and sea salt other sources include combustion and road vehicles and due to its very fine nature, this can travel considerable distance.

- 5.87 There is no monitoring of PM10 or PM2.5 within the Borough, so a comparison of monitoring sites within Stoke-on-Trent and London were compared. Neither of these sites exceed air quality objective standards.

**Thistleberry Residents Association:**

- 5.88 It was detailed that concern with very small dust particles, called PM2.5, as there is no safe level and recommended that every effort to reduce these elements of dust

**Western Communities LAP:**

- 5.89 In relation to the variation they oppose increase in tonnage due to pollution from dust (PM10) from HGVs on routes to landfill and within landfill site operations.
- 5.90 Silverdale road resident experience detailed dust from the site.
- 5.91 In the written representation they detailed dust is definitely more of a problem during dry weather and can be exacerbated by wind- symptoms of irritation to nose and throat that only appear when at home particularly during this recent dry spell. (Appendix 9)

**Findings:**

- 5.92 The working group findings were that there was concern within the general community regarding dust exposure, there was little mention of visible dust but the concern related to PM10 and PM2.5 exposure.

**Public Health:**

- 5.93 Information was received by the working group in relation to public health. PHE have provided the following comments to Environmental Health concerning the landfill site and current issues of community concern.

*“PHE has not been presented with any environmental data relating to pollutant levels post February 2018, neither has PHE received any analysis regarding site-related odour complaints related to either local meteorological conditions or on-site practices. With respect to gull activity associated with the site, we would not anticipate that this should pose an issue on a well-run and maintained site, and should be controlled by adherence to environmental permit conditions.*

*PHE have assessed the environmental data provided by the EA (July 2017-February 2018) and note that these levels are low and would not expect there to be any long-term health consequences. However, odour can be a cause of stress and anxiety, even when the substances causing the odours are not harmful to health at the levels detected at these locations.*

*If residents have health concerns they are advised to contact their local GP, who (in turn) can seek advice from PHE.*

*From analysis of syndromic surveillance data for the period up to February 2018, PHE has no evidence at this stage of an increase in GP consultations or calls to NHS 111 by the neighbouring population for symptoms of breathing difficulties or eye problems. We are in the process of obtaining an update for the subsequent period.*



*PHE does not normally comment on individual research studies, instead reaching a view based on the weight of new and existing evidence. With respect to landfills, PHE's position is that living close to a well-managed landfill site does not pose a significant risk to human health. PHE is continuing to review the evidence base and this work is ongoing."*

**Silverdale Parish Council:**

- 5.94** It was recommended that Red liaison committee attendance should be boosted with Public Health Role in attendance. Their written submission detailed the Borough Council should not be complacent as the 2 Air Quality Reports ignored issues about vulnerable populations living close to the landfill, and Public Health England is the body that publishes health statistics down to ward level. So medical expertise needs to be brought in to gauge the effects of the landfill operation on the populations of Cross Heath, Knutton, Silverdale and Thistleberry. Data from the last Census and subsequent PHE figures indicate deprivation and lower scores on health in some wards (cross Heath, Knutton and Silverdale) but more should be done to analyse health deficits because boundaries have changed; something for the Borough Council to implement with its partners.

**Findings:**

- 5.95** The working group fully understand and appreciates the concerns of people living around the site, however, PHE advice is that there should be no adverse health impacts. It is recommended that further PHE advice is sought following any further pollution monitoring in the vicinity of the site. Any further updates or advice received is to be published on the Councils website.

**Pests & Gulls:**

- 5.96** Information and data was received by the working group in relation to pests and gulls:

**EA:**

**Nuisance from Birds**

- 5.97** During the operational life of the Walleys Quarry landfill site, the EA has received public complaints regarding birds from the site, usually gulls. The operator is required to deploy the method detailed in its Pest Management Plan, to deter birds staying on site, and scavenging on the waste. We accept that birds can cause nuisance to surrounding properties, by flying over buildings, perching on house roofs and can cause fouling nuisance to buildings, pavements and cars. The EA works with its partner organisations, to help achieve a co-ordinated approach for bird control, to minimise nuisance off site.
- 5.98** Current bird control measure used on the site include the use of 'bangers', birds of prey and ensuring that waste is properly covered as quickly as possible. The operator varies control measures to stop the birds becoming familiar with the control techniques.
- 5.99** In June 2020 the Environment Agency carried out an audit review of the operators management system procedures used to control birds on site. We produced an inspection report which made a number of recommendations to further improve

bird control measure on the Walleys Quarry landfill site. The operator has incorporated these recommendations into their procedures

- 5.100** Through member questions about daily cover, it was detailed that the daily cover shouldn't be such that birds could forage, and such daily cover is one of the measures to control birds.

**Stop the Stink Group:**

- 5.101** Detailed that you could see thousands of seagulls. This gives concern from the bird scarer bangs and also dropping faeces.

**Aspire:**

- 5.102** It was detailed that at the traveller's residence on Cemetery Road that there were rats coming from the landfill and residents were fearful coming out at night. They also detailed that there had been a noticeable increase in birds on the landfill site.

**Western Communities LAP:**

- 5.103** The group detailed that the seagulls are with us on a daily basis. (Appendix 9)

**Findings:**

- 5.104** The working group findings were that there was clear evidence of gulls on site, members have seen this for themselves. They appreciate the controls that are in place for this, but these can also impact on the surrounding residents.
- 5.105** They consider that it is Red's responsibility to control and manage gulls and pests on site and the principal regulator is the EA.
- 5.106** It is noted that the main control measure for gulls is the removal of a food supply at the landfill site, this can be controlled through the use of daily cover at the end of each working day.

**Visual amenity:**

- 5.107** Information and data was received by the working group in relation to visual amenity.

**Western Communities LAP:**

- 5.108** They detailed the example of a Silverdale Road residents adverse visual impacts from the site.
- 5.109** In the written submission, they also note that as the landfill has got higher it is now clearly more visible from the house and the road when driving past the site generally making the area unsightly and unpleasant to live in. (Appendix 9)

**Stop the Stink Group;**

- 5.110** The representation commented on the visual side of the landfill detailing that can see it.

### **Findings:**

- 5.111** The working group findings were that the landfill has changes over the recent time from being a hole in the ground to become more visual as it is filled. It is also noted that the final restoration height was determined through the SCC planning permission and it is going to be considerably higher than it is at present.
- 5.112** Although the overall height of the landfill is predetermined, the visual amenity of the site can be improved particularly through the effective use of daily cover, which would at least minimise the extent of fill material observed from beyond the site boundary.
- 5.113** The working group's findings were that as the height of the landfill is emerging above ground that the tipped material is far more visible. It appears that there is a link between the nature, quantity and quality of the daily cover material and visual amenity. There also appears to be a link between the control of gulls. Attention to this could also potentially control odours.

### **Quantity and Quality of Daily Cover:**

- 5.114** Information and data was received by the working group in relation to quantity and quality of daily cover.
- 5.115** Through member questioning during the EA presentation it was confirmed that the daily cover used each night comprises waste soil or fines (shredded waste from transfer stations). This is different to the temporary cap which is semi-permanent and of an inert nature. Officers confirmed that they had required daily cover improvements in March – they noted that Red had responded to this and improvements had been noted since. It was also confirmed that as landfill gets higher, there is potential for odour and this will depend on daily cover and as the temporary and permanent cap is installed, this will reduce odours and improve gas extraction

### **Thistleberry Residents Association:**

- 5.116** In their written submission it was detailed that 'It was felt that the company could have reacted more swiftly to the odour issue not only to reduce it but also to put the minds of local people at rest. A thicker covering layer might have gone some way to reduce the intensity of the problem. This site is in the heart of an urban area. It might be that profits might have to take a back seat to making sure that the local residents in the immediate area were not unduly inconvenienced or adversely affected.' (appendix 10)

### **Findings**

- 5.117** It is noted that the responsibility for ensuring suitable and sufficient daily cover is that of the operator and that the principal regulator is the EA.
- 5.118** It is considered, although normal practice at landfill for daily cover to be made up of 'fines' (small material that is screened out from a waste material through an industrial process such as a trammel screener), that such material in itself may be a source for odour, and that on occasions the quantity of such material is such that the waste is clearly observed and is acting as a food source to gulls.

## **6. Updates:**

- 6.1** During the latter part of 2020 and early part of 2021, there has been a significant increase in complaints relating to odour emanating from Walleys Quarry Landfill Site. Since the presentation of evidence to the working group the following updates have been provided and are quoted below:

### **Environment Agency:**

#### **January 2021:**

##### Update January 2021

- 6.2** We have received an increase in complaints of odour since late December 2020. In response we have increased our visits to the area to complete assessments of odour and site visits. Since the 4 January we have visited the area on 7 occasions, normally with two officers visiting different locations and visited the site on the 11 January. We have detected odour at some locations and these details have been provided to the site operator.
- 6.3** There has been no change in operations at the site to indicate the reason for the increase in complaints. We will continue with odour assessments and visits to ensure all measures are being used to minimise odour impacting local residents.

##### Bird control

- 6.4** Landfill operators are asked to work towards preventing birds feeding on the landfill site. Deterring birds can lead to them roosting on nearby buildings or land waiting for an opportunity to scavenge for food. Measures to deter birds include the use of bangers and rockets to disperse gulls and covering the waste during and at the end of each day to reduce the 'food' available for birds scavenging. Operators can also employ a contractor to use birds of prey to deter seagulls from the tipping face.
- 6.5** The operator of Walleys landfill notified us in early December that to comply with guidance for bird flu they would be temporarily ceasing the flying of raptor birds at the landfill to reduce the risk of spreading the disease. Raptor birds will prey on other birds for food and are therefore used as a good deterrent.
- 6.6** To maintain the control of bird's, replacement measures have been implemented including the flying lure raptor birds (these birds are trained to fly to a lure and less likely to prey on another bird), increasing the frequency of rocket/banger and increasing the use of distress call deterrents.
- 6.7** The site operator updated members of the liaison committee of this temporary change.

##### Cleaning of Vehicles

- 6.8** We are aware of concerns about mud on the highway and vehicles still being dirty when leaving the site. These concerns were raised with the site operator on the 5 January.
- 6.9** Landfill permits require operators to

- prevent vehicles from carrying mud off site,
- monitor the public highway and their site road between the final wheel wash and the public highway and
- if vehicles carry mud or other debris onto the public highway the operator must clean it up immediately.

**6.10** The operator has confirmed that the wheel wash is operational and drivers are all required to use the wheel wash and remain in place until the cycle has fully finished.

**6.11** The use of the wheel wash and the requirement for drivers to check their vehicles for debris prior to leaving the site is covered in the site inductions process. There is equipment on site to allow drivers to check and clean loose material before exiting the site. The company has reinforced the need to use the facilities correctly and advice against parking locally.

**6.12** During a site visit on the 11 January all vehicles an officer observed leaving the site over approximately an hour were seen to be using the facilities correctly.

**Past site visits:**

**6.13** We continue to carry out odour assessments in the area. On the 19 October 2020, an Officer did detect a landfill type odour at the Silverdale cross roads traffic lights. However, we did not consider this to be at a level to be in breach of the permit. We informed the operator which is our normal practice. Subsequently, we completed a site visit on the 23 October 2020 and undertook a monitoring exercise using a hand held Tuneable Diode Laser (TDL) monitor. Prior to the visit we detected a landfill type odour on Cemetery Road opposite the site entrance which we rated at 3 out of 6. The operator advised us that the likely source of the odour was a gas well. A member of staff on site had reported that the gas well needed repair that morning. The site was already taking action and the repairs were completed during our site visit. Since our last visit additional soils had been applied to the part of the site which borders the garden centre and the near the site entrance.

**6.14** Further visits were completed in November and December.

**Update 1 February 2021**

**6.15** We have continued to complete amenity assessments within the local area. We have completed 8 assessments for odour since the 1 January 2021 and visited the site on 2 occasions (11 January and 27 January)

- We have detected odour at some locations, but not at a level considered to be of annoyance. Details have been provided to the site operator.
- During the last visit on the 27 January odour was detected on the newer housing estate at a level of 2/6 (near Barnacle Place). On further investigation approximately 2 hours later the odour has dissipated.

**6.16** Operations to bring the landfill to the final levels under the Planning Consent are continuing. The area nearest to the Garners Garden centre is currently being completed to final levels. It is currently anticipated disposal of waste in this area will be completed in early February.

- 6.17 Completion of waste disposal within this area will enable:
- the installation of further deep gas extraction wells for the control of landfill gas. We have approved the construction design for these wells during January.
  - the area to be capped and sealed.
- 6.18 We will continue with odour assessments and visits to ensure all measures are being used to minimise odour impacting local residents

**Update 10 February 2021**

**Air Quality Monitoring – Silverdale**

- 6.19 In response to increased community concern of odour within Silverdale and the surrounding areas we have been making arrangements to install Air Quality Monitoring Equipment. We are currently working to resolve electrical installation requirements and anticipate the equipment will be installed by the end of February.
- 6.20 This mobile monitoring equipment will remain in place for at least 3 months and collect monitoring data continuously. The equipment will monitor for the same parameters as previous studies. The data will be collated into a full and summary report which will also be provided to Public Health England to provide expert opinion on any human health impacts. We will publish the findings on our webpage and share them with the liaison group.
- 6.21 For more information regarding our previous Air Quality Monitoring please see the section below entitled '**Air Quality Monitoring**'

**Update 24 February 2021**

- 6.22 In response to increased community concern of odour within Silverdale and the surrounding areas we installed an Air Quality Monitoring unit on the 24 February 2021 in the grounds of the Severn Trent Pumping Station off Galingale View. This location is within a direction where residents have reported concerns of odour.
- 6.23 This Mobile Monitoring Facility (MMF) will remain in place for at least 3 months and collect monitoring data continuously. The unit will monitor for the same parameters as previous studies. For more information on previous studies please go to the section below entitled 'Air Quality Monitoring'. The data will be collated into a full and summary report which will also be provided to Public Health England to provide expert opinion on any human health impacts. We will then share the findings with local residents, including an assessment of any environmental impacts. We are considering options to provide updates to the community while the monitoring is taking place and will confirm how these will be provided shortly.



**Above:** This is from Galingale View on the newer housing estate. The green box in the bottom right corner is where the monitoring station is being deployed.

**Update 26 February 2021:**

- 6.24** In response to increased community concern of odour within Silverdale and the surrounding areas we have installed an Air Quality Monitoring unit on the 24 February 2021 in the grounds of the Severn Trent Pumping Station off Galingale View. Reports of odour were reviewed to determine appropriate locations. This location is within a direction where residents have reported concerns of odour. The location of the monitor must also be in a secure location with a dedicated electrical supply which must be assessed and approved before operating.
- 6.25** This Mobile Monitoring Facility (MMF) will remain in place for at least 3 months and collect monitoring data continuously. The unit will monitor for the same parameters as previous studies. For more information on previous studies please go to the section below entitled 'Air Quality Monitoring'. The data will be collated into a full and summary report which will also be provided to Public Health England to provide expert opinion on any human health impacts. We will then share the findings with local residents, including an assessment of any environmental impacts. We are considering options to provide updates to the community while the monitoring is taking place and will confirm how these will be provided shortly.





**Above:** The Mobile Monitoring Facility (MMF) in the grounds of the Severn Trent Pumping Station off Galingale View.



**Above:** A map of the location of the Air Quality Monitoring- Mobile Monitoring Facility (MMF)

### **Update 2 March 2021**

- 6.26** We recognise and understand concerns raised about odour in the Silverdale area of Newcastle under Lyme, Staffordshire surrounding Walley's Quarry landfill, operated by Red Industries. This weekend saw a record number of complaints made to our incident centre. We take these reports very seriously and do not underestimate the difficulty of the situation for residents in the area. Our officers contacted Red Industries at the weekend about the reports of odour.

### **Recent Complaints**

- 6.27** We believe the recent upsurge in complaints over the weekend of 27/28 February 2021 may be linked to work associated with new gas wells drilled by



Red Industries to better manage landfill gas, a requirement of the permit. These new wells, which are due to be connected in the next week will enable more gas from deep inside the landfill to be captured, which we expect to reduce odour in the environment.

- 6.28** We understand Red Industries informed the local liaison group about the gas wells that were due to be drilled in the following two weeks on 16 February 2021, in compliance with permit conditions.
- 6.29** Red Industries is carrying out this work as part of the permit requirements the Environment Agency has placed on it in relation to management of the landfill gas.

### **Monitoring**

- 6.30** As part of the ongoing response to increased community concern, we installed the first of two specialist air quality mobile monitoring units on Wednesday 24 February 2021 in the grounds of the Severn Trent Pumping Station off Galingale View, Newcastle under Lyme. This is an area where residents have specifically reported odour. Unfortunately the unit has not begun collecting data due to electrical supply issues. We understand this is frustrating for residents but this will be resolved by the end of this week.
- 6.31** The equipment will remain in place for at least 3 months to continuously collect data. It will monitor relevant parameters, including methane (CH<sub>4</sub>) particulates and hydrogen sulphide (H<sub>2</sub>S). It also has a weather station which will record wind speed, direction, temperature and pressure. The monitoring will allow comparison with levels obtained previously (further details below).
- 6.32** Data will be collated into a full report which we will give to Public Health England to provide expert opinion on any human health impacts. We will then share the findings with local residents and interested parties, including an assessment of any environmental impacts.
- 6.33** The Environment Agency carried out air quality monitoring in 2018/19 and 2019/20, both of which showed that the landfill is not breaching limits set by the World Health Organisation ("WHO"). Public Health England also confirmed there were no associated health risks based on the data. The equipment was installed on:
- 6 July 2017 until 14 February 2018 on the pumping station off Silverdale Road;
  - 15 January 2019 until 25 June 2019 near the northern boundary of the site, on the grounds of Garner's Garden Centre.

### **Ongoing Regulation**

**No landfill site will be completely odour free and there are particular challenges where residential homes have been built in close proximity to landfill sites, as in Silverdale. Planning permission for the construction of landfills and housing are granted by the local county and borough councils respectively or by the Secretary of State on appeal.**

- 6.34 The Environment Agency assesses Red Industries' operations against the permit conditions, and takes account of the WHO threshold, as we do for any other site. If we find breaches of permit condition(s) we specify the actions the company is required to take in order to rectify this non-compliance.
- 6.35 In addition to the works on the landfill gas wells, we expect Red Industries to cap part of the site by the end of late Spring/Early Summer, which should help to reduce odour leaving the site boundary. Capping will begin when the site levels reach those specified in planning permission.
- 6.36 We're also working in partnership with Newcastle under Lyme Borough Council to share data and information.

**END**

### **Update 5 March 2021**

- 6.37 An update from Public Health England has been added to the Health section below.
- 6.38 We have continued to complete amenity assessments within the local area and site visits.
- 6.39 We have detected odour at some locations, but not at a level considered to be of annoyance. Details have been provided to the site operator.
- 6.40 On the 16 February a drilling rig was visible on the site near the border with Garners Garden Centre. As areas of a landfill are filled with waste, infrastructure such as gas wells used to capture landfill gas and feed it to the gas utilisation plan, need to be continually reviewed and updated to ensure effective gas management. The drilling rig has installed an additional 11 gas wells and connected these to the utilisation plant which has increased the amount of gas collected from the landfill. Further wells were still being installed at the time of this update.



**Above:** Photo of a drilling rig which the company sent to members of the local liaison group.

- 6.41** We will continue with odour assessments and visits to ensure all measures are being used to minimise odour impacting local residents.
- 6.42** Following the wet weather during late 2020 and early 2021 an increased amount of surface water collected within the landfill. This surface water has drained from the landfilled waste and must be managed as contaminated water. The collected water, has the potential to cause odour and the failure to manage this adequately has been assessed as a minor breach of the site permit. We have required the operator to take action to remove the collected water which must be treated on site in the onsite treatment plant or removed by tanker without delay.
- 6.43** There was a fire in the engine compartment of one of the site vehicles on 18 February. This caused a visible plume of smoke for a short period of time around midday. The Fire Service attended and quickly put the fire out. No waste was involved. An investigation is ongoing to determine the cause of the vehicle fire. The site operator notified the liaison group members of the incident.

- 6.44** During a visit on the 26 February a full perimeter tour was completed to monitor for ambient methane concentrations at the boundary of the site. This is a valuable technique in quantifying the potential for the fugitive release of landfill gas given the predominance of methane in such gas. The values encountered on the upper point of the side wall of the landfill void (approximately 10m to 20m inside the permitted boundary) varied from zero to 34 ppm of methane. It was noted that the highest values were recorded in the south western quadrant of the site. This was in the downwind direction at the time of observation.
- 6.45** The potential source of elevated readings was believed to be a leachate extraction chamber that was undergoing routine upwards extension and would be for a short time while the works are completed. This is a normal engineering operation that is necessary to maintain the operational capability of the extraction chamber as waste is placed in the immediate vicinity.
- 6.46** Away from the leachate chamber, readings diminished in a broadly linear fashion to predominantly 0ppm to 3ppm north and east of the site.

#### **Litter Fencing**

- 6.47** Some visual dilapidation of the perimeter litter control fencing was observed during the emissions monitoring exercise. A full review of litter control measures against the management protocol has been required including the provision and maintenance condition of physical barrier systems.

#### **Surface/Ground Water Settlement Lagoon**

- 6.48** Residents reported discoloration in the Silverdale Brook at the location where the company discharge site surface water to the watercourse. We have responded to these concerns, inspected the watercourse and collected samples which have been analysed. The results did not show anything of concern. We continue to check the watercourse on site visits. The chemical quality of the water within the sites lagoon was discussed during the inspection. The design of the lagoon and the proximity of vegetation could leave the system vulnerable to the accumulation of organic matter (leaf litter, algal blooms, etc). In turn this might cause anoxic conditions within the stored water in the event of cold weather conditions.
- 6.49** A review of the consideration of the timing and frequency of the periodic removal of any settled solids from the lagoon has been recommended

#### **Future Capping**

- 6.50** Substantial progress in reaching the final tipping elevations in accordance with the planning permission was observed during the inspection. This is positive news in terms of facilitating the proposed permanent and temporary capping operation of the area. The company reaffirmed their commitment to achieving, and maintaining, a high standard of interim cover.

#### **END**

#### **Environmental Health:**

- 6.51** The following news updates have been provided by the Borough Council.

**26 January 2021**

**Walley's Quarry**

- 6.52** The Council is currently receiving a huge number of complaints about the landfill site, issues with odours and associated reports of a negative impact on residents' quality of life.
- 6.53** From next week the Council will be extending its hours of operation to include an on-call and out-of-hours response service in order to assist the investigation of complaints. It is hoped that the service, which will be officers on extended duty, will operate 24 hours a day, seven days a week, until further notice.
- 6.54** We wish to encourage anyone who is experiencing any form of negative impact, which they believe to be caused by the landfill, to report them to the Council and the Environment Agency.
- 6.55** The Council is encouraging any residents who are suffering from ill-health, which they feel is a direct result of the issues associated with the landfill site, to consult their GP and also report those issues to the Council and Environment Agency.
- 6.56** The Environment Agency (EA) is responsible for monitoring the site and also regulates the environmental permits held by Red Industries RM Limited ("the operator") for Walley's Quarry.
- 6.57** The Council is taking advice from Public Health England and other organisations in the course of their own investigation but need to hear from residents themselves.  
Please report issues using the following:

Via the Council's website: <https://tinyurl.com/nxjbvny>

The dedicated Environment Agency website: <https://tinyurl.com/y58xlt8t>

Via Twitter at @EnvAgencyMids

By telephone on 0800 80 70 60

By email: [enquiries\\_westmids@environment-agency.gov.uk](mailto:enquiries_westmids@environment-agency.gov.uk)

**29 January 2021**

**COUNCIL TO FUND URGENT SPECIALIST ADVICE ON LANDFILL ODOUR  
AS 24/7 MONITORING COMMENCES**

- 6.58** Newcastle-under-Lyme Borough Council has allocated £50,000 from its Borough Growth Fund to fund specialist technical advice and support that will enable more effective monitoring of the odours blighting large parts of the borough and alleged to emanate from Walleys Quarry landfill site.
- 6.59** The aim is to legally establish if the source of odours is Walleys Quarry, in Silverdale, which is owned and run by Red Industries RM Limited.
- 6.60** The site has been highly controversial for several years now, with local residents complaining about the 'foul stench' that they experience within their own homes, gardens and neighbourhood, which they say does come directly from the landfill.
- 6.61** Simon Tagg, the Leader of the Borough Council said: "We are trying to address the issues that residents have been reporting for some considerable time with the Environment Agency and Red Industries.
- 6.62** "The Council doesn't have the specialist expertise 'in house' so we are intending to allocate this funding from the Council's budget in a bid to get adequate, scientifically measured readouts of the actual level of emissions. There is concern that the monitoring that has been done to date by the Environment Agency has been inadequate.
- 6.63** "Whilst the Council has no not directly powers to close down operations at the landfill, the situation is so important to our communities – and not just the people living close to the site because complaints come from miles around - that we have to take swift, independent action and bring in specialist skills and the advice of industry experts."
- 6.64** The Council has been recording residents' complaints, and sharing them in real time with Red Industries and the Environment Agency.
- 6.65** The Environment Agency is responsible for monitoring the site and also regulates the environmental permits held by Red Industries for Walleys Quarry.
- 6.66** While the specialist technical advice is being commissioned and implemented the Council is encouraging anyone who continues to experience any form of negative impact, which they believe to be caused by the landfill, to report the issues in detail, with times and dates, to the Council, Red Industries and the Environment Agency.
- 6.67** From next week the Council will be extending the hours of operation of its environmental enforcement team to include an on-call and out-of-hours response service in order to assist the investigation of odour complaints.
- 6.68** It is hoped that the service will operate 24 hours a day, seven days a week, until further notice.
- 6.69** Please report the issues to the council and the EA using the following:

The Council's website: <https://tinyurl.com/nxjbvny> and the dedicated EA website: <https://tinyurl.com/y58xlt8t>

Via Twitter at @EnvAgencyMids - or telephone the EA on 0800 80 70 60 - or e-mail [enquiries\\_westmids@environment-agency.gov.uk](mailto:enquiries_westmids@environment-agency.gov.uk)

Ends

**10 February 2021**

### **AGENCY BOWS TO PRESSURE AND AGREES THREE-MONTH AIR QUALITY MONITORING AT LANDFILL SITE**

- 6.70** In a welcome move, and in response to the rising number of complaints from local residents, the Environment Agency has announced this afternoon that it will undertake a new air quality monitoring exercise around Walleys Quarry landfill site.
- 6.71** The Environment Agency (EA) is the body responsible for monitoring the site and also regulates the environmental permits held by Red Industries RM, the operators of the site.
- 6.72** In recent months the landfill quarry has been the source of an unprecedented number of complaints, with hundreds of residents reporting foul odours that they say impacts negatively on their families and their quality of life.
- 6.73** Simon Tagg, the Leader of the Borough Council said: "I am glad that the Environment Agency have listened to our residents and to the Council on this. We really need urgent action and for the Environment Agency to get stuck in trying to tackle the issues that residents have been reporting for a long time now."
- 6.74** "I will be meeting with the EA this Thursday, along with our local MP Aaron Bell, and will be pressing for a more effective programme of monitoring than anything they have done so far - including appropriately sited monitoring equipment and transparency on the data that is collected. And, we want a speedy process and early result. It's what people now expect from the EA."
- 6.75** Today's EA announcement can be viewed here: <https://tinyurl.com/y58xlt8t>
- 6.76** The Council recently allocated £50,000 from its Borough Growth Fund to finance specialist technical advice and support for its own investigation and is encouraging residents to report the issues they experience to the Council, Red Industries and the Environment Agency.
- 6.77** Residents can do this via the Council's website: <https://tinyurl.com/y5zunpn8> to the EA by telephone (0800 80 70 60) or [enquiries\\_westmids@environment-agency.gov.uk](mailto:enquiries_westmids@environment-agency.gov.uk)

**5 March 2021**

### **COUNCIL LAUNCHES LANDFILL INVESTIGATION**

- 6.78** A Council-led investigation into widespread reports of foul smelling odours in Newcastle-under-Lyme is underway.

- 6.79** The Council has developed a specific and comprehensive plan detailing how air quality will be monitored in the area surrounding Walleys Quarry in Silverdale using £70,000 recently set aside specifically for the investigation which has started this month.
- 6.80** It comes after the Council received an unprecedented number of complaints about the landfill site which peaked last weekend when more than 2,000 residents contacted the authority about foul smells affecting their homes, families and quality of life.
- 6.81** A total of £50,000 from the Borough Growth Fund – plus additional resources – is funding up to three months of air pollution monitoring using dedicated equipment as well as undertaking daily odour tours and targeted early morning and evening visits. This will be supplemented by specialist technical and legal advice from a QC.
- 6.82** The monitoring equipment will test for a wide range of gasses and substances including hydrogen sulphide, methane, oxides of nitrogen and air-borne particulates.
- 6.83** The Environment Agency (EA) – who are responsible for monitoring the site and regulating the permits held by operators Red Industries – is currently carrying out a new, and separate, investigation following pressure from the Council and local MP.
- 6.84** An extra-ordinary Full Council meeting has also been called by councillors so that residents' concerns can be put at the forefront of a debate on the problems being experienced over a wide area surrounding Walleys Quarry.
- 6.85** Cllr. Trevor Johnson, Cabinet member for environment and recycling, said: "Residents have been reporting Walleys Quarry as the source of foul odours for some time now but in recent months the problem has really escalated. Today the Environment Agency has announced that Red Industries has breached their permit in relation to water gathering on the site.
- 6.86** "The Council is taking this action as people are at the end of their tether and want something to be done.
- 6.87** "We're fully aware of the community's strong feelings on this and are doing everything we can to support them and fight on their behalf. We've also set aside a significant sum of money to carry out our own investigation into what's going on. After seeing things reach such a critical point at the weekend, we've been working hard to put the plans in place so we can launch a full investigation immediately."
- 6.88** Residents are encouraged to continue reporting odours via the Council's website <https://bit.ly/3c3qwnb> and by contacting the EA on 0800 80 70 60 or e-mailing [enquiries\\_westmids@environment-agency.gov.uk](mailto:enquiries_westmids@environment-agency.gov.uk) .

Ends



### **Complaint Data:**

- 6.89** Analysis of the complaint data received has been updated and is included in appendix 15, this shows the number and geographic spread of the complaints, plus the odour intensity reported by the complainant.

## **7. Conclusion:**

- 7.1** There is significant community concern about the impact on health, wellbeing and environment caused by the landfilling operations and related activities.
- 7.2** The scrutiny process provided a structured publicly accessible forum to formally acknowledge the issues of community concern, to hear factual information about the role and responsibilities of the landfill operator; the role and responsibilities of respective agencies and regulators; impact on the communities surrounding the site, current research and understanding of landfill impacts on health, wellbeing and the environment and make recommendations.
- 7.3** The working group findings were that odour was by far the biggest issue and cause for complaint from all parties. The operator has responsibilities to manage the site and any matters which may arise outside of the site. The primary regulator of any odour emanating from the landfill site is the EA through the permit. Although it is acknowledged that there are also regulatory responsibilities placed on Environmental Health, albeit as it is an EA regulated site, there were some limitations to this.
- 7.4** There is an overwhelming level of complaint in relation to odour surrounding the landfill site, it is noted that the source of the odour has not been confirmed by either the EA or Red, however it is noted that there are no significant alternative sources of odour presented to the group.
- 7.5** The group consider that the use of scientific instrumentation should be used for the assessment of odour and specific air pollution limits should be detailed within the EA permit conditions, thereby making it more enforceable.
- 7.6** Odour is adversely affecting a wide community, the nature, duration, extent and exact chemical compounds in the odour has not been established, but it is clear that there is a regular and persistent source of odour, which needs to be addressed.
- 7.7** The working group acknowledge that the principal regulator for off-site highway matters is SCC along with some police responsibilities. The control of vehicle on site and exiting is the responsibility of Red, with the principal regulators being the EA and SCC. It is also acknowledged that Red do not have control of the vehicles or their behaviours but they do have opportunity to influence these behaviours through their business operations.
- 7.8** The findings were that vehicle controls outside of the site were on occasions causing disruption and inconvenience to the surrounding roads and neighbours. It has been demonstrated that the infrastructure is on the landfill site to control mud being tracked onto the highway.
- 7.9** The working group findings were that litter was not one of the primary areas of concern during this scrutiny review.

- 7.10** The working group findings were that there was concern within the general community regarding dust exposure, there was little mention of visible dust but the concern related to PM10 and PM2.5 exposure.
- 7.11** The working group fully understand and appreciates the concerns of people living around the site, however, PHE advice is that there should be no adverse health impacts. It is recommended that further PHE advice is sought following any further pollution monitoring in the vicinity of the site. Any further updates or advice received are to be published on the council's website.
- 7.12** The working group findings were that there was clear evidence of gulls on site, members have seen this for themselves. They appreciate the controls that are in place for this, but these can also impact on the surrounding residents. They consider that it is Red's responsibility to control and manage gulls and pests on site and the principal regulator is the EA. It is noted that the main control measure for gulls is the removal of a food supply at the landfill site, this can be controlled through the use of daily cover at the end of each working day.
- 7.13** The working group findings were that the landfill has changed over the recent time from being a hole in the ground to become more visual as it is filled. It is also noted that the final restoration height was determined through the SCC planning permission and it is going to be considerably higher than it is at present.
- 7.14** Although the overall height of the landfill is predetermined, the visual amenity of the site can be improved particularly through the effective use of daily cover, which would at least minimise the extent of fill material observed from beyond the site boundary.
- 7.15** The working groups findings were that as the height of the landfill is emerging above ground that the tipped material is far more visible. It appears that there is a link between the nature, quantity and quality of the daily cover material and visual amenity. There also appears to be a link between the control of gulls. Attention to this could also potentially control odours.
- 7.16** It is noted that the responsibility for ensuring suitable and sufficient daily cover is that of the operator and that the principal regulator is the EA.
- 7.17** It is considered, although normal practice at landfill for daily cover to be made up of 'fines' (small material that is screened out from a waste material through an industrial process such as a trammel screener), that such material in itself may be a source for odour, and that on occasions the quantity of such material is such that the waste is clearly observed and is acting as a food source to gulls.

## **8. Recommendations:**

Recommendations have been made in respect of each organisation, these are:

### **8.1 The Environment Agency:**

- A. Suspend the permit and therefore prohibit the importation of waste until source of odour has been identified and mitigated;
- B. Seek ongoing commitment from EA to monitoring for odour and other emissions (both by officers and by equipment), to publish its findings in a timely manner and to take any appropriate regulatory action arising from its findings. Seek permanent air pollution equipment monitoring of air pollution (including H<sub>2</sub>S, methane etc) on site and off site and produce an annual report detailing such findings;
- C. Undertake a review of the site risk assessment based on public concern and complaints and undertakes unannounced site audits/visits to ensure that the site is operating to best available techniques and is fully compliant with its permit;
- D. Review compliance with permit condition number 3.3.1 (odour) to establish whether a breach of this condition and to comply with the legal duties under the PPC Act and EA policies and procedures;
- E. Amend condition number 3.3.1 (odour) wording, to assist with enforceability;
- F. Ascertain that there is no link between meteorological conditions, leachate management and odour release;
- G. Ascertain that there is no link between quality and quantity of daily cover, odour release and gull control;
- H. Future permit variations must take into account this report as material consideration when determining any future applications;
- I. Amend EA policy relating to cover material and use of fines as a cover material.
- J. Lobby Government to change national planning policy in relation to the siting of landfills and/or sensitive developments in close proximity to each other;
- K. Provide an annual report for Newcastle-under-Lyme Borough Councils Economy, Environment & Place Scrutiny to review for life of landfill.

### **8.2 Borough Council:**

- A. Undertake a review and appraisal of EA monitoring data and work with the EA for any future monitoring;
- B. Prepare and undertake air pollution monitoring, the results of which shall be made available on the Council's website;
- C. Request confirmation from the EA as to the odour source(s) and to specify appropriate method of control;
- D. Undertake odour nuisance investigations to establish whether a statutory odour nuisance exists under the provisions of section 79 of the Environmental Protection Act 1990 and to comply with the legal duties under that Act;
- E. Seek legal advice regarding any other legal routes to remedy odour and other issues identified to support the local community, business and residents;
- F. Seek further PHE option following any further pollution monitoring in the vicinity of the site. Any further updates or advice received is to be published on the council's website;

- G. Future planning applications must take into account this report as material consideration of evidence of amenity issues surrounding the site, when determining any future applications within the vicinity of the landfill site;
- H. Lobby government and boroughs MPs regarding national planning policy in relation to the siting of landfills and/or sensitive developments in close proximity to each other;
- I. Provide an annual report for the council's Economy, Environment & Place Scrutiny to review for life of landfill.

### **8.3 RED:**

- A. Publicly acknowledge the extent of public concern relating to the impact on the community from the operation of the landfill;
- B. Pro-actively manage the matters of concern, rather than awaiting enforcement action to remedy public concerns;
- C. Investigate and implement operational procedures to emulate best practice to mitigate odour - rather than statutory minimum;
- D. Provide real time on site air pollution monitoring on a publicly accessible forum;
- E. Regularly and routinely provide community engagement and liaison outside of the liaison committee. Providing updates to the surrounding community in relation to activities on site. E.g. when gas drilling or equipment break-downs occur;
- F. Appoint independent community representatives for odour assessment, rather than using on-site staff who are more familiar and potentially de-sensitised to the odour. Emulate best practice as completed by previous operator Lafarge;
- G. Liaison Committee membership to be extended beyond prescribed minimum to include community liaison groups and public health representatives. A public question section to be added to the standard agenda and for all meetings to be webcast;
- H. Publish Red's environmental management plan, including complaints received, investigation reports and findings;
- I. Enhance the quality and extent of daily cover to prevent and improve odour, wind-blown litter and gull control;
- J. Undertake pro-active litter picking off-site, when necessary;
- K. Communicate to all customers requirements relating to no overnight parking on Cemetery Road;
- L. Accelerate the programme of temporary and permanent capping on site.

### **8.4 MPs:**

- A. Lobby government regarding national planning policy in relation to the siting of landfills and/or sensitive developments in close proximity to each other;
- B. Lobby government regarding EA regulation of site and response times.

### **8.5 SCC:**

- A. Review and tighten the planning condition in relation to the management and effectiveness of the liaison committee eg widen membership, public questions;
- B. Implement parking restrictions on surrounding roads and Cemetery Road lay-by monitoring of such measures;

- C. Seek to repair and safeguard the highways verges along Cemetery Road;
- D. Undertake regular traffic monitoring of the access routes.

**8.6 Liaison Committee:**

- A. Chair to liaise with Red to implement liaison committee recommendations as detailed in 8.3 (G) above.

**8.7 Police:**

- A. To undertake speed monitoring on access routes and monitor status (unstable loads) of vehicles accessing the landfill site.

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To: Tarmac Aggregates Limited  
c/o Mr Nick Atkins  
Croxdon Quarry  
Croxdon Common,  
Freehay, Cheadle,  
Stoke-on-Trent,  
ST10 1RH

**TOWN AND COUNTRY PLANNING ACT 1990 and the ENVIRONMENT ACT 1995**

**PROJECTS REQUIRING AN ENVIRONMENTAL ASSESSMENT**

**DECISION NOTICE**

The Secretary of State for the Environment in pursuance of powers under the above mentioned 1990 Act previously permitted:

Scheme of Conditions (appeal decision ref. M23/2/011 dated 14 November 1997), (subject to the Section 106 Legal Agreement signed on 15 July 1998)  
(application ref. [IDO/N/1](#)).

The Staffordshire County Council in pursuance of powers under [Schedule 14](#) of the above mentioned 1995 Act and having taken into consideration the environmental information, hereby approve:

**The Scheme of Conditions, as modified by the County Council, related to the periodic review of mineral planning permission IDO/N/1 on land at Walley's Quarry, Cemetery Road, Silverdale, Newcastle under Lyme  
(application ref. [N.12/09/216 MW](#)).**

The above mentioned permission shall with effect from the date of this Decision Notice be subject to the condition(s), for the reasons specified, hereunder.

**Definition of the Permission/ Decision Notice**

1. The conditions shall only relate to the site edged red on '[Location Plan](#)' (dwg no W31/ROMP/12/01)', hereafter referred to as 'the Site' and the permitted development shall only be carried out in accordance with the approved documents, plans and details listed below:

- Application forms dated 8 November 2012;
- Non-Technical Summary;
- Environmental Statement;

- Environmental Statement - Appendix 1 – Plans;
- Location Plan W31/ROMP/12/01;
- Working Scheme W31/ROMP/12/03;
- Environmental Statement - Appendix 3 - Noise Assessment;
- Environmental Statement - Appendix 4 – LVIA;
- Environmental Statement - Appendix 5 - Landfill Gas Monitoring Action Plan;
- Plan W31/ROMP/12/02A - Existing Situation;
- Plan W31/ROMP/12/04B - Final Restoration;
- Letter from David L Walker Limited dated 9 July 2013 relating to drawings, vehicle routing, phasing, restoration plant, existing landscaping/screening, updating of previously approved schemes, and flood risk information;
- Letter from David L Walker Limited dated 6 March 2014 relating to comments from the Environmental Health Services, Newcastle under Lyme Borough Council and the County Council's Environmental Advice Team;
- Letter from David L Walker dated 14 April 2014;
  - Extended Phase 1 Habitat Survey dated April 2014.
- List of relevant approvals under the IDO Scheme of Conditions (ref. IDO/N/1)
  - Approved details (ref. [IDO/N/1 D1](#) dated 19 January 2001) of Scheme of Conditions IDO/N/1 relating to condition 11 (hard surfacing), 14 (noise monitoring), and 17 (dust control);
  - Approved details (ref. [IDO/N/1 D2](#) dated 10 January 2003 of Scheme of Conditions IDO/N/1 relating to condition 26 (landscaping);
  - Approved details (ref. [IDO/N/1 D3](#) dated 25 August 2005) relating to condition 21 (landfilling: further details), 22 (stability), 26 (landscaping), 29 (sheeting of vehicles), 30 (location of lorry routing sign), 31 (drainage) and 34 (skip storage), and;
  - Approved details (ref. [IDO/N/1 216 MW D4](#) dated 5 June 2007) of Scheme of Conditions IDO/N/1 relating to the requirements of the S106 legal agreement and condition 30 (lorry routing).

except in so far as the approved documents, plans and details listed above are amended by the conditions specified below.

*Reason: To define the development and to ensure that the development is carried out in all respects in accordance with the approved documents, plans and details.*

#### **Cessation of Operations and Expiry of the Permission/ Decision Notice**

2. The landfilling of non-hazardous waste and stable non-reactive hazardous wastes shall cease no later than 31 December 2026 and thereafter landfilling shall continue only with inert waste, such that the Site is restored no later than 21 February 2042 in accordance with the requirements of Conditions 37 to 39 below.



**3. The permission to which this Decision Notice relates shall expire when the Mineral Planning Authority has confirmed in writing that the Site has been restored, and subject to aftercare in accordance with the latest approved Restoration and Aftercare Scheme (Conditions 37 to 39).**

*Reason (2 and 3): To define the cessation dates and final restoration and aftercare dates in accordance with the requirements of [Schedule 5 of the Town and Country Planning Act 1990](#) which requires that every mineral site permission/ Decision Notice to have a condition as to the duration of the development.*

*Note: The Environmental Permit issued by the Environment Agency will define the detailed waste types within these broad categories.*

### **Method of Working**

**4. The Site shall be progressively worked in accordance with the Working Plan (dwg no W31/ROMP/12/03) unless otherwise approved in writing by the Mineral Planning Authority in accordance with the requirements of Conditions 5 and 6 below.**

**5. No later than 12 months from the date of this Decision Notice, a detailed Site Layout Plan(s) to update the approved Working Plan for the Site, at 1:1250 scale (or as otherwise appropriate), shall be submitted for the written approval of the Mineral Planning Authority. The Site Layout Plan(s) shall include but may not be limited to the following details:**

- a) The areas that have been landfilled and restored, including the levels;**
- b) The areas currently being landfilled and restored, including the levels;**
- c) The areas to be landfilled and restored in the next 5 years, including the levels;**
- d) The approved final restoration levels in the restored areas;**
- e) The location of subsoil and topsoil mounds and their profiles and treatment;**
- f) The access, the hard surfaced internal haul road, offices, parking areas, compounds, landfill gas utilisation plant, leachate treatment plant, fuel storage facilities, weighbridge, wheel cleaning facilities and drainage; and,**
- g) The site fencing and security gates.**

**The Site shall operate in accordance with the approved Site Layout Plan(s).**

6. On the 5th anniversary of the date of this Decision Notice, and every 5 years thereafter until the cessation of landfilling operations, a Progress Report, including an update to the Site Layout Plan(s) required by Condition 5 above, shall be submitted for the written approval of the Mineral Planning Authority. The submitted Progress Report shall demonstrate the progress being made relative to the previously approved Site Layout Plan(s), and the progress relative to the approved programme of restoration for the Site. The report shall consider the need to submit revised details for the working and restoration of the Site in the event that insufficient progress has been made relative to the dates for the cessation of the landfilling and final restoration of the Site (ref. Conditions 37 to 39).

The Site shall operate in accordance with the latest approved Site Layout Plan(s).

7. No further winning and working of mineral shall take place on the Site and no waste materials shall be deposited within 15 metres of the boundary of the Site.

#### **Waste Types**

8. No waste shall be imported into the Site for landfill purposes other than inert waste, non-hazardous industrial and commercial wastes and stable non-reactive hazardous wastes.

9. No municipal waste shall be imported into the Site.

*Reasons (4 to 9): To require the working and restoration of the Site in accordance with the approved timescales; to enable easy reference to up to date plans; to enable effective monitoring; to comply with the requirement of the Decision Notice; to ensure the orderly operation of the Site; to monitor the quality of mineral extracted, and, to accord with the [Staffordshire and Stoke-on-Trent Minerals Local Plan](#) (saved policy 9); the [emerging Staffordshire Mineral Local Plan](#) (policy 4); and the [Staffordshire and Stoke-on-Trent Waste Local Plan](#) (policies 1.1 and 1.3) and [Newcastle under Lyme and Stoke on Trent Core Spatial Strategy](#) (policy CSP8). Also having regard to the [National Planning Policy Framework](#) (sections 9 and 13).*

*Note: The Environmental Permit issued by the Environment Agency will define the detailed waste types within these broad categories.*

#### **Hours of Operation**

10. No operations except for loading, water pumping, servicing, maintenance and testing of plant shall be carried out other than between the following hours except in the case of emergencies:

- 07:00 to 19:00 Mondays to Fridays and
- 07:00 to 13:00 on Saturdays,

No such operations shall take place on Sundays, Bank and Public Holidays.

**Any emergency operations shall be recorded and reported to the Mineral Planning Authority within 7 days of such an emergency event occurring.**

*Reasons: To accord with the provisions made within the application and to safeguard the amenities of local residents in accordance with the [Staffordshire and Stoke-on-Trent Minerals Local Plan](#) (saved Policy 12); the [emerging Staffordshire Mineral Local Plan](#) (policy 4); the [Staffordshire and Stoke-on-Trent Waste Local Plan](#) (policy 4.2); and, the [National Planning Policy Framework](#) (section 11).*

### **Development Restrictions**

**11. Notwithstanding provisions of the [Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#) (as amended or re-enacted), no additional buildings, fixed plant or machinery other than as previously approved in writing by the Mineral Planning Authority shall be erected or otherwise brought onto the Site without the prior written approval of the Mineral Planning Authority.**

*Reasons: To ensure the orderly operation of the Site, to protect visual amenity and in accordance with [Staffordshire and Stoke-on-Trent Minerals Local Plan](#) (saved policy 21); the [emerging Staffordshire Mineral Local Plan](#) (policy 4); the [Staffordshire and Stoke-on-Trent Waste Local Plan](#) (policy 4.2); and, the [National Planning Policy Framework](#) (sections 9 and 13).*

### **Knowledge of the Decision Notice**

**12. The terms of this Decision Notice and any documents, plans and details subsequently approved in accordance with this Decision Notice shall be made known and be accessible to any person(s) given responsibility for the management or control of the activities/operations on the Site.**

*Reasons: To enable easy reference and to encourage compliance with the requirement of the Decision Notice so as to ensure the orderly operation of the Site.*

### **Highway Safety and Access**

**13. All vehicle traffic shall use the site entrance as marked 'Site Access' on the Existing Situation plan (dwg no W321/ROMP/12/02A).**

**14. All accesses on to the public highway shall have hard surfaces maintained for the duration of the permitted uses in accordance with approved details (ref. [IDO/N/1 D1](#) dated 19 January 2001).**

**15. The number of HGVs entering or leaving the Site shall not exceed 880 per full working week (440 in and 440 out).\***

16. Weighbridge and wheel washing facilities shall be retained and maintained in working order until such time as they are programmed to be removed from the Site as part of the approved Restoration and Aftercare Scheme.

17. No vehicle associated with the permitted development shall leave the Site in a condition whereby mud, dirt or deleterious material is deposited on to the public highway.

18. No waste carrying vehicle shall leave the Site unless its load has first been securely contained or sheeted.

19. The sign erected giving details of the vehicle routes shall continue to be located adjacent to the wheelwash (shown on Figure 1, ref. [IDO/N/1 D3](#) dated 25 August 2005) in accordance with the approved details and maintained in good condition until such time as the sign is programmed to be removed in accordance with the approved Restoration and Aftercare Scheme.

*Reasons (13 to 19): In the interest of highway safety and to accord with the [Staffordshire and Stoke-on-Trent Minerals Local Plan](#) (saved policy 12); the [emerging Staffordshire Mineral Local Plan](#) (policy 4); the [Staffordshire and Stoke-on-Trent Waste Local Plan](#) (policy 4.2); and, the [National Planning Policy Framework](#) (section 4).*

*\* Explanatory note: The report to Planning Committee on 4 June 2015 recommended that the number of HGV movements be limited to 220. This was an error as it was not intended to reduce the permitted 440 movements in and out of the Site per week (condition 12 of the extant permission ref. IDO/N/1). A correction was recommended to and approved by the Planning Committee on 12 May 2016. Condition 15 now repeats the proposed condition 12, subject to a minor update to aid understanding.*

### **Appearance of the Site**

20. All buildings, structures, perimeter security fencing, gates and hard-surfaces on Site shall be maintained in place and in good condition and fit for purpose until such time as they are programmed to be removed in accordance with the approved Restoration and Aftercare Scheme.

21. Any unauthorised waste disposal in the woodland located in the south-eastern corner of the Site shall be removed and taken to an authorised waste management facility.

22. A maximum of 6 skips shall be stored on Site at any one time for the duration of the permitted development in accordance with the approved details (ref. [IDO/N/1 D3](#) dated 25 August 2005).

*Reason (20 to 22): To protect visual amenity in accordance with the [Staffordshire and Stoke-on-Trent Minerals Local Plan](#) (saved policies 12 and 35); the [emerging Staffordshire Mineral Local Plan](#) (policy 4); the [Staffordshire and Stoke-on-Trent Waste Local Plan](#)*

(policy 4.2); the [Newcastle under Lyme and Stoke on Trent Core Spatial Strategy](#) (policy CSP1) and, the [National Planning Policy Framework](#) (sections 11 and 13).

### **Landscape Scheme**

**23. The landscaping of the perimeter of the Site shall be carried out and continue to be maintained for the duration of the permitted development in accordance with the approved details (ref. [IDO/N/1 D2](#) dated 10 January 2003 and [IDO/N/1 D3](#) dated 25 August 2005).**

*Reasons: To ensure that on-site operations do not have a significant adverse visual impact upon the surrounding environment, to safeguard habitats and to protect and enhance the landscape in accordance with the [Staffordshire and Stoke-on-Trent Minerals Local Plan](#) (saved policies 20 and 21); the [emerging Staffordshire Mineral Local Plan](#) (policy 4); the [Staffordshire and Stoke-on-Trent Waste Local Plan](#) (policy 4.2), the [Newcastle under Lyme and Stoke on Trent Core Spatial Strategy](#) (policy CSP1); [Newcastle under Lyme Borough Local Plan](#) (saved policy N17) and, the [National Planning Policy Framework](#) (section 11).*

### **Record Keeping**

**24. The following records shall be kept and provided to the Mineral Planning Authority within 7 days of a request made in writing:**

- a) Records of the total number of HGV vehicles importing waste to the Site per day;**
- b) Records of the total quantity of waste imported to the Site;**
- c) Results of noise monitoring (ref. Conditions 28);**
- d) Results of dust monitoring (ref. Condition 29); and,**
- e) Records of complaints received and remedial action taken.**

**In making a request, the Mineral Planning Authority shall specify the dates between which the records shall be provided.**

*Reason: To ensure the Decision Notice is implemented in accordance with the submitted details and in the interests of the highway safety and protection of the environment in accordance with the [Staffordshire and Stoke-on-Trent Minerals Local Plan](#) (saved policy 12); the [emerging Staffordshire Mineral Local Plan](#) (policy 4) and the [Staffordshire and Stoke-on-Trent Waste Local Plan](#) (policy 4.2).*

### **Control of Noise**

25. All vehicles, plant and machinery used on the Site shall be operated with engine covers closed, with effective silencers and maintained in accordance with the manufacturer's recommendations in order to prevent excessive noise emissions.

26. No mobile plant shall be used on the Site unless fitted with broadband "white" noise reversing alarms or other suitable non-audible reversing aids and these shall be maintained in accordance with the manufacturer's recommendations and specification.

27. Site attributable noise from the Site (excluding the temporary operations referred to below) when measured at the nearest noise sensitive properties at the following locations shall not exceed the limits as detailed below:

Location	Proposed Noise Limits dB(LAeq) (1 hour) (free-field)	
	Early Morning (0700 – 0800)	Daytime (0800 – 1900)
Halfway Place/ Silverdale Road	55	55
Caravan Site	55	55
Galingale View	48	55
Garden Centre	N/A	55
Offices on Cemetery Road	N/A	55
Gadwall Croft	48	55

Site attributable noise arising from the temporary operations including the construction and removal of soil screening bunds on the Site shall not exceed 70 dB(LAeq) (1 hour) (free-field) when measured at the nearest noise sensitive properties / noise sensitive properties referred to above. Such temporary operations shall take place for no more than 8 weeks in any 12 month period.

28. Noise monitoring shall be carried out in general accordance with the approved details (ref. [IDO/N/1 D1](#) dated 19 January 2001) as amended by the arrangements set out in the in the Environmental Statement (Appendix 3 Noise Impact Assessment, Appendix A - Noise Management Plan, Appendix A).

### **Control of Dust Emissions**

29. Within 6 months of the date of this Decision Notice, details of a revised Dust Management Scheme ('the Scheme') shall be submitted for the written approval of the Mineral Planning Authority. The Scheme shall be based on the approved management details (ref. [IDO/N/1 D1](#) dated 19 January 2001) and the Environmental Statement (Section 4.3). The updated scheme shall include but may not be limited to the following details:



- a) The precise arrangements for the monitoring of wind speed on the Site;
- b) The dust monitoring points around the boundary of the Site;
- c) The equipment to be used to monitor dust which shall be both directional and non-directional gauges;
- d) The monitoring frequency and periods;
- e) The steps to be taken to establish the background / baseline dust levels;
- f) The steps to be taken in the event that the measured dust exceeds the permitted limits; and,
- g) The steps to review the dust monitoring scheme from time to time.

Dust monitoring and management shall thereafter be carried out in accordance with the approved updated scheme.

*Reasons (25 to 29): To minimise the potential noise and dust nuisances and environmental impacts of the development on the local community and surrounding area in accordance with the [Staffordshire and Stoke-on-Trent Minerals Local Plan](#) (saved policy 12); the [emerging Staffordshire Mineral Local Plan](#) (policy 4); the [Staffordshire and Stoke-on-Trent Waste Local Plan](#) (policy 4.2); and the [National Planning Policy Framework](#) (sections 9 and 13).*

### **Soil Resources**

**30. Within 6 months of the date of this Decision Notice, details of soil handling and storage arrangements shall be submitted for the written approval of the Mineral Planning Authority. All available soil resources required for the final restoration shall be retained in storage mounds on the Site for subsequent re-use. Topsoil mounds shall be limited to 3 metres in height and subsoil mounds shall be limited to 5 metres in height. The soil handling and storage arrangements shall be carried out in accordance with the approved details (refer to Informative 2).**

**31. No movement of soil or soil-making material shall take place unless the soil or soil-making material is in a dry and friable condition.**

*Reasons (30 and 31): To protect the soil resources in accordance with the [Staffordshire and Stoke-on-Trent Minerals Local Plan](#) (saved policy 21); the [emerging Staffordshire Mineral Local Plan](#) (policy 4); the [Staffordshire and Stoke-on-Trent Waste Local Plan](#) (policy 4.2); and the [National Planning Policy Framework](#) (sections 9 and 13).*

## **Ecology**

32. Within 6 months of the date of this Decision Notice, a Habitat Management Plan for the Non-operational Land within the Site (including any woodland and ditches) shall be submitted for the written approval of the Mineral Planning Authority. The non-operational land shall thereafter be managed in accordance with the approved details until such time as the Site has been restored and the non-operational land is being managed as part of the approved Restoration and Aftercare Scheme for the Site as a whole.

33. In the event that the works affect any woodland and any ditches within the Site, a protected species survey shall be carried out by a suitably experienced and qualified ecologist to appropriate published guidelines for protected species including, but not limited to:

- Breeding Birds;
- Bats; and,
- Water Voles

Protected species survey details and results shall be submitted to the Mineral Planning Authority and in the event that the surveys indicate the presence of protected species or their use of the Site measures to avoid and mitigate the impacts of the development shall be submitted for the written approval of the Mineral Planning Authority. Operations on the Site shall thereafter be carried out in accordance with the approved measures.

*Reasons (32 and 33): To enable easy reference and to encourage compliance with the requirement of the Decision Notice so as to ensure the orderly operation of the Site and to safeguard protected species and to minimise the impact in accordance with the [Staffordshire and Stoke-on-Trent Minerals Local Plan](#) (saved policy 12); the [emerging Staffordshire Mineral Local Plan](#) (policy 4); the [Staffordshire and Stoke-on-Trent Waste Local Plan](#) (policy 4.2); and, the [National Planning Policy Framework](#) (section 11).*

## **Drainage**

34. There shall be no discharge of foul or contaminated surface water from the Site into either the groundwater system or any surface waters other than in compliance with an Environmental Permit or other licence issued by the Environment Agency or other Competent Authority. Foul water shall be directed into the main sewage system.

## **Fuel Storage**

35. Any oil or chemical storage tank located within the site shall be surrounded by a bund capable of retaining 110% of the capacity of the tank, or shall be a tank having the benefit of a double skin. The floor and wall of the bund must be impervious to both water and the materials being stored in the tank. All filling points, vents and sight glasses shall be located within the bund. Drainage valves in



the bund shall be of a lockable type and shall be kept closed and locked when not in use.

*Reasons (34 and 35): To protect surface and ground water, in accordance with [Staffordshire and Stoke-on-Trent Minerals Local Plan](#) (saved policy 12); the [emerging Staffordshire Mineral Local Plan](#) (policy 4); the [Staffordshire and Stoke-on-Trent Waste Local Plan](#) (policy 4.2); and, the [National Planning Policy Framework](#) (section 10).*

### **Settlement**

36. The operator shall ensure that as tipping approaches the approved pre-settlement levels and in any case prior to the spreading of subsoil, the surface levels of the Site shall be surveyed and markers erected and maintained over the Site to indicate the approved pre-settlement tipping levels. Any material tipped in excess of final pre-settlement tipping levels shall be re-graded or removed from the Site within 30 days.

### **Final Restoration and Aftercare**

37. The Site shall be progressively restored to agriculture, conservation grassland and woodland in accordance with the approved Final Restoration Plan (dwg no. W31/ROMP/12/04B) as modified by the approved detailed Restoration and Aftercare Scheme required by Conditions 38 to 40 below.

38. Every 5 years from the date of this Decision Notice a review of the approved Final Restoration Plan shall be submitted for the written approval of the Mineral Planning Authority until such time as the Mineral Planning Authority confirms in writing that no further review is necessary.

39. No later than 12 months from the date of this Decision Notice, a detailed Restoration and 5 year Aftercare Scheme based on the approved Restoration Plan for the Site shall be submitted for the written approval of the Mineral Planning Authority (the 'Scheme').

The Scheme shall include but may not be limited to the following details:

- a) the proposed final pre-settlement and post settlement restoration contours, gradients and levels;
- b) the programme for the progressive restoration of the Site to the approved final restoration contours and for the management and aftercare of the restored Site for a period of five years from the completion of final restoration which shall include details of the depth and nature of topsoil and subsoil, and arrangements for regrading or resoiling to achieve the final post settlement restoration contours;
- c) programme for the retention or removal of any hard surfaced internal haul road, offices, parking areas, compounds, fuel storage facilities, weighbridge,

wheel cleaning facilities and drainage during the restoration and aftercare phase;

- d) programme for the temporary retention of the landfill gas utilisation plant, leachate control and monitoring equipment, and the groundwater monitoring equipment during the restoration and aftercare phase;
- e) the method of soil and soil-making materials replacement and treatment;
- f) the cultivation and management of the agricultural land, wet woodland, woodland, hedgerow and acid grassland;
- g) weed control;
- h) the measures to minimise damage in the event of drought or fire;
- i) management techniques during the aftercare period;
- j) including provision for replacement of failures of individual trees, shrubs and plant species to secure an 85% survival rate at the end of the aftercare period;
- k) the arrangements for the drainage of the restored Site including details of the balancing ponds, their profiles, habitat enhancement and maintenance thereof; on the Site;
- l) arrangements for annual meetings and annual reports describing the previous year's aftercare measures, including comments on the successes and failures and plans for the next year's aftercare;
- m) The programme for the implementation of the Scheme.

The approved detailed Restoration and Aftercare Scheme shall be carried out in full accordance with the approved programme of implementation (Condition 39 (m)) following written notification to the Mineral Planning Authority of the completion of the final restoration of the Site.

In the event that the approved Final Restoration Plan is revised following the regular review in accordance with Condition 38, then no later than 6 months after the approval of the Revised Final Restoration Plan, a detailed Revised Restoration and Aftercare Scheme, taking into account the approved revisions to the Final Restoration Plan, shall be submitted for the written approval of the Mineral Planning Authority.

The Site shall be restored and subject to aftercare in accordance with the latest approved Final Restoration Plan and detailed Restoration and Aftercare Scheme.

### **Premature cessation of operations**

40. In the event of the cessation of permitted operations, prior to the completion of the approved Restoration and Aftercare Scheme, a Revised Final Restoration Plan shall be submitted for the written approval to the Mineral Planning Authority, no later than 24 months after the cessation of the permitted operations. No later than 6 months after the approval of the Revised Final Restoration Plan a detailed Revised Final Restoration and Aftercare Scheme, taking into account the approved revisions, shall be submitted for the written approval to the Mineral Planning Authority.

In these circumstances, the Site shall be restored and subject to aftercare in accordance with the approved Revised Final Restoration Plan and Revised Final Restoration and Aftercare Scheme.

*Reasons (36 and 40): To secure the restoration and aftercare of the Site at the earliest opportunity to high environmental standards in accordance with the [Staffordshire and Stoke-on-Trent Minerals Local Plan](#) (saved policy 21); the [emerging Staffordshire Mineral Local Plan](#) (policies 4 and 6); the [Staffordshire and Stoke-on-Trent Waste Local Plan](#) (policy 4.2); [Newcastle under Lyme and Stoke on Trent Core Spatial Strategy](#) (policy CSP1); the [Newcastle under Lyme Borough Local Plan](#) (saved policy N17); and the [National Planning Policy Framework](#) (sections 11 and 13). Also to comply with the requirements of [Schedule 5 of the Town and Country Planning Act 1990](#) which requires that every permission/ Decision Notice for the winning and working of minerals shall have a 'restoration condition' as to steps necessary to bring the land back to the required standard and shall have an 'aftercare condition' as to steps necessary over a 5 year period to bring the land back to the required standard.*

*Note: The Unilateral Undertaking includes an undertaking to carry out an additional 10 year period of aftercare (see Informative 5 below).*

## **INFORMATIVES**

### **1. Bird control of vermin and pests**

The measures to control vermin and birds should continue as part of the on-going operations at the Site.

### **2. Staffordshire County Council's Environmental Advice Team**

The County Council's Environmental Advice Team has advised that consideration should be given to the following:

- a) Soil Handling which should be in accordance with the MAFF '[Code of Good Agricultural Practice for the Protection of Soil](#)', the DoE Guidance on Good Practice for the Reclamation of Mineral Workings to Agriculture, published in 1996, [DEFRA](#)

'Guidance for Successful Reclamation of Mineral & Waste Sites' 2004, the Forestry Commission Bulletin 110 'Reclaiming Land for Forestry', DETR book 'Soil Forming Materials: Their Use in Land Reclamation' and the 'Good Practice Guide for Handling Soils' (MAFF 2000).

- b) To arrange meetings to discuss the landscape and ecological implications with the County Council's Environmental Advice Team prior to the submission of the updated ecological assessments and prior to the submission of the detailed Restoration and Aftercare Scheme(s) or reviews of the Restoration Plan required by the Decision Notice.
- c) To contact the County Council Rights of Way Team to discuss the future of the right of way running across the Site which does not appear to have been diverted or closed.

### **3. The Coal Authority**

The Coal Authority has advised that consideration should be given to the following matters:

- a) The location and stability of abandoned mine entries present on site;
- b) The extent and stability of shallow mine workings present on site;
- c) The potential for unrecorded mine workings;
- d) The potential for hydrogeology, mine water and mine gas;
- e) The potential for the prior extraction/co-extraction of the surface coal resources where practicable and viable; and,
- f) Whether Coal Authority permission is required to intersect, enter, or disturb any coal or coal workings.

### **4. Monitoring Visits - fees payable**

Regulations that came into effect on 6 April 2006 provide for the payment of fees to Mineral and Waste Planning Authorities in England when they carry out monitoring visits to sites with mineral extraction and / or landfill permissions to help in ensuring that those permissions are monitored in accordance with good practice.

For more information and contact details visit the Regulation page on the Staffordshire Planning web site at [www.staffordshire.gov.uk/planning](http://www.staffordshire.gov.uk/planning)

## 5. Terms of the Section 106 Legal Agreement and Unilateral Undertaking

You are reminded of about the terms of the Section 106 Legal Agreement and Unilateral Undertaking, which include the following obligations:

- a) The [Section 106 Legal Agreement](#) signed on 15 July 1998:
  - i) The obligation to use prescribed lorry routes; all drivers of HGVs are issued with instructions detailing the approved 'lorry route'; to require a condition being included in contracts concerning the use of the an approved route to transport materials to the site; sign be erected forbidding the use of routes not approved; the operator disciplines any driver not using the approved 'lorry route'
  - ii) The obligation that the County Council do not to use the site for any waste management purposes.
- b) The [Unilateral Undertaking](#) signed on 25 May 2016:
  - i) Require drivers to use the wheelwash facility and to arrive at the site with sheeted / contained loads;
  - ii) Formalise the liaison committee arrangements which shall define the frequency of meetings; the membership; administration of the meetings; and, define the terms of reference;
  - iii) Require a review of the approved Final Restoration Plan every 5 years in consultation with interested parties; and,
  - iv) Provide for an extended 10 year period of aftercare following the statutory minimum 5 years aftercare period;

### **IMPORTANT NOTICES THAT AFFECTS YOUR PLANNING PERMISSION**

This Decision Notice does not purport to convey any approval or consent which may be required under any enactment other than [Section 57 of the Town and Country Planning Act, 1990](#) (as amended).

## **BACKGROUND TO THE DECISION**

On 4 June 2015, the Planning Committee accepted the recommendation in a report to APPROVE the application by Staffordshire County Council for a Scheme of Conditions, as modified by the County Council, related to the periodic review of mineral planning permission IDO/N/1 on land at Walley's Quarry, Cemetery Road, Silverdale, Newcastle under Lyme. For details refer to the 4 June 2015 [Planning Committee report/minutes](#) and 12 May 2016 [Planning Committee report/minutes](#).

## **NOTIFICATION FOR APPLICANTS**

### **THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)(ENGLAND) ORDER 2015 ([PART 6, ARTICLE 35\(3\)](#) AND [SCHEDULE 5](#)):**

#### **Appeals to the Secretary of State**

If you are aggrieved by the decision of your local planning authority s, then you can appeal to the Secretary of State under [Section 96](#) and [Schedule 14](#) (paragraph 9) of the [Environment Act 1995](#).

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:

- 28 days of the date of service of the enforcement notice, or,
- within 6 months of the date of this notice, whichever period expires earlier.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals must be made using a form which is available from [Planning Practice Guidance](#) and sent to the Planning Inspectorate at Room 3/13, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000).

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Please note, only the applicant possesses the right of appeal.

Application Reference Number  
[N.12/09/216 MW](#)

### **APPROVED APPLICATION DOCUMENTS AND PLANS**

Please note that we no longer return stamped approved copies of the submitted application documents and plans with the decision notice. Instead we will specify the approved documents and plans in the decision notice. We will also publish copies of the approved documents and plans on our Staffordshire Planning web site [www.staffordshire.gov.uk/planning](http://www.staffordshire.gov.uk/planning) ('Applications Register').

**Dated this 26th day of May 2016**

*[Electronic Copy: Signature Removed]*-----  
**On behalf of Staffordshire County Council**

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DATED 25th May 2016

TARMAC AGGREGATES LIMITED  
TO  
STAFFORDSHIRE COUNTY COUNCIL

UNILATERAL UNDERTAKING  
PURSUANT TO S.106 OF THE  
TOWN AND COUNTRY PLANNING ACT 1990  
(AS AMENDED)  
IN RELATION TO LAND AT WALLEY'S QUARRY  
SILVERDALE STAFFORDSHIRE

**The Scheme of Conditions, as modified by the County Council, related to the  
periodic review of mineral planning permission IDO/N/1 on land at Walley's  
Quarry, Cemetery Road, Silverdale, Newcastle under Lyme  
(application ref. N.12/09/216 MW)**

This PLANNING OBLIGATION by UNDERTAKING is dated  
25th May 2016 and is given by:

TARMAC AGGREGATES LIMITED (Company Registration Number 00297905) whose registered office is situate at Portland House, Bickenhill Lane, Solihull, Birmingham B37 7BQ ("the Owner")

to:

STAFFORDSHIRE COUNTY COUNCIL, Staffordshire Place 2, Tipping Street, Stafford, ST16 2DH ("the Council")

NOW THIS DEED WITNESSETH as follows:

1. DEFINITIONS

1.1 In this Deed the following expressions shall have the following meanings:

**"the 1990 Act"** means the Town and Country Planning Act 1990 (as amended)

**"Council's Monitoring Fee"** means the monitoring fee of £437.50 payable to the Council towards the costs of administering and monitoring the obligations contained within this Agreement

**"Decision Notice"** means the decision by the Council to approve the ROMP Application as modified by the Council, and any subsequent variation to the planning conditions permitted by the Decision Notice, as approved by the Council

**"Development"** means the development of the Site pursuant to and in accordance with the Decision Notice

**"Final Restoration Plan"** means the final restoration plan approved by the Council in accordance with the requirements of the Decision Notice

**"Liaison Committee"** means the Walley's Quarry Landfill Liaison Committee

**"Plan 1"** means the plan attached to this Agreement at Schedule 1

"Plan 2" means the plan attached to this Agreement at Schedule 2

**"the Original Agreement"** means the Section 106 Legal Agreement signed on 15 July 1998 pursuant to Planning Consent Reference IDO/N/1

**"Restoration and Aftercare Scheme"** means the restoration and aftercare scheme approved by the Council in accordance with the requirements of the Decision Notice

**"ROMP Application"** means the application for the determination of the Scheme of Conditions (new planning conditions) submitted to the Council on 8 November 2012 under application reference: N.12/09/216MW

**"Site"** comprises the land edged in red on Plan 1 in Schedule 1

**"Site Layout Plan"** means the Site Layout Plan approved by the Council in accordance with the requirements of the Decision Notice

WHEREAS

- (1) The Owner is the freehold owner of the Site with title absolute at HM Land Registry under title number SF139741.
- (2) The Council is the Local Minerals and Waste Planning Authority for the purposes of the 1990 Act for the area in which the Site is situated and as such is the local planning authority entitled to enforce the planning obligations hereinafter recited.
- (3) The Owner has submitted the ROMP Application for the Site to the Council.
- (4) This Deed is entered into to make provision for regulating matters in connection with the Development that cannot be regulated by a planning condition attaching to any grant of planning permission and securing the matters hereinafter referred to which are required in order to enable the Development to go ahead.
- (5) Plan 2 shows the area of land which was included in the ROMP Application to the Council edged red, whereas the covenants in this Undertaking are being given in respect of the land which is shown edged red on Plan 1.



1.2 In this Deed:-

- 1.2.1 the clause headings do not affect its interpretation;
- 1.2.2 words of the masculine gender shall incorporate the feminine and neuter genders and words of the singular shall include the plural and vice versa;
- 1.2.3 the reference to any statute or section of a statute includes any modification extension or re-enactment of that Act for the time being in force and shall include all instruments orders plans regulations permissions and directions for the time being made issued or given under that Act or deriving validity from it;
- 1.2.4 any reference to a clause, a paragraph or a schedule is unless the content otherwise requires a reference to a clause, a paragraph or a schedule of this Deed and any reference to a sub clause is a reference to a sub clause of the clause in which the reference appears;
- 1.2.5 references to the Site include any part of it;
- 1.2.6 the obligations contained in this Deed may be enforced by the Council against the Owner
- 1.2.7 references to the Owner shall include its successors in title and to any person deriving title through or under that party and references to the Council shall include the successors to its functions as Local Minerals and Waste Planning Authority;
- 1.2.8 any covenant by the Owner not to do any act or thing includes a covenant not to permit or allow the doing of that act or thing and words denoting an obligation on the Owner to do any act matter or thing include an obligation to procure that it be done.

**2. EFFECT OF THIS DEED**

- 2.1 This Deed is entered into pursuant to Section 106 of the 1990 Act and takes effect from the date hereof. To the extent that they fall within the terms of Section 106 of the 1990 Act the obligations contained in this Deed are planning obligations for the purposes of Section 106 of the 1990 Act.
- 2.2 To the extent that any of the obligations contained in this Deed are not planning obligations within the meaning of the 1990 Act, they are entered into pursuant to the powers contained in Section 111 Local Government Act 1972, Section 2 Local Government Act 2000 and all other enabling powers.

2.3 This Undertaking is enforceable by the Council.

### 3. **CONDITIONALITY**

3.1 This Deed is conditional upon the issue of the Decision Notice.

### 4 **OWNER'S COVENANTS**

4.1 The Owner for themselves and their successors in title so as to bind the Site and every part thereof hereby covenants and undertakes with the Council to observe and perform the covenants restrictions stipulations and obligations contained in the Schedules hereto.

### 5 **MISCELLANEOUS**

5.1 The Owner hereby warrants that it has a legal interest in all elements of the Site.

5.2 This Deed shall be registered as a local land charge.

5.3 Notwithstanding the provisions of the Contracts (Rights of Third Parties) Act 1999 nothing in this Deed confers or purports to confer any right to enforce any of the terms and provisos herein on any person who is not a party hereto or a successor in title to such a party or a statutory successor to the Council.

5.4 Any notice to the parties hereto under this Deed shall be deemed to be sufficiently served if delivered personally or by recorded delivery service to the following officials/persons at the respective addresses hereinafter specified:

In respect of the Owner:

For the attention of the Company Secretary, Portland House,  
Bickenhill Lane, Solihull, Birmingham B37 7BQ.

In respect of the Council:

For the attention of the Director of Strategy, Governance and Change,  
Staffordshire Legal Services, Staffordshire County Council, 2  
Staffordshire Place, Tipping Street, Stafford, ST16 2DH.

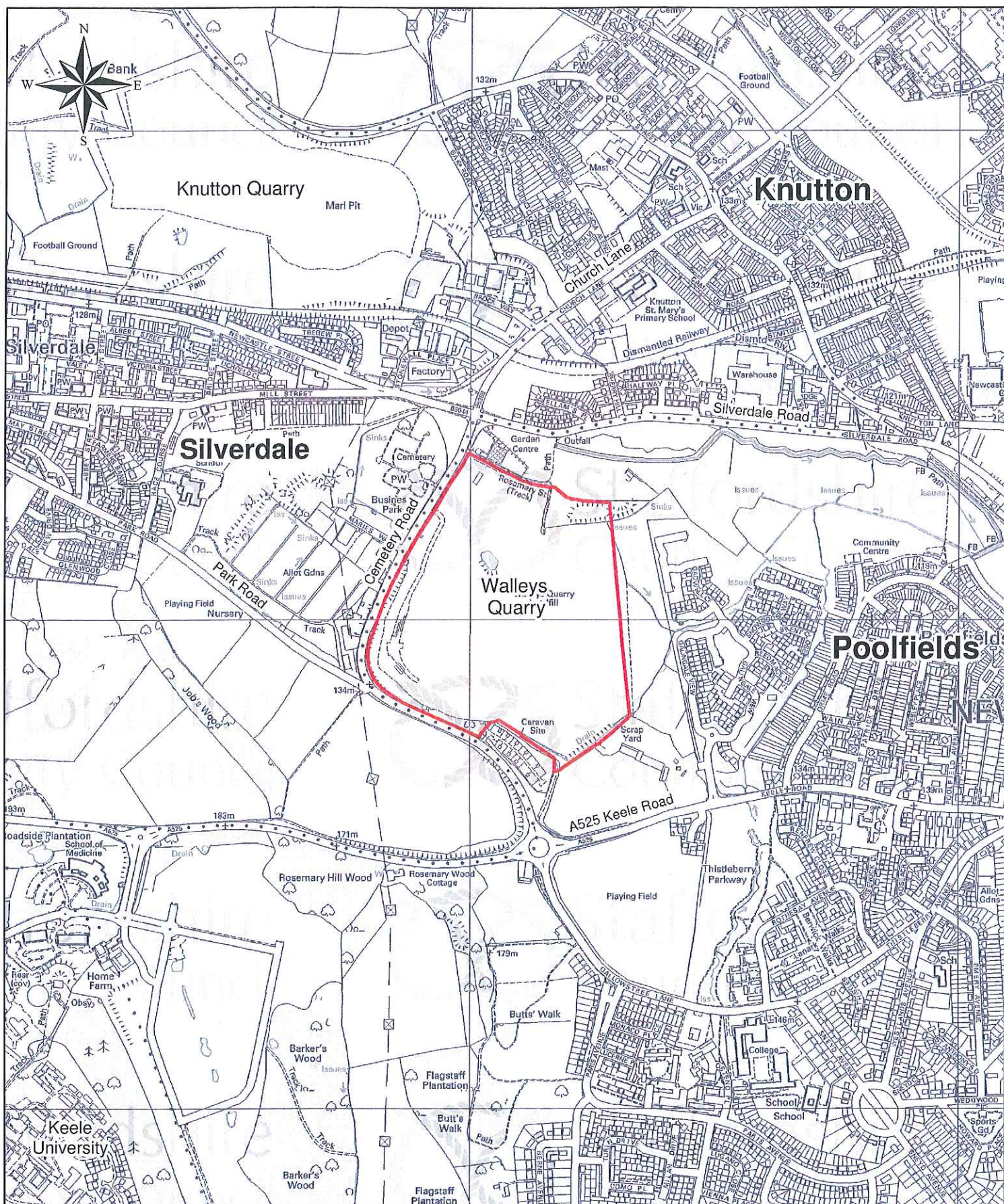
5.5 Insofar as any clause or clauses of this Deed are found (for whatever reason) to be invalid illegal or unenforceable then such invalidity illegality or unenforceability shall not affect the validity or enforceability of the remaining provisions of this Deed.

- 5.6 Nothing in this Deed shall be construed as imposing a contractual obligation upon the Council as to the issue of the Decision Notice or as restricting the exercise by the Council of any powers exercisable by it under the 1990 Act or under any other Act or authority.
- 5.7 No waiver whether express or implied by the Council of any breach or default by the Owner in performing or observing any of the obligations contained herein shall constitute a continuing waiver and no such waiver shall prevent the Council from enforcing the relevant obligations or from acting upon any subsequent breach or default.
- 5.8 Without prejudice to the Council's statutory rights the Owner hereby grants to the Council or any person duly authorised or instructed by it an irrevocable licence at all reasonable times to enter such parts of the Site to inspect any of the works to be carried out for the purposes of the Development and any materials to be used in carrying out those works for any purpose directly or indirectly connected with or contemplated by this Deed subject to the Council making good any damage caused thereby.
- 5.9 No person shall be liable to perform any covenant or obligation made or given under this Deed once he has parted with all his interest in the Site PROVIDED THAT liability will remain for any breach occurring prior to parting with such interest.
- 5.10 Except as modified by this Deed the Original Agreement shall remain in full force and effect.
- 5.11 The Owner shall pay to the Council on the signing of this Deed the Council's reasonable legal costs incurred in the negotiations, preparation, execution of this Deed.
- 5.12 The Owner shall pay to the Council on the signing of this Deed the Council's Monitoring Fee.

## **SCHEDULE 1**

- 1. Plan showing extent of landholding covered under this Agreement**





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**County Council**

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Planning, Policy  
 & Development Control,  
 Staffordshire County Council,  
 No.1 Staffordshire Place,  
 Stafford, ST16 2LP.  
 Telephone 0300 111 8000

Plan to accompany Unilateral Undertaking relating to  
 Walleys Quarry, Cemetery Road, Silverdale,  
 Newcastle-Under-Lyme.

Date : 13/04/16

O. S. 383086E  
 Grid Ref : 346049N

Scale at A4 : 1/10000

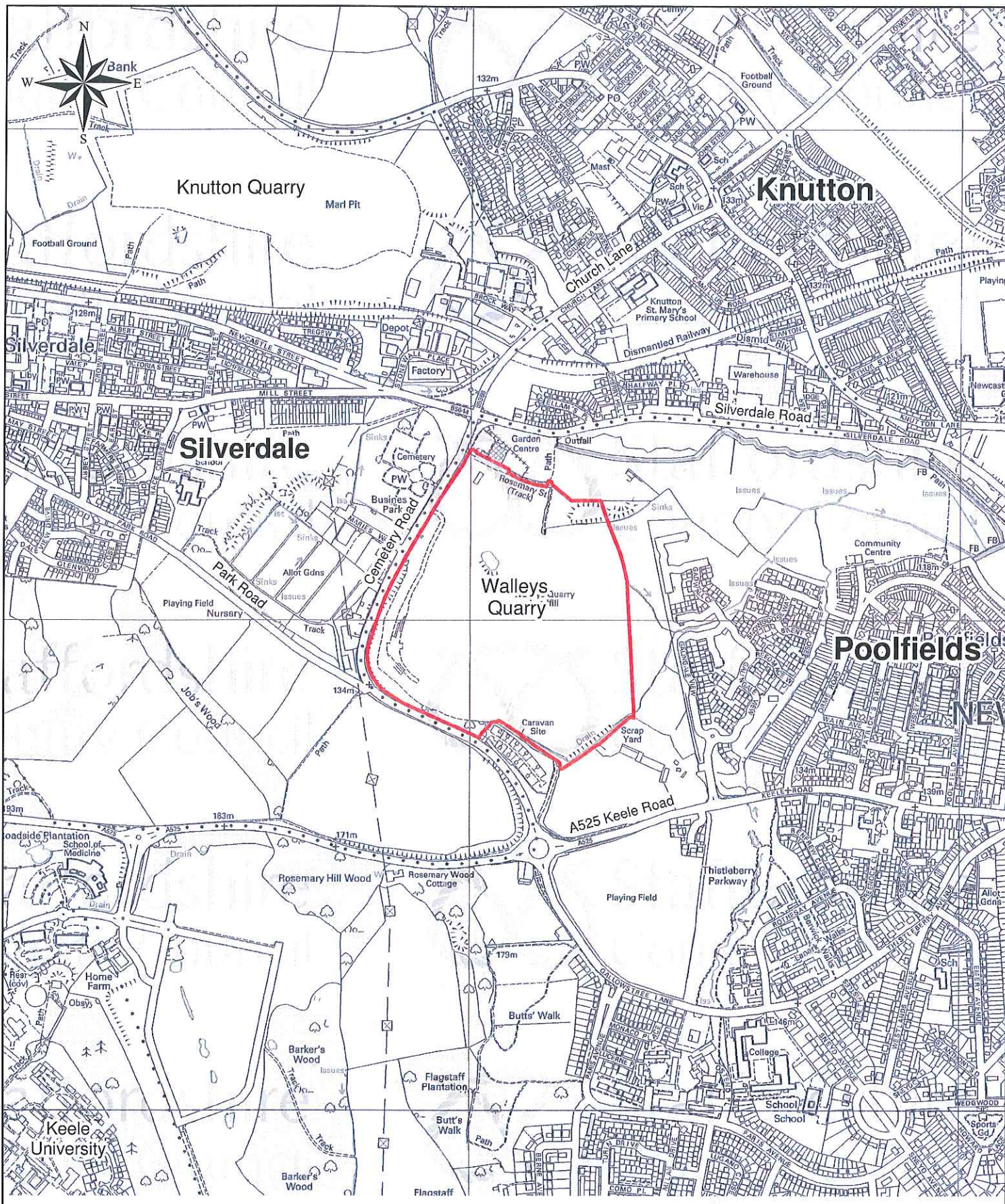
Ref : Plan 1



## **SCHEDULE 2**

- 1. Plan showing the area of land which was included in the ROMP Application to the Council**





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**County Council**

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Planning, Policy  
 & Development Control,  
 Staffordshire County Council,  
 No.1 Staffordshire Place,  
 Stafford, ST16 2LP.  
 Telephone 0300 111 8000

Plan to accompany Unilateral Undertaking relating to  
 Walleys Quarry, Cemetery Road, Silverdale,  
 Newcastle-Under-Lyme.

Date : 13/04/16

O. S.  
 Grid Ref : SJ.830 460

Scale at A4 : 1/10000

File : Plan 2



### **SCHEDULE 3**

#### **USE OF WHEELWASH AND SHEETING AND CONTAINMENT OF WASTE**

The Owner hereby covenants with the County as follows:

- 1.1 To ensure that any vehicles visiting the Site carrying waste or other materials for disposal that prior to exiting the Site such vehicles will be required to use the wheel wash or in the event the wheel wash is by virtue of mechanical fault or other unforeseen circumstance unavailable have their wheels and under body chassis cleaned so as to prevent any deleterious material being deposited on the public highway.
- 1.2 To ensure that waste or other materials brought to the Site for disposal will be sheeted or otherwise contained so as to prevent any deleterious material being deposited on the public highway.

## **SCHEDULE 4**

### **REVIEW OF FINAL RESTORATION PLAN**

The Owner hereby covenants with the Council as follows:

- 1.1 That no later than five years from the date of the Decision Notice and then at intervals of every five years thereafter:
  - 1.1.1 to review the latest approved Final Restoration Plan in consultation with interested parties including the Liaison Committee, and
  - 1.1.2 to submit a written report to the Council detailing the progress made in the restoration of the Site.
- 1.2 In the event that the approved Final Restoration Plan is revised following the regular review, then no later than six months following the approval of the revised Final Restoration Plan:
  - 1.2.1 to submit for written approval of the Council a detailed revised Restoration and Aftercare Scheme, taking into account the approved revisions to the Final Restoration Plan.

## **SCHEDULE 5**

### **EXTENDED AFTERCARE**

The Owner covenants with the Council as follows:

- 1.1 To implement the aftercare requirements contained in the latest approved Restoration and Aftercare Scheme for a period of fifteen years from the date of notification to the Council of the completion of restoration for any phase of landfill operations shown on the latest approved Site Layout Plan.

## **SCHEDULE 6**

### **LIAISON COMMITTEE**

The Owner covenants with the Council as follows:

- 1.1 To arrange for a Liaison Committee meeting to be held within three months of the date of the Decision Notice.
- 1.2 To make available suitable accommodation for the Liaison Committee to meet up and to convene such meetings of the Liaison Committee as are arranged during the period up to the cessation of the Development as defined in the Decision Notice.
- 1.3 The terms of reference for the Liaison Committee will be as set out in Schedule 7 to this Agreement.
- 1.4 Membership of the Liaison Committee will include:
  - 1.3.1 a maximum of four representatives on behalf of the Owner;
  - 1.3.2 two elected Councillors and two Officers on behalf of the Council;
  - 1.3.3 four elected Councillors and one Officer on behalf of Newcastle under Lyme Borough Council;
  - 1.3.4 one elected Councillor on behalf of Knutton Parish Council;
  - 1.3.5 one elected Councillor on behalf of Silverdale Parish Council;
  - 1.3.6 one representative on behalf of the Environment Agency; and
  - 1.3.7 three local residents who shall be appointed at the discretion of the Owner acting reasonably.

## SCHEDULE 7

### Liaison Committee Terms of Reference

The name of the Liaison Committee shall be the Walley's Quarry Landfill Liaison Committee.

The purpose of the Liaison Committee shall be to provide a forum for discussion, the exchange of information and the creation and maintenance of communication channels between the Owner and the local community.

The Liaison Committee shall receive progress reports from the Owner relating to any activities and operations on the Site, comments received by the Owner from the local community or from members of the Liaison Committee, and any remedial action taken or proposed to be taken in respect thereof.

The Liaison Committee shall consider any comments received and if necessary and where reasonably practicable, recommend appropriate action.

Any recommendations by the Liaison Committee shall be decided by a majority vote and for the avoidance of doubt only members of the Liaison Committee attending the meeting shall be eligible to vote.

The Liaison Committee shall be chaired by a person elected by the Liaison Committee. That person shall be a member of the Liaison Committee.

The Liaison Committee may, by majority vote of the members of the Liaison Committee attending the meeting, invite other organisations or individuals to address its meetings where their contribution would be relevant.

Meetings will be held at a frequency to be agreed by the Liaison Committee but at least two meetings shall be held each calendar year.

At the request of the Chair, additional meetings may be held provided that at least ten working days' notice has been given to the members of the Liaison Committee.

Agendas shall be prepared by the Owner for each meeting and circulated not less than five working days prior to the date of that meeting. Members of the Liaison Committee may propose additional items to be included on the agenda to the Owner up to two working days prior to the date of the meeting.

The meetings shall not be open to the public.

Minutes of the meeting shall be taken by a representative on behalf of the Owner or such other person as may be agreed by the Liaison Committee.

Minutes shall be circulated to all members of the Liaison Committee and attendees no later than ten working days after the meeting.

The minutes from each meeting shall be confirmed as an accurate record or amendments noted in the minutes of the following meeting.



The Liaison Committee shall have no executive authority or collective authority, no funding, and no access to records or information of the Owner which they consider to be commercially confidential.

IN WITNESS whereof the parties hereto have executed his Deed but not delivered until the day and year first before written

Signed as a Deed by the Owner

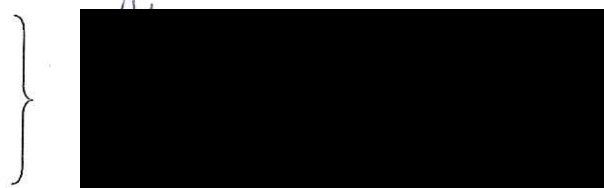
~~The COMMON SEAL of~~

TARMAC AGGREGATES LIMITED

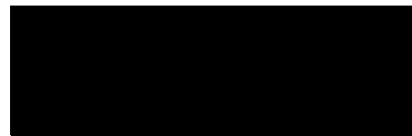
~~was hereunto affixed to this~~

Deed in the presence of:-

Director JEREMY GREENWOOD



Secretary



Tarmac Secretaries (UK) Limited



For the attention of The Company Director  
and/or Secretary

**Date: 30/10/2020**

Borough House, Berkeley Court, Borough  
Road, Newcastle Under Lyme, England, ST5  
1TT

Dear Sir or Madam

**Your permit variation is complete**

**Permit reference: EA/EPR/DP3734DC/V002**

**Operator: RED INDUSTRIES RM LTD**

**Facility: Walleys Quarry Landfill Site**

Our determination of your application to vary your permit is complete. We're satisfied that you can continue to carry out your activities in accordance with the variation, without harm to the environment or human health. I enclose a notice showing the changes to your permit. Please keep this in a safe place with your other permit records.

This letter contains web links to other documents. If you aren't able to access these please phone our Customer Contact Centre for help on 03708 506 506.

If you're not familiar with our guidance on how to comply with your permit please look at the following guides:

[www.gov.uk/guidance/develop-a-management-system-environmental-permits](http://www.gov.uk/guidance/develop-a-management-system-environmental-permits)

[www.gov.uk/guidance/control-and-monitor-emissions-for-your-environmental-permit](http://www.gov.uk/guidance/control-and-monitor-emissions-for-your-environmental-permit)

[www.gov.uk/guidance/legal-operator-and-competence-requirements-environmental-permits](http://www.gov.uk/guidance/legal-operator-and-competence-requirements-environmental-permits)

Please look at the table below and note any of the information or actions that apply to your permit.

If...	then..
the variation means you're now carrying out a waste operation or activity and need to submit quarterly waste returns on waste movements <b>Note:</b> This does not apply to permits that only have stand alone water discharge or groundwater activities.	you can get the forms you need from our website <a href="https://www.gov.uk/government/collections/national-operator-waste-returns">https://www.gov.uk/government/collections/national-operator-waste-returns</a>  When you complete your return use the waste returns reference above.
you need to submit other returns	send these to your area office. Speak to your area officer to check local arrangements.
your variation has added an installation to your permit for the first time	we've enclosed the pollution inventory letter, notice and fact sheet.

## **Rights of appeal**

If you're not happy with any permit condition that has been imposed by the variation you may appeal to the Secretary of State. If you want to appeal any condition imposed as a result of your application you must make your appeal no later than six months from the date of the variation notice. If you want to appeal any condition we've added as an Environment Agency initiated variation you must make your appeal no later than two months from the date of the notice.

Further information about making an appeal and the forms you will need are available from the Planning Inspectorate website or from the contact details below. .

**Environment Appeals, Enforcement and Specialist case work division, The Planning Inspectorate, 3A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.**

**Telephone: 0303 444 5584**

**Email: [environment.appeals@planninginspectorate.gov.uk](mailto:environment.appeals@planninginspectorate.gov.uk)**

You must send written notice of the appeal and the documents listed below to the Secretary of State to the Planning Inspectorate address above. At the same time you must send us a copy of the notice and documents to

**Jeanette Stockton, Permitting Technical Specialist – Appeals, Environment Agency, National Permitting Service, Knutsford Road, Latchford, Warrington, WA4 1HT.**

**Telephone: 02030 250662**

**Email : [jeanette.stockton@environment-agency.gov.uk](mailto:jeanette.stockton@environment-agency.gov.uk)**

The documents are:

- a statement of the grounds of appeal
- a copy of any relevant application
- a copy of any relevant environmental permit
- a copy of any relevant correspondence between the appellant and the regulator
- a copy of any decision or notice which is the subject matter of the appeal; and
- a statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

You may withdraw an appeal by notifying the Secretary of State in writing and sending a copy of that notification to us.

If you have any questions about this permit phone our Customer Contact Centre on 03708 506 506. They will put you in touch with a local regulatory officer.

Yours sincerely

Callum Dowling  
**Permitting Support Advisor**

# **Notice of variation and consolidation with introductory note**

## **The Environmental Permitting (England & Wales) Regulations 2016**

---

Red Industries RM Ltd

Walleys Quarry Landfill Site  
Cemetery Road  
Silverdale  
Newcastle under Lyme  
Staffordshire  
ST5 6DH

### **Variation application number**

EPR/DP3734DC/V002

### **Permit number**

EPR/DP3734DC

# Walleys Quarry Landfill Site

## Permit number EPR/DP3734DC

### Introductory note

#### **This introductory note does not form a part of the notice.**

Under the Environmental Permitting (England & Wales) Regulations 2016 (schedule 5, part 1, paragraph 19) a variation may comprise a consolidated permit reflecting the variations and a notice specifying the variations included in that consolidated permit.

Schedule 1 of the notice specifies the conditions that have been varied and schedule 2 comprises a consolidated permit which reflects the variations being made. Only the variations specified in schedule 1 are subject to a right of appeal.

The original variation application submitted on the 12 December 2018 was to increase the annual waste input at Walleys Quarry Landfill Site from 250,000 tonnes to 300,000 tonnes. The Operator then amended the application to increase the annual waste input to the site from 250,000 tonnes to 400,000 tonnes on the 13 May 2019.

The schedules specify the changes made to the permit.

The status log of a permit sets out the permitting history, including any changes to the permit reference number.

Status log of the permit		
Description	Date	Comments
Application received EPR/BR9677IT	07/05/2002	EPR Reference EPR/BR9677IT/A001.
Additional information received	31/10/2002	Response to Schedule 4 notice dated 31/07/02.
	22/12/2003	Response to Schedule 4 notice dated 28/10/03.
	29/09/2004	Response to Schedule 4 notice dated 05/08/04.
Lafarge Aggregates Limited inform the Environment Agency of a registered office change	06/01/2004	
Permit determined EPR/BR9677IT	09/06/2005	EPR Reference EPR/BR9677IT.
Agency led variation (Billing Ref: AP3534LZ)	Initiated by the Agency April 2006	EPR Reference EPR/BR9677IT/V002.
Application for variation (Billing Ref: ZP3134LX)	13/04/2006	EPR Reference EPR/BR9677IT/V003 Application withdrawn. Agency initiated application already in progress, incorporating requests made in this application.
Change of registered address	02/01/2007	
Variation determined	31/01/2007	
Application for variation EPR/BR9677IT/V004	Duly made 05/05/2011	Application to include additional gas engine and increase leachate levels.
Variation determined EPR/BR9677IT	04/11/2011	Varied permit issued.

Status log of the permit		
Description	Date	Comments
Application for variation EPR/BR9677IT/V005	Duly made 10/09/2013	To change company registered office address.
Variation determined EPR/BR9677IT	18/11/2013	Varied permit issued to Lafarge Aggregates Limited.
Agency lead variation determined EPR/BR9677IT/V006	10/01/2014	Agency variation to implement the changes introduced by IED.
Application for variation EPR/BR9677IT/V007	Duly made 28/01/2014	Variation application for leachate treatment plant. Additional gas engine and revision of groundwater trigger levels.
Additional information received	09/05/2014	Details of leachate treatment plant biofilter.
Additional information received	19/05/2014	Confirmation of stack height of 3 <sup>rd</sup> engine and construction quality assurance proposal.
Draft variation and consolidation EPR/BR9677IT/V007 made available for consultation.	04/06/2014	
Variation determined	15/07/2014	Variation and consolidated permit issued.
Environment Agency Landfill Sector Review. Permit reviewed Variation determined EPR/BR9677IT/V008 (Billing Ref: YP3833AX)	28/05/2015	Varied and consolidated permit issued in modern condition format.
Application for variation EPR/BR9677IT/V009	Duly made 01/09/2015	Variation application for the acceptance of leachate from another non-hazardous waste landfill sites and change in Operator name.
Variation determined (Billing Ref: GP3939RR)	11/11/2015	Varied and consolidated permit issued.
Application for variation EPR/DP3734DC/V002	Duly made 18/07/2016	Application for review of the Financial Provision.
Variation determined EPR/DP3734DC (Billing Ref: HP3934DD)	27/10/2016	Varied permit issued.
Application EPR/DP3734DC/T001 (full transfer of permit EPR/BR9677IT)	Duly made 20/10/2016	Application to transfer the permit in full to Red Industries RM Ltd.
Transfer determined EPR/DP3734DC	03/11/2016	Full transfer of permit complete.
Application EPR/DP3734DC/V002 (variation and consolidation)	Duly made 25/03/2019	Application to vary and consolidate permit. Increase in annual tonnage.
Variation determined EPR/DP3734DC	30/10/2020	Varied permit issued to Red Industries RM Ltd.

End of introductory note

# Notice of variation and consolidation

## The Environmental Permitting (England and Wales) Regulations 2016

The Environment Agency in exercise of its powers under regulation 20 of the Environmental Permitting (England and Wales) Regulations 2016 varies

### Permit number

**EPR/DP3734DC**

### Issued to

**Red Industries RM Ltd** ("the operator")

whose registered office is

**Borough House  
Berkeley Court  
Borough Road  
Newcastle Under Lyme  
ST5 1TT**

company registration number 09910638

to operate a regulated facility at

**Walleys Quarry Landfill Site  
Cemetery Road  
Silverdale  
Newcastle under Lyme  
Staffordshire  
ST5 6DH**

to the extent set out in the schedules.

The notice shall take effect from 30/10/2020.

Name	Date
Principal Permitting Team Leader	30/10/2020

Authorised on behalf of the Environment Agency

## **Schedule 1**

Only Schedule 1 Table S1.5 Annual waste input limits, and Table S1.3 Improvement programme requirements – new improvement condition IC1 have been varied by the consolidated permit EPR/DP3734DC/V002 as a result of the application made by the operator.

## **Schedule 2 – consolidated permit**

Consolidated permit issued as a separate document.

# Permit

## The Environmental Permitting (England and Wales) Regulations 2016

### Permit number

**EPR/DP3734DC**

This is the consolidated permit referred to in the variation and consolidation notice for application EPR/DP3734DC/V002 authorising,

**Red Industries RM Ltd** ("the operator"),

whose registered office is

**Borough House**

**Berkeley Court**

**Borough Road**

**Newcastle Under Lyme**

**ST5 1TT**

company registration number 09910638

to operate an installation at

**Walleys Quarry Landfill Site**

**Cemetery Road**

**Silverdale**

**Newcastle under Lyme**

**Staffordshire**

**ST5 6DH**

to the extent authorised by and subject to the conditions of this permit.

Name	Date
Principal Permitting Team Leader	30/10/2020

Authorised on behalf of the Environment Agency



# **1 Management**

## **1.1 General management**

- 1.1.1 The operator shall manage and operate the activities:
- (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and
  - (b) using sufficient competent persons and resources.
- 1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.
- 1.1.3 Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of it kept at or near the place where those duties are carried out.
- 1.1.4 The operator shall comply with the requirements of an approved competence scheme.

## **1.2 Finance**

- 1.2.1 The financial provision for meeting the obligations under this permit set out in the agreement made between the operator and the Environment Agency on 30<sup>th</sup> October 2020 shall be maintained by the operator throughout the subsistence of this permit and the operator shall produce evidence of such provision whenever required by the Environment Agency.
- 1.2.2 The operator shall ensure that the charges it makes for the disposal of waste in the landfill cover all of the following:
- (a) the costs of setting up and operating the landfill;
  - (b) the costs of the financial provision required by condition 1.2.1; and
  - (c) the estimated costs for the closure and aftercare of the landfill.

## **1.3 Energy efficiency**

- 1.3.1 The operator shall:
- (a) take appropriate measures to ensure that energy is used efficiently in the activities;
  - (b) review and record at least every four years whether there are suitable opportunities to improve the energy efficiency of the activities; and
  - (c) implement any appropriate measures identified by a review.

## **1.4 Efficient use of raw materials**

- 1.4.1 The operator shall:
- (a) take appropriate measures to ensure that raw materials and water are used efficiently in the activities;
  - (b) maintain records of raw materials and water used in the activities;
  - (c) review and record at least every four years whether there are suitable alternative materials that could reduce environmental impact or opportunities to improve the efficiency of raw material and water use; and
  - (d) take any further appropriate measures identified by a review.

## **1.5 Avoidance, recovery and disposal of wastes produced by the activities**

1.5.1 The operator shall:

- (a) take appropriate measures to ensure that waste produced by the activities is avoided or reduced, or where waste is produced it is recovered wherever practicable or otherwise disposed of in a manner which minimises its impact on the environment;
- (b) review and record at least every four years whether changes to those measures should be made; and
- (c) take any further appropriate measures identified by a review.

## **2 Operations**

### **2.1 Permitted activities**

2.1.1 The operator is only authorised to carry out the activities specified in schedule 1, table S1.1 (the “activities”).

### **2.2 The site**

2.2.1 The activities shall not extend beyond the site, being the land shown edged in red on the site plan at schedule 7 to this permit.

### **2.3 Improvement programme**

2.3.1 The operator shall complete the improvements specified in schedule 1, table S1.3 by the date specified in that table unless otherwise agreed in writing by the Environment Agency.

2.3.2 Except in the case of an improvement which consists only of a submission to the Environment Agency, the operator shall notify the Environment Agency within 14 days of completion of each improvement.

### **2.4 Operating techniques**

2.4.1 The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by the Environment Agency.

2.4.2 If notified by the Environment Agency that the activities are giving rise to pollution, the operator shall submit to the Environment Agency for approval within the period specified, a revision of any plan or other documentation (“plan”) specified in schedule 1, table S1.2 or otherwise required under this permit which identifies and minimises the risks of pollution relevant to that plan, and shall implement the approved revised plan in place of the original from the date of approval, unless otherwise agreed in writing by the Environment Agency.

### **2.5 Landfill Engineering**

2.5.1 No construction of any new cell of the landfill shall commence until the operator has submitted construction proposals and the Environment Agency has confirmed that it is satisfied with the construction proposals.

2.5.2 Where the operator proposes to construct any new cell other than the first cell, but proposes no change from the design of the most recently approved cell which could have any impact on the performance of any element of the design, no construction of the new cell shall commence until the

operator has submitted a cell layout drawing and the Environment Agency has confirmed that it is satisfied with the cell layout drawing.

- 2.5.3 The construction of a new cell shall take place only in accordance with the approved construction proposals unless:
- (a) any change to the approved construction proposals would have no impact on the performance of any element of the design; or
  - (b) a change has otherwise been agreed in writing by the Environment Agency.
- 2.5.4 No disposal of waste shall take place in a new cell until the operator has submitted a CQA Validation Report and the Environment Agency has confirmed that it is satisfied with the CQA Validation Report.
- 2.5.5 No construction of landfill infrastructure shall commence until the operator has submitted relevant construction proposals or a written request to use previous construction proposals and the Environment Agency has confirmed that it is satisfied with the construction proposals.
- 2.5.6 The construction of the landfill infrastructure shall take place only in accordance with the approved construction proposals unless:
- (a) any change to the approved construction proposals would have no impact on the performance of any element of the design; or
  - (b) a change has otherwise been agreed in writing by the Environment Agency.
- 2.5.7 The operator shall submit a CQA Validation Report within four weeks of the completion of the construction of the relevant landfill infrastructure, or other time period agreed in writing with the Environment Agency.
- 2.5.8 Where pollution controls are immediately necessary to prevent an incident or accident, then conditions 2.5.5 and 2.5.6 do not apply and the relevant landfill infrastructure may be constructed, provided that the construction proposals are submitted to the Environment Agency as soon as practicable.
- 2.5.9 For the purposes of conditions 2.5.1, 2.5.2, 2.5.4 and 2.5.5, the Environment Agency shall be deemed to be satisfied where it has not, within the period of four weeks from the date of receipt of the relevant construction proposals or CQA Validation Report, either:
- (a) confirmed whether or not it is satisfied; or
  - (b) informed the operator that it requires further information.
- 2.5.10 Where the Environment Agency has required further information under condition 2.5.9(b), the Environment Agency shall be deemed to be satisfied where it has not, within the period of four weeks from the date of receipt of the further information, either:
- (a) confirmed whether or not it is satisfied; or
  - (b) informed the operator that it requires further information.

## **2.6 Waste acceptance**

- 2.6.1 Wastes shall only be accepted for disposal if:
- (a) they are listed in schedule 2, table S2.1 and S2.2; and
  - (b) they are non- hazardous waste or asbestos and construction materials containing asbestos, stable, non-reactive hazardous wastes, or gypsum waste; and
  - (c) they are not whole used tyres (other than bicycle tyres and tyres with an outside diameter of more than 1400mm); and
  - (d) they are not shredded used tyres; and
  - (e) they are not liquid waste (including waste waters but excluding sludge and excluding liquid waste accepted at a permitted leachate treatment activity); and

- (f) they are not chemical substances from research and development or teaching activities, for example laboratory residues, which are unidentified and/or which are new and whose effects on man and/or the environment are unknown; and
  - (g) all the relevant waste acceptance procedures have been completed; and
  - (h) they fulfil the relevant waste acceptance criteria; and
  - (i) they have not been diluted or mixed solely to meet the relevant waste acceptance criteria; and
  - (j) they are wastes which have been treated, except for: inert wastes for which treatment is not technically feasible; or it is waste other than inert waste and treatment would not reduce its quantity or the hazards which it poses to human health or the environment, or liquid waste accepted for treatment at a permitted leachate treatment activity; and
  - (k) they are wastes with a code beginning with 07 05 and 16 03, they shall exclude waste medicinal products and pharmaceutically active waste materials arising from their manufacture.
- 2.6.2 For the following activities referenced in schedule 1, table S1.1 (A3) waste shall only be accepted for treatment if:
- (a) it is of a type and quantity listed in schedule 2, table S2.4; and
  - (b) it conforms to the description in the documentation supplied by the producer and holder.
- 2.6.3 Wastes shall only be accepted for restoration where:
- (a) they are listed in schedule 2, table S2.3; and
  - (b) they are accepted in accordance with a restoration plan approved in writing by the Environment Agency.
- 2.6.4 Stable non-reactive hazardous waste shall not be deposited in cells used or intended to be used for the disposal of biodegradable non-hazardous waste. Stable non-reactive hazardous waste and non-hazardous waste which is landfilled in the same cell must meet the relevant waste acceptance criteria.
- 2.6.5 Gypsum and other high sulphate bearing waste shall only be disposed of in cells where no biodegradable waste is accepted. Wastes disposed of in a cell with gypsum and other high sulphate bearing wastes must meet the relevant waste acceptance criteria.
- 2.6.6 Asbestos containing wastes and construction materials containing asbestos shall only be disposed of with other suitable wastes and not in cells containing biodegradable non-hazardous waste. Asbestos waste and construction material containing asbestos must meet the relevant waste acceptance criteria and must be covered daily and before each compaction operation with appropriate material.
- 2.6.7 The operator shall:
- (a) visually inspect without unloading it, waste that is not in an enclosed container or enclosed vehicle on arrival at the landfill and waste at the point of deposit; and
  - (b) be satisfied that the waste conforms to the requirements of condition 2.6.1.
- 2.6.8 Where the operator has taken samples to establish that the waste is in conformity with the documentation submitted by the holder then the samples taken shall be retained for at least one month and results of any analysis for at least two years.
- 2.6.9 The operator on accepting each delivery of waste shall provide a receipt to the person delivering it.
- 2.6.10 The total quantity of waste that shall be deposited in the landfill shall be limited by the pre-settlement levels shown on drawing LAF/WY/12-01/9957 (figure 6b in the working plan).
- 2.6.11 The quantity of waste that is deposited in the landfill in any year shall not exceed the limits in schedule 1, table S1.4.
- 2.6.12 The operator shall maintain and implement a system which ensures that a record is made of the quantity, characteristics, date of delivery and, where practicable, origin of any waste that is received

for disposal or recovery and of the identity of the producer, or in the case of municipal waste and multiple collection vehicles, of the collector of such waste. Any information regarded by the operator as commercially confidential shall be clearly identified in the record.

- 2.6.13 The operator shall maintain and implement a system to record the disposal location of any hazardous waste.

## **2.7 Leachate levels**

- 2.7.1 The limits for the level of leachate listed in schedule 3, table S3.1 shall not be exceeded.

## **2.8 Closure and aftercare**

- 2.8.1 The operator shall maintain a closure and aftercare management plan.

## **2.9 Landfill gas management**

- 2.9.1 The operator shall take appropriate measures, including, but not limited to, those specified in any approved landfill gas management plan, to:
- (a) collect landfill gas; and
  - (b) control the migration of landfill gas.
- 2.9.2 The operator shall use the collected landfill gas to produce energy. If the collected landfill gas cannot be used to produce energy, the operator shall use appropriate measures to flare or treat the gas in accordance with an approved landfill gas management plan.
- 2.9.3 The operator shall:
- (a) if notified by the Environment Agency, submit to the Environment Agency for approval within the period specified, a revised landfill gas management plan;
  - (b) implement the revised landfill gas management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

# **3 Emissions and monitoring**

## **3.1 Emissions to water, air or land**

- 3.1.1 The limits in schedule 3 shall not be exceeded.
- 3.1.2 There shall be no point source emissions to water, air or land except from the sources and emission points listed in schedule 3, tables S3.2, S3.3 and S3.6.
- 3.1.3 The limits given in schedule 3, table S3.2 shall not be exceeded, save that compliance with an emission limit in that table shall include incorporation of the uncertainty allowance stated in Environment Agency guidance LFTGN 05 and LFTGN 08.
- 3.1.4 The operator shall prevent the input of any hazardous substances from the activities into groundwater.
- 3.1.5 The operator shall submit to the Environment Agency a review of the Hydrogeological Risk Assessment:
- (a) between nine and six months prior to the fourth anniversary of the granting of the permit; and
  - (b) between nine and six months prior to every subsequent six years after the fourth anniversary of the granting of the permit.

- 3.1.6 For the following activities referenced in schedule 1, table S1.1 (A3), periodic monitoring shall be carried out at least once every 5 years for groundwater and 10 years for soil, unless such monitoring is based on systematic appraisal of the risk of contamination.

### **3.2 Emissions of substances not controlled by emission limits**

- 3.2.1 Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.
- 3.2.2 The operator shall:
- (a) if notified by the Environment Agency that the activities are giving rise to pollution, submit to the Environment Agency for approval within the period specified, an emissions management plan which identifies and minimises the risks of pollution from emissions of substances not controlled by emission limits; and
  - (b) implement the approved emissions management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.
- 3.2.3 All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.

### **3.3 Odour**

- 3.3.1 Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.

### **3.4 Noise and vibration**

- 3.4.1 Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan to prevent or where that is not practicable to minimise the noise and vibration.

### **3.5 Monitoring**

- 3.5.1 The operator shall, unless otherwise agreed in writing by the Environment Agency, undertake the monitoring and any other actions specified in the following tables in schedule 3 to this permit:
- (a) Leachate specified in tables S3.1 and S3.11;
  - (b) Point source emissions specified in tables S3.2, S3.3 and S3.6;
  - (c) Groundwater specified in tables S3.4 and S3.9;
  - (d) Landfill gas specified in tables S3.5, S3.8 and S3.10;
  - (e) Surface water specified in table S3.12; and
  - (f) Particulate matter specified in table S3.7.
- 3.5.2 The operator shall maintain records of all monitoring required by this permit including records of the taking and analysis of samples, instrument measurements (periodic and continual), calibrations, examinations, tests and surveys and any assessment or evaluation made on the basis of such data.

- 3.5.3 A topographical survey of the site referenced to ordnance datum shall be carried out and shall be used to produce a plan of a scale adequate to show the surveyed features of the site:
- (a) annually; and
  - (b) prior to the disposal of waste in any new cell or new development area of the landfill; and
  - (c) following closure of the landfill or part of the landfill.

### **3.6 Pests**

- 3.6.1 The activities shall not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved pests management plan, have been taken to prevent or where that is not practicable, to minimise the presence of pests on the site.

## **4 Information**

### **4.1 Records**

- 4.1.1 All records required to be made by this permit shall:
- (a) be legible;
  - (b) be made as soon as reasonably practicable;
  - (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
  - (d) be retained, unless otherwise agreed in writing by the Environment Agency, for at least 6 years from the date when the records were made, or in the case of the following records until permit surrender:
    - (i) the results of groundwater monitoring;
    - (ii) sub-surface landfill gas monitoring;
    - (iii) leachate levels, quality and quantities;
    - (iv) landfill gas generation and collection;
    - (v) waste types and quantities;
    - (vi) the location of hazardous waste deposits; and
    - (vii) the specification and as built drawings of the basal, sidewall and capping engineering systems.
- 4.1.2 The operator shall keep on site all records, plans and the management system required to be maintained by this permit, unless otherwise agreed in writing by the Environment Agency.

### **4.2 Reporting**

- 4.2.1 The operator shall send reports and notifications required by the permit to the Environment Agency using the contact details supplied in writing by the Environment Agency.
- 4.2.2 A report or reports on the performance of the activities over the previous year ('the annual report') shall be submitted to the Environment Agency by 31st January each year or such other date as may be agreed in writing by the Agency, with the exception of 4.2.2(c) that must be provided by the end of February each year. The report(s) shall include as a minimum:
- (a) a review of the results of the monitoring and assessment carried out in accordance with this permit against the relevant assumptions, parameters and results in the risk assessments

submitted in relation to this installation and any agreed amendments thereto. The review will include written descriptions of the improvements made to operational performance during the year, action plans developed and planned improvements for the coming year;

- (b) the energy consumed at the site, reported in the format set out in schedule 4 table S4.3
- (c) the annual production/treatment set out in schedule 4, table S4.2;
- (d) the topographical surveys required by condition 3.5.3 other than those submitted as part of a CQA validation report;
- (e) the volumetric difference (reported in cubic metres) between the most recent topographical survey and the previous annual topographical survey i.e. the additional volume of the landfill void that is occupied by waste;
- (f) an assessment of the settlement behaviour of the landfill body based on the difference between the most recent topographical survey and previous annual topographical survey for the areas of the landfill which did not receive waste between the surveys;
- (g) a calculation of the remaining capacity (reported in cubic metres) derived from the pre-settlement contours and the most recent topographical survey; and
- (h) a plan(s) ('the monitoring and extraction point plan – MEPP') showing the locations of existing and any new leachate and landfill gas extraction and monitoring points.

4.2.3 Within 28 days of the end of the reporting period the operator shall, unless otherwise agreed in writing by the Environment Agency, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit, as follows:

- (a) in respect of the parameters and emission points specified in schedule 4, table S4.1;
- (b) using the forms specified in schedule 4, table S4.4 or other reporting format as agreed in writing with the Environment Agency; and
- (c) giving the information from such results and assessments as may be required by the forms specified in those tables.

4.2.4 Within one month of the end of each quarter, the operator shall submit to the Environment Agency using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter.

4.2.5 The operator shall, unless notice under this condition has been served within the preceding four years, submit to the Environment Agency, within six months of receipt of a written notice, a report assessing whether there are other appropriate measures that could be taken to prevent, or where that is not practicable, to minimise pollution.

## 4.3 Notifications

4.3.1 In the event:

- (a) that the operation of the activities gives rise to an incident or accident which significantly affects or may significantly affect the environment, the operator must immediately—
  - (i) inform the Environment Agency;
  - (ii) take the measures necessary to limit the environmental consequences of such an incident or accident; and
  - (iii) take the measures necessary to prevent further possible incidents or accidents.
- (b) of a breach of any permit condition the operator must immediately—
  - (i) inform the Environment Agency; and
  - (ii) take the measures necessary to ensure that compliance is restored within the shortest possible time.



- (c) of a breach of permit condition which poses an immediate danger to human health or threatens to cause an immediate significant adverse effect on the environment, the operator must immediately suspend the operation of the activities or the relevant part of it until compliance with the permit conditions has been restored.

4.3.2 Any information provided under condition 4.3.1 (a)(i), or 4.3.1 (b)(i) where the information relates to the breach of a limit specified in the permit, shall be confirmed by sending the information listed in schedule 5 to this permit within the time period specified in that schedule.

4.3.3 The Environment Agency shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:

Where the operator is a registered company:

- (a) any change in the operator's trading name, registered name or registered office address; and
- (b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

Where the operator is a corporate body other than a registered company:

- (a) any change in the operator's name or address; and
- (b) any steps taken with a view to the dissolution of the operator.

In any other case:

- (c) the death of any of the named operators (where the operator consists of more than one named individual);
- (d) any change in the operator's name(s) or address(es); and
- (e) any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.

4.3.4 Where the operator proposes to make a change in the nature or functioning, or an extension of the activities, which may have consequences for the environment and the change is not otherwise the subject of an application for approval under the Regulations or this permit:

- (a) the Environment Agency shall be notified at least 14 days before making the change; and
- (b) the notification shall contain a description of the proposed change in operation.

## **4.4 Interpretation**

4.4.1 In this permit the expressions listed in schedule 6 shall have the meaning given in that schedule.

4.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made "immediately", in which case it may be provided by telephone.

## Schedule 1 – Operations

Table S1.1 activities				
Activity reference	WFD Annex I and II operations (where applicable)	Activity listed in Schedule 1 of the EP Regulations	Description of specified activity	Limits of specified activity
A1	D5 – Specially engineered landfill and R10 – Land treatment resulting in benefit to agriculture or ecology	Section 5.2 Part A(1) (a), the disposal of waste in a landfill.	Landfill for non-hazardous waste and landfill restoration.	Receipt, handling, storage and disposal of wastes, consisting of the types and quantities specified in conditions 2.5, as an integral part of landfilling.
A2	D5 – Specially engineered landfill	Section 5.2 Part A(1) (a), The disposal of waste in a landfill.	Landfill for hazardous waste. (Separate cell for gypsum and asbestos).	Receipt, handling, storage and disposal of wastes, consisting of the types and quantities specified in conditions 2.5, as an integral part of landfilling.
A3	D8 – Biological treatment of waste	Section 5.4, Part A(1)(a)(i), Biological treatment of non-hazardous waste.	Treatment of leachate in a facility with a capacity of >50 tonnes/day.	Leachate arising from the Walleys Quarry Landfill. Leachate arising from other non-hazardous waste landfills, as specified in Table S2.4.
Directly Associated Activities				
A4	R1 – use principally as a fuel to generate energy		Pre-treatment and utilisation of landfill gas for energy recovery in an appliance with a rated thermal input less than 50MW.	Treatment and utilisation of landfill gas arising from the landfill.
A5	N/A		Flaring of landfill gas for disposal in an appliance.	Landfill gas arising from the landfill.
A6	D6 – release to water body except seas/oceans		Discharges of site drainage from the landfill.	From surface water management system to point of entry to controlled waters.
A7	N/A		Storage of fuel for operation of plant and equipment.	Fuel storage tank.

<b>Table S1.1 activities</b>				
<b>Activity reference</b>	<b>WFD Annex I and II operations (where applicable)</b>	<b>Activity listed in Schedule 1 of the EP Regulations</b>	<b>Description of specified activity</b>	<b>Limits of specified activity</b>
A8	N/A		Discharge of leachate from the installation.	From leachate management system to point of entry to sewer.
A9	N/A		Temporary storage of waste (leachate)	Leachate arising from the landfill, from the company's other non-hazardous landfill sites and from third party non-hazardous landfill sites.

<b>Table S1.2 Operating techniques</b>		
<b>Description</b>	<b>Parts</b>	<b>Date Received</b>
Application LAF/WY/TD/113801	Document 2 of report LAF/WY/TD/1138/01 sections B2.1, B2.2, B2.3, B2.4, B2.5, B2.6, B2.7, B2.8, B2.10, B2.11  Document 3 of report LAF/WY/TD/1138/01 sections 2.1, 2.9, 2.10, 2.11, 2.12, 2.13, 2.17, 2.18, 2.19, 2.20, 2.21, 2.22, 2.24, 2.25, 2.26, 2.27, 2.28, 2.29, 2.31, 2.38, 2.39, 2.40, 2.41, 2.42, 2.43, 2.44, 2.45, 2.47, 2.48, 2.49, 2.53, 2.54, 2.55, 2.56, 2.57, 2.58, 2.59, 2.60, 2.61, 2.62, 3.1, 3.2, 4.1, 4.2, 4.3, 4.10, 4.11, 4.12, 4.13, 4.14, 4.15, 4.16, 4.18, 4.19, 4.20, 4.21, 4.22, 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 5.10, 5.11, 5.12, 5.13 (except for reference to figure 14), 5.14, 5.15, 5.16, 5.17, 5.18, 5.19, 5.20, 5.21, 6.1, 6.2, 6.3, 6.4, 6.6, 6.7, 6.8, and figures 5, 8, 9, 10, 11, 12, 13 and 14 document 4: Appendices I and K, documents 5 and 6.	12/04/02
Response to schedule 4 notice	Response to questions 3, 4, 5, 8, 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 29, 37, 41, 42, 55, 58, 59.	31/10/2002
Response to schedule 4 notice	Response to questions 2, 3, 4, 7, 16, 17, 18, 19, 20, 21, 22.	22/12/2003
Response to schedule 4 notice	Response to questions 1, 2, 4, 6, 7, 8, 9, 11, 12, 13, 14(ii).	29/09/2004
Letter reference LAF/WY/TD/1138/01 dated 13th January 2004	Tables 1, 2, 3, 4, 5.	14/01/2005
Letter reference LAF/WY/PW/3099/01 dated 3rd March 2005	The entire letter and the attached plan reference LAF/WY/11-01/9878revB.	04/03/2005

Table S1.2 Operating techniques		
Description	Parts	Date Received
Letter reference LAF/WY/TD/1138/01 dated 2nd March 2005	The entire letter.	03/03/2005
Response to Table 9.11, IC9.4 of the permit dated 9th June 2005 LAF/WY/PW/1138/01	Proposals for the design of the stable non-reactive hazardous waste cell.	25/06/2005
Noise report R05.2867/20/GN	The report.	08/04/2005
Dust Monitoring Plan 3rd November 2006	The entire plan.	03/11/2006
Waste Emplacement Procedure 3rd October 2006	The entire procedure.	06/10/2006
Letter reference LAF.WY/PW/3099/01 dated 2 June 2005	The entire letter.	06/06/2005
Application EPR/BR9677IT/V004	'Activities and Operating Techniques Report' (Document Ref. 1184.02.LAF.AS.SR.A) in response to section 3a – Technical standards, Part C3 of the application form.	29/03/2011
	'Amenity and Accident Risk Assessment' (Document Ref. 1184.04.LAL.AS.SR) of the Application in response to section 6 – Environmental Risk Assessment, Part C2 of the application form.	
Application EPR/BR9677IT/V007	Parts C2 and C3 of the application and referenced supporting documentation.	23/12/2013
Application EPR/BR9677IT/V007 additional information	Details of leachate treatment plant biofilter.	09/05/2014
Application EPR/BR9677IT/V007 additional information	Confirmation of third engine stack height and Construction Quality Assurance proposal.	19/05/2014
Biofilter performance, maintenance and Monitoring BR9677IT/0229573.	Operational performance, monitoring and maintenance of the biofilter.	15/10/2014
Application EPR/BR9677IT/V009	Parts C2 and C3 of the application and referenced supporting documentation including Waste Acceptance Procedures (WAP).	01/09/2015
Restoration Plan EPR/BR9677IT/V009	Walleys Quarry Landfill approved Restoration Plan Ref: BR9677IT/V008 – IC1.	August 2015

Table S1.2 Operating techniques		
Description	Parts	Date Received
Application EA/EPR/DP3734DC/V002	Documents provided in response to section 3a – technical standards of Part C3 of the application forms and Supporting Documents including; Dust Management Plan (DMP), Report ref. 5569 dated August 2018, HRA Review dated November 2018 Slope Stability Risk Assessment dated November 2018	12/12/2018
Further Information	Site layout Plan EEL.7268.D02.001. Non-Technical Summary Revised March 2019	20/03/2019
Response to Schedule 5 Notice dated 05/06/2019	Cover Letter 7268/Var01/DAW225-19 June 2019 Noise Impact Review R19.10249/2/AP Gas Infrastructure Survey Plan – Gas Collection System CLP3573, Drawing No 2 dated 12/06/19 Revised Leachate Management Plan 5883/WAL/LMP/3.1 April 2019 Rev. 3.1 revised 16/04/2019	05/07/2019
Response to Schedule 5 Notice dated 24/07/2019	Cover Letter 7268/Var01/DAW230-19 dated 21/08/2019. Revised Landfill Gas Management Plan EEL.7268.R03.002 Rev. 2.0 June 2019 revised 19/08/2019. Revised Noise Impact Assessment report reference R19.10514/2/AP dated 29 October 2019. Revised Odour Management Plan report reference EEL.7268.R03.003 dated October 2019.	21/08/2019  31/10/2019
Additional information	Revised Noise Management Plan reference R19.10511/NMP/3/AP dated 18/12/2019	22/12/2019
Additional information	Revised Landfill Gas Risk Assessment EEL.7268.R03.001 dated February 2020 and revised 22/06/2020	22/06/2020
Additional information	Revised Pest Management Plan Version 3 dated 22/08/2020	11/09/2020

Table S1.3 Improvement programme requirements		
Reference	Requirement	Date
1	<p>The operator shall:</p> <ul style="list-style-type: none"> <li>• Install a groundwater borehole to replace the lost borehole 208 at a location agreed with the Environment Agency.</li> <li>• Install the borehole in accordance with the Landfill Engineering Condition 2.5.</li> <li>• Commence routine monitoring of the replacement borehole.</li> <li>• Update the site monitoring plan to show the location of the replacement borehole.</li> <li>• Submit a written report to the Environment Agency for approval.</li> </ul>	31/12/2021

Table S1.4 Annual waste input limits	
Category	Limit Tonnes / Year
Non-hazardous waste	400,000
Stable non-reactive hazardous waste	150,000
Inert waste	250,000
Waste for restoration	250,000
<b>Overall Total</b>	400,000

## Schedule 2 – List of permitted wastes

Table S2.1 Permitted waste types for disposal at a landfill for non-hazardous waste	
Waste code	Description
<b>01</b>	<b>Wastes resulting from exploration, mining, quarrying, and physical and chemical treatment of minerals</b>
<b>01 01</b>	<b>wastes from mineral excavation</b>
01 01 01	wastes from mineral metalliferous excavation
01 01 02	wastes from mineral non-metalliferous excavation
<b>01 03</b>	<b>wastes from physical and chemical processing of metalliferous minerals</b>
01 03 06	tailings other than those mentioned in 01 03 04 and 01 03 05
01 03 08	dusty and powdery wastes other than those mentioned in 01 03 07
01 03 09	red mud from alumina production other than the wastes mentioned in 01 03 07
<b>01 04</b>	<b>wastes from physical and chemical processing of non-metalliferous minerals</b>
01 04 08	waste gravel and crushed rocks other than those mentioned in 01 04 07
01 04 09	waste sand and clays
01 04 10	dusty and powdery wastes other than those mentioned in 01 04 07
01 04 11	wastes from potash and rock salt processing other than those mentioned in 01 04 07
01 04 12	tailings and other wastes from washing and cleaning of minerals other than those mentioned in 01 04 07 and 01 04 11
01 04 13	wastes from stone cutting and sawing other than those mentioned in 01 04 07
<b>01 05</b>	<b>drilling muds and other drilling wastes</b>
01 05 04	freshwater drilling muds and wastes
01 05 07	barite-containing drilling muds and wastes other than those mentioned in 01 05 05 and 01 05 06
01 05 08	chloride-containing drilling muds and wastes other than those mentioned in 01 05 05 and 01 05 06
<b>02</b>	<b>Wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing, food preparation and processing</b>
<b>02 01</b>	<b>wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing</b>
02 01 01	sludges from washing and cleaning
02 01 02	animal-tissue waste
02 01 03	plant-tissue waste
02 01 04	waste plastics (except packaging)
02 01 06	animal faeces, urine and manure (including spoiled straw), effluent, collected separately and treated off-site
02 01 07	wastes from forestry
02 01 09	agrochemical waste other than those mentioned in 02 01 08

<b>Table S2.1 Permitted waste types for disposal at a landfill for non-hazardous waste</b>	
<b>Waste code</b>	<b>Description</b>
02 01 10	waste metal
<b>02 02</b>	<b>wastes from the preparation and processing of meat, fish and other foods of animal origin</b>
02 02 01	sludges from washing and cleaning
02 02 02	animal-tissue waste
02 02 03	materials unsuitable for consumption or processing
02 02 04	sludges from on-site effluent treatment
<b>02 03</b>	<b>wastes from fruit, vegetables, cereals, edible oils, cocoa, coffee, tea and tobacco preparation and processing; conserve production; yeast and yeast extract production, molasses preparation and fermentation</b>
02 03 01	sludges from washing, cleaning, peeling, centrifuging and separation
02 03 02	wastes from preserving agents
02 03 03	wastes from solvent extraction
02 03 04	materials unsuitable for consumption or processing
02 03 05	sludges from on-site effluent treatment
<b>02 04</b>	<b>wastes from sugar processing</b>
02 04 01	soil from cleaning and washing beet
02 04 02	off-specification calcium carbonate
02 04 03	sludges from on-site effluent treatment
<b>02 05</b>	<b>wastes from the dairy products industry</b>
02 05 01	materials unsuitable for consumption or processing
02 05 02	sludges from on-site effluent treatment
<b>02 06</b>	<b>wastes from the baking and confectionery industry</b>
02 06 01	materials unsuitable for consumption or processing
02 06 02	wastes from preserving agents
02 06 03	sludges from on-site effluent treatment
<b>02 07</b>	<b>wastes from the production of alcoholic and non-alcoholic beverages (except coffee, tea and cocoa)</b>
02 07 01	wastes from washing, cleaning and mechanical reduction of raw materials
02 07 02	wastes from spirits distillation
02 07 03	wastes from chemical treatment
02 07 04	materials unsuitable for consumption or processing
02 07 05	sludges from on-site effluent treatment
<b>03</b>	<b>Wastes from wood processing and the production of panels and furniture, pulp, paper and cardboard</b>
<b>03 01</b>	<b>wastes from wood processing and the production of panels and furniture</b>



<b>Table S2.1 Permitted waste types for disposal at a landfill for non-hazardous waste</b>	
<b>Waste code</b>	<b>Description</b>
03 01 01	waste bark and cork
03 01 05	sawdust, shavings, cuttings, wood, particle board and veneer other than those mentioned in 03 01 04
<b>03 03</b>	<b>wastes from pulp, paper and cardboard production and processing</b>
03 03 01	waste bark and wood
03 03 02	green liquor sludge (from recovery of cooking liquor)
03 03 05	de-inking sludges from paper recycling
03 03 07	mechanically separated rejects from pulping of waste paper and cardboard
03 03 08	wastes from sorting of paper and cardboard destined for recycling
03 03 09	lime mud waste
03 03 10	fibre rejects, fibre-, filler- and coating-sludges from mechanical separation
03 03 11	sludges from on-site effluent treatment other than those mentioned in 03 03 10
<b>04</b>	<b>Wastes from the leather, fur and textile industries</b>
<b>04 01</b>	<b>wastes from the leather and fur industry</b>
04 01 01	fleshings and lime split wastes
04 01 02	liming waste
04 01 06	sludges, in particular from on-site effluent treatment containing chromium
04 01 07	sludges, in particular from on-site effluent treatment free of chromium
04 01 08	waste tanned leather (blue sheetings, shavings, cuttings, buffing dust) containing chromium
04 01 09	wastes from dressing and finishing
<b>04 02</b>	<b>wastes from the textile industry</b>
04 02 09	wastes from composite materials (impregnated textile, elastomer, plastomer)
04 02 10	organic matter from natural products (for example grease, wax)
04 02 15	wastes from finishing other than those mentioned in 04 02 14
04 02 17	dyestuffs and pigments other than those mentioned in 04 02 16
04 02 20	sludges from on-site effluent treatment other than those mentioned in 04 02 19
04 02 21	wastes from unprocessed textile fibres
04 02 22	wastes from processed textile fibres
<b>05</b>	<b>Wastes from petroleum refining, natural gas purification and pyrolytic treatment of coal</b>
<b>05 01</b>	<b>wastes from petroleum refining</b>
05 01 10	sludges from on-site effluent treatment other than those mentioned in 05 01 09
05 01 13	boiler feedwater sludges
05 01 14	wastes from cooling columns
05 01 16	sulphur-containing wastes from petroleum desulphurisation

<b>Table S2.1 Permitted waste types for disposal at a landfill for non-hazardous waste</b>	
<b>Waste code</b>	<b>Description</b>
05 01 17	bitumen
<b>05 06</b>	<b>wastes from the pyrolytic treatment of coal</b>
05 06 04	waste from cooling columns
<b>05 07</b>	<b>wastes from natural gas purification and transportation</b>
05 07 02	wastes containing sulphur
<b>06</b>	<b>Wastes from inorganic chemical processes</b>
<b>06 03</b>	<b>wastes from the MFSU of salts and their solutions and metallic oxides</b>
06 03 14	solid salts and solutions other than those mentioned in 06 03 11 and 06 03 13
06 03 16	metallic oxides other than those mentioned in 06 03 15
<b>06 05</b>	<b>sludges from on-site effluent treatment</b>
06 05 03	sludges from on-site effluent treatment other than those mentioned in 06 05 02
<b>06 06</b>	<b>wastes from the MFSU of sulphur chemicals, sulphur chemical processes and desulphurisation processes</b>
06 06 03	wastes containing sulphides other than those mentioned in 06 06 02
<b>06 09</b>	<b>wastes from the MSFU of phosphorous chemicals and phosphorous chemical processes</b>
06 09 02	phosphorous slag
06 09 04	calcium-based reaction wastes other than those mentioned in 06 09 03
<b>06 11</b>	<b>wastes from the manufacture of inorganic pigments and opacifiers</b>
06 11 01	calcium-based reaction wastes from titanium dioxide production
<b>06 13</b>	<b>wastes from inorganic chemical processes not otherwise specified</b>
06 13 03	carbon black
<b>07</b>	<b>Wastes from organic chemical processes</b>
<b>07 01</b>	<b>wastes from the manufacture, formulation, supply and use (MFSU) of basic organic chemicals</b>
07 01 12	sludges from on-site effluent treatment other than those mentioned in 07 01 11
<b>07 02</b>	<b>wastes from the MFSU of plastics, synthetic rubber and man-made fibres</b>
07 02 12	sludges from on-site effluent treatment other than those mentioned in 07 02 11
07 02 13	waste plastic
07 02 15	wastes from additives other than those mentioned in 07 02 14
07 02 17	waste containing silicones other than those mentioned in 07 02 16
<b>07 03</b>	<b>wastes from the MFSU of organic dyes and pigments (except 06 11)</b>
07 03 12	sludges from on-site effluent treatment other than those mentioned in 07 03 11

<b>Table S2.1 Permitted waste types for disposal at a landfill for non-hazardous waste</b>	
<b>Waste code</b>	<b>Description</b>
<b>07 04</b>	<b>wastes from the MFSU of organic plant protection products (except 02 01 08 and 02 01 09), wood preserving agents (except 03 02) and other biocides</b>
07 04 12	sludges from on-site effluent treatment other than those mentioned in 07 04 11
<b>07 05</b>	<b>wastes from the MFSU of pharmaceuticals</b>
07 05 12	sludges from on-site effluent treatment other than those mentioned in 07 05 11
07 05 14	solid wastes other than those mentioned in 07 05 13
<b>07 06</b>	<b>wastes from the MFSU of fats, grease, soaps, detergents, disinfectants and cosmetics</b>
07 06 12	sludges from on-site effluent treatment other than those mentioned in 07 06 11
<b>07 07</b>	<b>wastes from the MFSU of fine chemicals and chemical products not otherwise specified</b>
07 07 12	sludges from on-site effluent treatment other than those mentioned in 07 07 11
<b>08</b>	<b>Wastes from the manufacture, formulation, supply and use (MFSU) of coatings (paints, varnishes and vitreous enamels), adhesives, sealants and printing inks</b>
<b>08 01</b>	<b>wastes from MFSU and removal of paint and varnish</b>
08 01 12	waste paint and varnish other than those mentioned in 08 01 11
08 01 14	sludges from paint or varnish other than those mentioned in 08 01 13
08 01 16	aqueous sludges containing paint or varnish other than those mentioned in 08 01 15
08 01 18	wastes from paint or varnish removal other than those mentioned in 08 01 17
<b>08 02</b>	<b>wastes from MFSU of other coatings (including ceramic materials)</b>
08 02 01	waste coating powders
08 02 02	aqueous sludges containing ceramic materials
<b>08 03</b>	<b>wastes from MFSU of printing inks</b>
08 03 07	aqueous sludges containing ink
08 03 13	waste ink other than those mentioned in 08 03 12
08 03 15	ink sludges other than those mentioned in 08 03 14
08 03 18	waste printing toner other than those mentioned in 08 03 17
<b>08 04</b>	<b>wastes from MFSU of adhesives and sealants (including water proofing products)</b>
08 04 10	waste adhesives and sealants other than those mentioned in 08 04 09
08 04 12	adhesive and sealant sludges other than those mentioned in 08 04 11
08 04 14	aqueous sludges containing adhesives or sealants other than those mentioned in 08 04 13
<b>09</b>	<b>Wastes from the photographic industry</b>
<b>09 01</b>	<b>wastes from the photographic industry</b>
09 01 07	photographic film and paper containing silver or silver compounds

<b>Table S2.1 Permitted waste types for disposal at a landfill for non-hazardous waste</b>	
<b>Waste code</b>	<b>Description</b>
09 01 08	photographic film and paper free of silver or silver compounds
09 01 10	single-use cameras without batteries
09 01 12	single-use cameras containing batteries other than those mentioned in 09 01 11
<b>10</b>	<b>Wastes from thermal processes</b>
<b>10 01</b>	<b>wastes from power stations and other combustion plants (except 19)</b>
10 01 01	bottom ash, slag and boiler dust (excluding boiler dust mentioned in 10 01 04)
10 01 02	coal fly ash
10 01 03	fly ash from peat and untreated wood
10 01 05	calcium-based reaction wastes from flue-gas desulphurisation in solid form
10 01 07	calcium-based reaction wastes from flue-gas desulphurisation in sludge form
10 01 15	bottom ash, slag and boiler dust from co-incineration other than those mentioned in 10 01 14
10 01 17	fly ash from co-incineration other than those mentioned in 10 01 16
10 01 19	wastes from gas cleaning other than those mentioned in 10 01 05, 10 01 07 and 10 01 18
10 01 21	sludges from on-site effluent treatment other than those mentioned in 10 01 20
10 01 23	aqueous sludges from boiler cleansing other than those mentioned in 10 01 22
10 01 24	sands from fluidised beds
10 01 25	wastes from fuel storage and preparation of coal-fired power plants
10 01 26	wastes from cooling-water treatment
<b>10 02</b>	<b>wastes from the iron and steel industry</b>
10 02 01	wastes from the processing of slag
10 02 02	unprocessed slag
10 02 08	solid wastes from gas treatment other than those mentioned in 10 02 07
10 02 10	mill scales
10 02 12	wastes from cooling-water treatment other than those mentioned in 10 02 11
10 02 14	sludges and filter cakes from gas treatment other than those mentioned in 10 02 13
10 02 15	other sludges and filter cakes
<b>10 03</b>	<b>wastes from aluminium thermal metallurgy</b>
10 03 02	anode scraps
10 03 05	waste alumina
10 03 16	skimmings other than those mentioned in 10 03 15
10 03 18	carbon-containing wastes from anode manufacture other than those mentioned in 10 03 17
10 03 20	flue-gas dust other than those mentioned in 10 03 19
10 03 22	other particulates and dust (including ball-mill dust) other than those mentioned in 10 03 21
10 03 24	solid wastes from gas treatment other than those mentioned in 10 03 23

<b>Table S2.1 Permitted waste types for disposal at a landfill for non-hazardous waste</b>	
<b>Waste code</b>	<b>Description</b>
10 03 26	sludges and filter cakes from gas treatment other than those mentioned in 10 03 25
10 03 28	wastes from cooling-water treatment other than those mentioned in 10 03 27
10 03 30	wastes from treatment of salt slags and black drosses other than those mentioned in 10 03 29
<b>10 04</b>	<b>wastes from lead thermal metallurgy</b>
10 04 10	wastes from cooling-water treatment other than those mentioned in 10 04 09
<b>10 05</b>	<b>wastes from zinc thermal metallurgy</b>
10 05 01	slags from primary and secondary production
10 05 04	other particulates and dust
10 05 09	wastes from cooling-water treatment other than those mentioned in 10 05 08
10 05 11	dross and skimmings other than those mentioned in 10 05 10
<b>10 06</b>	<b>wastes from copper thermal metallurgy</b>
10 06 01	slags from primary and secondary production
10 06 02	dross and skimmings from primary and secondary production
10 06 04	other particulates and dust
10 06 10	wastes from cooling-water treatment other than those mentioned in 10 06 09
<b>10 07</b>	<b>wastes from silver, gold and platinum thermal metallurgy</b>
10 07 01	slags from primary and secondary production
10 07 02	dross and skimmings from primary and secondary production
10 07 03	solid wastes from gas treatment
10 07 04	other particulates and dust
10 07 05	sludges and filter cakes from gas treatment
10 07 08	wastes from cooling-water treatment other than those mentioned in 10 07 07
<b>10 08</b>	<b>wastes from other non-ferrous thermal metallurgy</b>
10 08 04	particulates and dust
10 08 09	other slags
10 08 11	dross and skimmings other than those mentioned in 10 08 10
10 08 13	carbon-containing wastes from anode manufacture other than those mentioned in 10 08 12
10 08 14	anode scrap
10 08 16	flue-gas dust other than those mentioned in 10 08 15
10 08 18	sludges and filter cakes from flue-gas treatment other than those mentioned in 10 08 17
10 08 20	wastes from cooling-water treatment other than those mentioned in 10 08 19
<b>10 09</b>	<b>wastes from casting of ferrous pieces</b>
10 09 03	furnace slag

<b>Table S2.1 Permitted waste types for disposal at a landfill for non-hazardous waste</b>	
<b>Waste code</b>	<b>Description</b>
10 09 06	casting cores and moulds which have not undergone pouring other than those mentioned in 10 09 05
10 09 08	casting cores and moulds which have undergone pouring other than those mentioned in 10 09 07
10 09 10	flue-gas dust other than those mentioned in 10 09 09
10 09 12	other particulates other than those mentioned in 10 09 11
10 09 14	waste binders other than those mentioned in 10 09 13
10 09 16	waste crack-indicating agent other than those mentioned in 10 09 15
<b>10 10</b>	<b>wastes from casting of non-ferrous pieces</b>
10 10 03	furnace slag
10 10 06	casting cores and moulds which have not undergone pouring, other than those mentioned in 10 10 05
10 10 08	casting cores and moulds which have undergone pouring, other than those mentioned in 10 10 07
10 10 10	flue-gas dust other than those mentioned in 10 10 09
10 10 12	other particulates other than those mentioned in 10 10 11
10 10 14	waste binders other than those mentioned in 10 10 13
10 10 16	waste crack-indicating agent other than those mentioned in 10 10 15
<b>10 11</b>	<b>wastes from manufacture of glass and glass products</b>
10 11 03	waste glass-based fibrous materials
10 11 05	particulates and dust
10 11 10	waste preparation mixture before thermal processing, other than those mentioned in 10 11 09
10 11 12	waste glass other than those mentioned in 10 11 11
10 11 14	glass-polishing and -grinding sludge other than those mentioned in 10 11 13
10 11 16	solid wastes from flue-gas treatment other than those mentioned in 10 11 15
10 11 18	sludges and filter cakes from flue-gas treatment other than those mentioned in 10 11 17
10 11 20	solid wastes from on-site effluent treatment other than those mentioned in 10 11 19
<b>10 12</b>	<b>wastes from manufacture of ceramic goods, bricks, tiles and construction products</b>
10 12 01	waste preparation mixture before thermal processing
10 12 03	particulates and dust
10 12 05	sludges and filter cakes from gas treatment
10 12 06	discarded moulds
10 12 08	waste ceramics, bricks, tiles and construction products (after thermal processing)
10 12 10	solid wastes from gas treatment other than those mentioned in 10 12 09
10 12 12	wastes from glazing other than those mentioned in 10 12 11
10 12 13	sludge from on-site effluent treatment

<b>Table S2.1 Permitted waste types for disposal at a landfill for non-hazardous waste</b>	
<b>Waste code</b>	<b>Description</b>
<b>10 13</b>	<b>wastes from manufacture of cement, lime and plaster and articles and products made from them</b>
10 13 01	waste preparation mixture before thermal processing
10 13 04	wastes from calcination and hydration of lime
10 13 06	particulates and dust (except 10 13 12 and 10 13 13)
10 13 07	sludges and filter cakes from gas treatment
10 13 10	wastes from asbestos-cement manufacture other than those mentioned in 10 13 09
10 13 11	wastes from cement-based composite materials other than those mentioned in 10 13 09 and 10 13 10
10 13 13	solid wastes from gas treatment other than those mentioned in 10 13 12
10 13 14	waste concrete and concrete sludge
<b>11</b>	<b>Wastes from chemical surface treatment and coating of metals and other materials; non-ferrous hydro-metallurgy</b>
<b>11 01</b>	<b>wastes from chemical surface treatment and coating of metals and other materials (for example galvanic processes, zinc coating processes, pickling processes, etching, phosphating, alkaline degreasing, anodising)</b>
11 01 10	sludges and filter cakes other than those mentioned in 11 01 09
11 01 14	degreasing wastes other than those mentioned in 11 01 13
<b>11 02</b>	<b>wastes from non-ferrous hydrometallurgical processes</b>
11 02 03	wastes from the production of anodes for aqueous electrolytical processes
11 02 06	wastes from copper hydrometallurgical processes other than those mentioned in 11 02 05
<b>11 05</b>	<b>wastes from hot galvanising processes</b>
11 05 01	hard zinc
11 05 02	zincash
<b>12</b>	<b>Wastes from shaping and physical and mechanical surface treatment of metals and plastics</b>
<b>12 01</b>	<b>wastes from shaping and physical and mechanical surface treatment of metals and plastics</b>
12 01 01	ferrous metal filings and turnings
12 01 02	ferrous metal dust and particles
12 01 03	non-ferrous metal filings and turnings
12 01 04	non-ferrous metal dust and particles
12 01 05	plastics shavings and turnings
12 01 13	welding wastes
12 01 15	machining sludges other than those mentioned in 12 01 14
12 01 17	waste blasting material other than those mentioned in 12 01 16

<b>Table S2.1 Permitted waste types for disposal at a landfill for non-hazardous waste</b>	
<b>Waste code</b>	<b>Description</b>
12 01 21	spent grinding bodies and grinding materials other than those mentioned in 12 01 20
<b>15</b>	<b>Waste packaging, absorbents, wiping cloths, filter materials and protective clothing not otherwise specified</b>
<b>15 01</b>	<b>packaging (including separately collected municipal packaging waste)</b>
15 01 01	paper and cardboard packaging
15 01 02	plastic packaging
15 01 03	wooden packaging
15 01 04	metallic packaging
15 01 05	composite packaging
15 01 06	mixed packaging
15 01 07	glass packaging
15 01 09	textile packaging
<b>15 02</b>	<b>absorbents, filter materials, wiping cloths and protective clothing</b>
15 02 03	absorbents, filter materials, wiping cloths and protective clothing other than those mentioned in 15 02 02
<b>16</b>	<b>Wastes not otherwise specified in the list</b>
<b>16 01</b>	<b>end-of-life vehicles from different means of transport (including off-road machinery) and wastes from dismantling of end-of-life vehicles and vehicle maintenance (except 13, 14, 16 06 and 16 08)</b>
16 01 03	end-of-life tyres
16 01 12	brake pads other than those mentioned in 16 01 11
16 01 17	ferrous metal
16 01 18	non-ferrous metal
16 01 19	plastic
16 01 20	glass
<b>16 02</b>	<b>wastes from electrical and electronic equipment</b>
16 02 14	discarded equipment other than those mentioned in 16 02 09 to 16 02 13
16 02 16	components removed from discarded equipment other than those mentioned in 16 02 15
<b>16 03</b>	<b>off-specification batches and unused products</b>
16 03 04	inorganic wastes other than those mentioned in 16 03 03
16 03 06	organic wastes other than those mentioned in 16 03 05
<b>16 08</b>	<b>spent catalysts</b>
16 08 01	spent catalysts containing gold, silver, rhenium, rhodium, palladium, iridium or platinum (except 16 08 07)
16 08 03	spent catalysts containing transition metals or transition metal compounds not otherwise specified



<b>Table S2.1 Permitted waste types for disposal at a landfill for non-hazardous waste</b>	
<b>Waste code</b>	<b>Description</b>
<b>16 11</b>	<b>waste linings and refractories</b>
16 11 02	carbon-based linings and refractories from metallurgical processes others than those mentioned in 16 11 01
16 11 04	other linings and refractories from metallurgical processes other than those mentioned in 16 11 03
16 11 06	linings and refractories from non-metallurgical processes others than those mentioned in 16 11 05
<b>17</b>	<b>Construction and demolition wastes (including excavated soil from contaminated sites)</b>
<b>17 01</b>	<b>concrete, bricks, tiles and ceramics</b>
17 01 01	concrete
17 01 02	bricks
17 01 03	tiles and ceramics
17 01 07	mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06
<b>17 02</b>	<b>wood, glass and plastic</b>
17 02 01	wood
17 02 02	glass
17 02 03	plastic
<b>17 03</b>	<b>bituminous mixtures, coal tar and tarred products</b>
17 03 02	bituminous mixtures other than those mentioned in 17 03 01
<b>17 04</b>	<b>metals (including their alloys)</b>
17 04 01	copper, bronze, brass
17 04 02	aluminium
17 04 03	lead
17 04 04	zinc
17 04 05	iron and steel
17 04 06	tin
17 04 07	mixed metals
17 04 11	cables other than those mentioned in 17 04 10
<b>17 05</b>	<b>soil (including excavated soil from contaminated sites), stones and dredging spoil</b>
17 05 04	soil and stones other than those mentioned in 17 05 03
17 05 06	dredging spoil other than those mentioned in 17 05 05
17 05 08	track ballast other than those mentioned in 17 05 07
<b>17 06</b>	<b>insulation materials and asbestos-containing construction materials</b>
17 06 04	insulation materials other than those mentioned in 17 06 01 and 17 06 03
<b>17 09</b>	<b>other construction and demolition wastes</b>
17 09 04	mixed construction and demolition wastes other than those mentioned in 17 09 01, 17 09 02 and 17 09 03

Table S2.1 Permitted waste types for disposal at a landfill for non-hazardous waste	
Waste code	Description
<b>18</b>	<b>Wastes from human or animal health care and / or related research (except kitchen and restaurant wastes not arising from immediate health care))</b>
<b>18 01</b>	<b>wastes from natal care, diagnosis, treatment or prevention of disease in humans</b>
18 01 04	wastes whose collection and disposal is not subject to special requirements in order to prevent infection (for example dressings, linen, disposable clothing, diapers)
<b>18 02</b>	<b>wastes from research, diagnosis, treatment or prevention of disease involving animals</b>
18 02 03	wastes whose collection and disposal is not subject to special requirements in order to prevent infection
18 02 06	chemicals other than those mentioned in 18 02 05
<b>19</b>	<b>Wastes from waste management facilities, off-site waste water treatment plants and the preparation of water intended for human consumption and water for industrial use</b>
<b>19 01</b>	<b>wastes from incineration or pyrolysis of waste</b>
19 01 02	ferrous materials removed from bottom ash
19 01 12	bottom ash and slag other than those mentioned in 19 01 11
19 01 14	fly ash other than those mentioned in 19 01 13
19 01 16	boiler dust other than those mentioned in 19 01 15
19 01 18	pyrolysis wastes other than those mentioned in 19 01 17
19 01 19	sands from fluidised beds
<b>19 02</b>	<b>wastes from physico/chemical treatments of waste (including dechromatation, decyanidation, neutralisation)</b>
19 02 03	premixed wastes composed only of non-hazardous wastes
19 02 06	sludges from physico/chemical treatment other than those mentioned in 19 02 05
19 02 10	combustible wastes other than those mentioned in 19 02 08 and 19 02 09
<b>19 03</b>	<b>stabilised/solidified wastes<sup>1</sup></b>
19 03 05	stabilised wastes other than those mentioned in 19 03 04
19 03 07	solidified wastes other than those mentioned in 19 03 06
<b>19 04</b>	<b>vitrified waste and wastes from vitrification</b>
19 04 01	vitrified waste
<b>19 05</b>	<b>wastes from aerobic treatment of solid wastes</b>
19 05 01	non-composted fraction of municipal and similar wastes
19 05 02	non-composted fraction of animal and vegetable waste
19 05 03	Off-specification compost

<sup>1</sup> Stabilisation processes change the dangerousness of the constituents in the waste and thus transform hazardous waste into non-hazardous waste. Solidification processes only change the physical state of the waste (e.g. liquid into solid) by using additives without changing the chemical properties of the waste.

<b>Table S2.1 Permitted waste types for disposal at a landfill for non-hazardous waste</b>	
<b>Waste code</b>	<b>Description</b>
<b>19 06</b>	<b>wastes from anaerobic treatment of waste</b>
19 06 04	digestate from anaerobic treatment of municipal waste
19 06 06	digestate from anaerobic treatment of animal and vegetable waste
<b>19 08</b>	<b>wastes from waste water treatment plants not otherwise specified</b>
19 08 01	screenings
19 08 02	waste from desanding
19 08 05	sludges from treatment of urban waste water
19 08 09	grease and oil mixture from oil/water separation containing only edible oil and fats
19 08 12	sludges from biological treatment of industrial waste water other than those mentioned in 19 08 11
19 08 14	sludges from other treatment of industrial waste water other than those mentioned in 19 08 13
<b>19 09</b>	<b>wastes from the preparation of water intended for human consumption or water for industrial use</b>
19 09 01	solid waste from primary filtration and screenings
19 09 02	sludges from water clarification
19 09 03	sludges from decarbonation
19 09 04	spent activated carbon
19 09 05	saturated or spent ion exchange resins
19 09 06	solutions and sludges from regeneration of ion exchangers
<b>19 10</b>	<b>wastes from shredding of metal-containing wastes</b>
19 10 01	iron and steel waste
19 10 02	non-ferrous waste
19 10 04	fluff-light fraction and dust other than those mentioned in 19 10 03
19 10 06	other fractions other than those mentioned in 19 10 05
<b>19 11</b>	<b>wastes from oil regeneration</b>
19 11 06	sludges from on-site effluent treatment other than those mentioned in 19 11 05
<b>19 12</b>	<b>wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified</b>
19 12 01	paper and cardboard
19 12 02	ferrous metal
19 12 03	non-ferrous metal
19 12 04	plastic and rubber
19 12 05	glass
19 12 07	wood other than that mentioned in 19 12 06
19 12 08	textiles
19 12 09	minerals (for example sand, stones)

<b>Table S2.1 Permitted waste types for disposal at a landfill for non-hazardous waste</b>	
<b>Waste code</b>	<b>Description</b>
19 12 10	combustible waste (refuse derived fuel)
19 12 12	other wastes (including mixtures of materials) from mechanical treatment of wastes other than those mentioned in 19 12 11
<b>19 13</b>	<b>wastes from soil and groundwater remediation</b>
19 13 02	solid wastes from soil remediation other than those mentioned in 19 13 01
19 13 04	sludges from soil remediation other than those mentioned in 19 13 03
19 13 06	sludges from groundwater remediation other than those mentioned in 19 13 05
<b>20</b>	<b>Municipal wastes (household waste and similar commercial, industrial and institutional wastes) including separately collected fractions</b>
<b>20 01</b>	<b>separately collected fractions (except 15 01)</b>
20 01 01	paper and cardboard
20 01 02	glass
20 01 08	biodegradable kitchen and canteen waste
20 01 10	clothes
20 01 11	textiles
20 01 25	edible oil and fat
20 01 28	paint, inks, adhesives and resins other than those mentioned in 20 01 27
20 01 30	detergents other than those mentioned in 20 01 29
20 01 36	discarded electrical and electronic equipment other than those mentioned in 20 01 21, 20 01 23 and 20 01 35
20 01 38	wood other than that mentioned in 20 01 37
20 01 39	plastics
20 01 40	metals
20 01 41	wastes from chimney sweeping
<b>20 02</b>	<b>garden and park wastes (including cemetery waste)</b>
20 02 01	biodegradable waste
20 02 02	soil and stones
20 02 03	other non-biodegradable wastes
<b>20 03</b>	<b>other municipal wastes</b>
20 03 01	mixed municipal waste
20 03 02	waste from markets
20 03 03	street-cleaning residues
20 03 04	septic tank sludge
20 03 06	waste from sewage cleaning
20 03 07	bulky waste

<b>Table S2.2 Permitted waste types for disposal in the stable non-reactive hazardous waste cell</b>	
<b>Waste code</b>	<b>Description</b>
<b>10</b>	<b>Wastes from thermal processes</b>
10 13	wastes from manufacture of cement, lime and plaster and articles and products made from them
10 13 09*	wastes from asbestos-cement manufacture containing asbestos
<b>16</b>	<b>Wastes not otherwise specified in the list</b>
<b>16 01</b>	<b>end-of-life vehicles from different means of transport (including off-road machinery) and wastes from dismantling of end-of-life vehicles and vehicle maintenance (except 13, 14, 16 06 and 16 08)</b>
16 01 11*	Brake pads containing asbestos
<b>17</b>	<b>Construction and demolition wastes (including excavated soil from contaminated sites)</b>
<b>17 06</b>	<b>insulation materials and asbestos-containing construction materials</b>
17 06 01*	insulation materials containing asbestos
17 06 05*	Construction material containing asbestos
<b>17 08</b>	<b>Gypsum-based construction wastes</b>
17 08 02	Gypsum based construction materials other than those mentioned in 17 08 01
<b>18</b>	<b>Wastes from human or animal health care and/or related research (except kitchen and restaurant wastes not arising from immediate health care)</b>
18 01	wastes from natal care, diagnosis, treatment or prevention of disease in humans
18 01 04	wastes whose collection and disposal is not subject to special requirements in order to prevent infection (for example plaster casts)
<b>19</b>	<b>Wastes from waste management facilities, off-site waste water treatment plants and the preparation of water intended for human consumption and water for industrial use</b>
<b>19 01</b>	<b>wastes from incineration or pyrolysis of waste</b>
19 01 17*	Pyrolysis wastes containing dangerous substances
<b>19 02</b>	<b>wastes from physico/chemical treatments of waste (including dechromatation, decyanidation, neutralisation)</b>
19 02 04	premixed wastes composed of at least one hazardous waste
19 02 05*	Sludges from physic/chemical treatment containing dangerous substances
19 02 11*	Other wastes containing dangerous substances
<b>19 03</b>	<b>stabilised/solidified wastes<sup>2</sup></b>
19 03 06*	Wastes marked as hazardous, solidified
<b>19 08</b>	<b>wastes from waste water treatment plants not otherwise specified</b>
19 08 06*	Saturated or spent ion exchange resins

Stabilisation processes change the dangerousness of the constituents in the waste and thus transform hazardous waste into non-hazardous waste. Solidification processes only change the physical state of the waste (e.g. liquid into solid) by using additives without changing the chemical properties of the waste.

Table S2.3 Permitted waste types for restoration	
Waste code	Description
<b>01</b>	<b>Wastes resulting from exploration, mining, quarrying, and physical and chemical treatment of minerals</b>
<b>01 01</b>	<b>Wastes from mineral extraction</b>
01 01 02	Wastes from non-metalliferous extraction
<b>01 04</b>	<b>wastes from physical and chemical processing of non-metalliferous minerals</b>
01 04 08	waste gravel and crushed rocks other than those mentioned in 01 04 07
01 04 09	waste sand and clays
<b>02</b>	<b>Wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing, food preparation and processing</b>
<b>02 04</b>	<b>wastes from sugar processing</b>
02 04 01	soil from cleaning and washing beet
<b>17</b>	<b>Construction and demolition wastes (including excavated soil from contaminated sites)</b>
<b>17 05</b>	<b>soil (including excavated soil from contaminated sites), stones and dredging spoil</b>
17 05 04	soil and stones other than those mentioned in 17 05 03
<b>19</b>	<b>Wastes from waste management facilities, off-site waste water treatment plants and the preparation of water intended for human consumption and water for industrial use</b>
<b>19 08</b>	<b>wastes from waste water treatment plants not otherwise specified</b>
19 08 02	Washed sewage grit (waste from desanding) only
<b>19 09</b>	<b>wastes from the preparation of water intended for human consumption or water for industrial use</b>
19 09 02	sludges from water clarification
<b>19 12</b>	<b>wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified</b>
19 12 12	Soil substitutes other than those containing dangerous substances only
<b>20</b>	<b>Municipal wastes (household waste and similar commercial, industrial and institutional wastes) including separately collected fractions</b>
<b>20 02</b>	<b>garden and park wastes (including cemetery waste)</b>
20 02 02	soil and stones

Table S2.4 Permitted waste types accepted for treatment	
Waste code	Description
<b>Maximum quantity</b>	<b>36,500 tonnes per annum</b>
<b>19</b>	<b>Wastes from waste management facilities, off-site waste water treatment plants and the preparation of water intended for human consumption and water for industrial use</b>
<b>19 07</b>	<b>landfill leachate</b>
19 07 03	landfill leachate other than those mentioned in 19 07 02

## Schedule 3 – Emissions and monitoring

Table S3.1 Leachate level limits and monitoring requirements			
Monitoring point reference / description	Limit	Monitoring frequency	Monitoring standard and method
Operational Cells or Phases (Any cells or phases that do not have a final engineered cap agreed in accordance with the landfill engineering condition, 2.5)			
Leachate monitoring wells in Cells 1 and 2 as shown on drawing number 1184.06 (dated 16/09/11).	83m AOD  2m below the level of the surrounding groundwater during the post-closure period	Monthly	As specified in Environment Agency Guidance LFTGN02 (February 2003) or such other subsequent guidance as may be agreed in writing with the Environment Agency. Or as otherwise agreed with the Agency as part of a leachate monitoring plan.
Leachate monitoring wells in Cells 3 and 4 as shown on drawing number 1184.06 (dated 16/09/11).	1m above the surface of the basal seal during the operational phase  2m below the level of the surrounding groundwater during the post-closure period	Monthly	
Non Operational Cells or Phases (Any cells or phases that have a final engineered cap agreed in accordance with the landfill engineering condition, 2.5)			
-	-	Quarterly	As specified in Environment Agency Guidance LFTGN02 (February 2003) or such other subsequent guidance as may be agreed in writing with the Environment Agency. Or as otherwise agreed with the Agency as part of a leachate monitoring plan.

Table S3.2 Point source emissions to air – emission limits and monitoring requirements						
Emission point ref. & location	Parameter	Source	Limit (including unit)	Reference Period	Monitoring Frequency	Monitoring Standard or Method
Landfill gas engines A1, A2 and A4 as shown on Drawing 1695.VAR.06 (dated 12/12/2013)	Oxides of Nitrogen	Gas utilisation plant	500 mg/m <sup>3</sup>	Hourly mean	Annually	As per M2 or such other subsequent guidance as may be agreed in writing with the Environment Agency
	CO		1400 mg/m <sup>3</sup>			
	Total VOCs		1000 mg/m <sup>3</sup>			
Fixed gas flare A3 as shown on Drawing 1695.VAR.06 (dated 12/12/2013)	Oxides of Nitrogen	Landfill Gas Flares	150 mg/m <sup>3</sup>	Hourly mean	Annually	As per M2 or such other subsequent guidance as may be agreed in writing with the Environment Agency. Monitoring is unnecessary where the flare is active for <10% of the year.
	CO		50 mg/m <sup>3</sup>			
	Total VOCs		10 mg/m <sup>3</sup>			
Mobile gas flare or flares at a location to be agreed with the Agency.	Oxides of Nitrogen	Landfill Gas Flares	150 mg/m <sup>3</sup>	Hourly mean	Annually	As per M2 or such other subsequent guidance as may be agreed in writing with the Environment Agency. Monitoring is unnecessary where the flare is active for <10% of the year.
	CO		50 mg/m <sup>3</sup>			
	Total VOCs		10 mg/m <sup>3</sup>			



Table S3.3 Point source emissions to water (other than sewer) – emission limits and monitoring requirements						
Emission point ref. & location	Parameter	Source	Limit (incl unit)	Reference Period	Monitoring Frequency	Monitoring Standard or Method
Discharge1 to the Silverdale Brook as shown in figure 12 of the working plan	Suspended Solids	Surface water and groundwater drainage	50 mg/l		Monthly	Laboratory testing
	Visible oil		none visible		Daily	
	Turbidity (expressed in Nephelometric Turbidity Units)		60		Monthly	
	pH		6-9		Monthly	
	Maximum daily volume *		4,000 m³/d		Daily	
	Maximum rate of discharge*		50 l/s 25 l/s during flood warnings		Daily	
	Ammoniacal Nitrogen expressed as N		No limit set		Weekly	
Discharge 2 to an un-named tributary of the Silverdale Brook as shown in figure 12 of the working plan	Suspended Solids	Surface water and groundwater drainage	50 mg/l		Monthly	Laboratory testing
	Visible oil		None visible		Daily	
	Turbidity (expressed in Nephelometric Turbidity Units)		60		Monthly	
	pH		6-9		Monthly	
	Maximum daily volume *		4,000 m³/d		Daily	
	Maximum rate of discharge*		50 l/s 25 l/s during flood warnings		Daily	
	Ammoniacal Nitrogen expressed as N		No limit set		Weekly	
* rates of discharge to apply to either discharge point or, where both are used simultaneously, the combined total discharge shall not exceed 4,000 cubic metres a day and 50 litres a second (25 litres a second during flood warnings)						

Table S3.4 Groundwater – emission limits and monitoring requirements					
Monitoring point reference	Parameter	Limit (including unit)	Reference Period	Monitoring frequency	Monitoring standard or method
Downstream groundwater monitoring point labelled as 'Pumped groundwater discharge in lagoon – groundwater compliance point' on drawing number 1184.06 (dated 16/09/11)	Ammoniacal nitrogen	0.5mg/l	Spot Sample	Quarterly	As specified in Environment Agency Guidance LFTGN02 'Monitoring of Landfill Leachate, Groundwater and Surface Water' (February 2003), <u>risk assessments for your environmental permit (www.gov.uk)</u> or such other subsequent guidance as may be agreed in writing with the Environment Agency
	Chloride	250mg/l			
	Mercury	0.0001mg/l			
	Nickel	0.05mg/l			
	Phenol	0.03mg/l			
	Mecoprop	0.0016mg/l	Spot Sample	Annually if detected in leachate	
	Tributyltin	0.00002mg/l			
	Xylene	0.003mg/l			

Table S3.5 Landfill gas in external monitoring boreholes – limits and monitoring requirements				
Monitoring point ref. / description	Parameter	Limit (including units)	Monitoring frequency	Monitoring standard or method
Landfill gas monitoring points shown in figure 14 of the working plan.	Methane	1 %v/v	Monthly	As per LFTGN03 (September 2004) or such other subsequent guidance as may be agreed in writing with the Environment Agency.  Record whether the ground is: waterlogged frozen snow covered
	Carbon Dioxide	7% v/v		
	Oxygen	[no limit]		
	Atmospheric pressure	[no limit]		
	Differential pressure	[no limit]		

**Table S3.6 Point source emissions to sewer, effluent treatment plant or by tankering or other transfer off-site – emission limits and monitoring requirements**

Emission point ref. & location	Parameter	Source	Limit (including unit)	Reference Period	Monitoring Frequency	Monitoring Standard or Method
Emission point to sewer S1 shown in site layout plan 1695.VAR.03 submitted with application EPR/BR9677IT/V007	-	Site leachate treatment plant	No limit set	-	-	-

**Table S3.7 Particulate matter in ambient air - monitoring requirements**

Monitoring point ref. / description	Parameter	Limit	Reference Period	Monitoring Frequency	Monitoring Standard or Method
20m downwind of asbestos disposal cell	Asbestos Fibres	Where total fibre concentration exceeds 0.01 fibres/ ml in any sample, that sample must be submitted for electron microscopy to confirm the concentration of asbestos fibres present	2 hours	Twice per year or every 5000 tonnes asbestos deposited, whichever is greater.	While asbestos is being deposited. <ul style="list-style-type: none"> <li>Pumped sampling</li> <li>1m above ground level</li> <li>Flow rate = 4 litres/ minute</li> <li>Minimum sample volume = 480 litres</li> <li>Filter pore size = 1.2µm</li> </ul> Asbestos fibre limit of detection = 0.001 fibres/ ml
50m upwind of asbestos disposal cell	Asbestos Fibres		2 hours	During all downwind monitoring	
Site boundary downwind of asbestos disposal cell	Asbestos Fibres		2 hours	Minimum twice per year.	

Table S3.8 Landfill gas emissions from capped surfaces for cells that have accepted non-hazardous biodegradable waste – monitoring requirements			
Monitoring point ref. / description	Parameter	Monitoring frequency	Monitoring Standard or method
Permanently capped zone	Methane concentration	Every 12 months	As per LFTGN 07 (v2 2010) or such other subsequent guidance as may be agreed in writing with the Environment Agency.
Temporarily capped zone	Methane concentration	Every 12 months	As per LFTGN 07 (v2 2010) or such other subsequent guidance as may be agreed in writing with the Environment Agency.
Whole site	Total Methane emission	As agreed with the Environment Agency	As per LFTGN 07 (v2 2010) or such other subsequent guidance as may be agreed in writing with the Environment Agency.
Uncapped areas	Methane concentration	Every 12 months	As agreed with the Environment Agency based on the wording of revised LFTGN 07 or landfill sector guidance or such other subsequent guidance as may be agreed in writing with the Environment Agency.

Table S3.9 Groundwater – other monitoring requirements			
Monitoring point ref. / description	Parameter	Monitoring frequency	Monitoring standard or method
Up gradient MEPP	Water level, electrical conductivity, chloride, ammoniacal nitrogen, pH,	Quarterly	As specified in Environment Agency Guidance LFTGN02 'Monitoring of Landfill Leachate, Groundwater and Surface Water' (February 2003), <u><a href="http://www.gov.uk">risk assessments for your environmental permit (www.gov.uk)</a></u> or such other subsequent guidance as may be agreed in writing with the Environment Agency
	total alkalinity, magnesium, potassium, total sulphates, calcium, sodium, chromium, copper, iron, lead, nickel, zinc, manganese	Annually	
	Hazardous substances	Annually for first six years of operation	

Down or cross gradient MEPP	Water level, electrical conductivity, chloride, ammoniacal nitrogen, pH,	Quarterly	As specified in Environment Agency Guidance LFTGN02 'Monitoring of Landfill Leachate, Groundwater and Surface Water' (February 2003), <u><a href="#">risk assessments for your environmental permit (www.gov.uk)</a></u> or such other subsequent guidance as may be agreed in writing with the Environment Agency
	total alkalinity, magnesium, potassium, total sulphates, calcium, sodium, chromium, copper, iron, lead, nickel, zinc, manganese	Annually	
	Hazardous substances detected in leachate	Annually for first six years of operation then every two years	After the initial 6 year monitoring period for hazardous substances, if the results of quarterly or annual monitoring suggest an increase in contamination, the operator shall also undertake a full leachate hazardous substances screen.
MEPP	Base of monitoring point (mAoD)	Annually	

Table S3.10 Landfill gas – other monitoring requirements				
Monitoring point ref. / description	Parameter	Monitoring frequency	Monitoring standard or method	Other specifications
In waste gas monitoring boreholes or sealed leachate wells or sacrificial gas extraction system[in cells for non-hazardous waste	Methane Carbon Dioxide Oxygen Carbon Monoxide Differential pressure Atmospheric pressure	Monthly until gas extraction commences	Calibrated handheld monitoring instrument	For cells or phases which have no active gas extraction.  Gas extraction system shall be installed and extraction commenced once monitoring shows onset of methane production in waste at a rate that can be sustainably extracted.  Once gas extraction has commenced in a particular cell or phase, there is no longer a requirement to carry out this monitoring.

Table S3.10 Landfill gas – other monitoring requirements				
Monitoring point ref. / description	Parameter	Monitoring frequency	Monitoring standard or method	Other specifications
	Hydrogen Sulphide	Quarterly	Calibrated handheld monitoring instrument or Tedlar Bag sample in accordance with LFTGN04 (version 3 dated 2010) or other such subsequent guidance as may be agreed in writing with the Environment Agency or a method agreed with the Environment Agency.	<p>For cells or phases which have no active gas extraction.</p> <p>Once gas extraction has commenced in a particular cell or phase, there is no longer a requirement to carry out this monitoring.</p> <p>Concentrations of hydrogen sulphide shall be assessed in accordance with the gas and odour management plans</p>
One in waste borehole per cell and / or leachate wells for separate cells for stable non-reactive hazardous waste, asbestos or gypsum on landfills for non-hazardous waste	Methane Carbon Dioxide Oxygen Carbon Monoxide Differential pressure Atmospheric pressure	Monthly		
	Hydrogen Sulphide Hydrogen	Quarterly	Calibrated handheld monitoring instrument or Tedlar Bag sample in accordance with LFTGN04 (version 3 dated 2010) or other such subsequent guidance as may be agreed in writing with the Environment Agency or a method agreed with the Environment Agency.	Concentrations of hydrogen sulphide shall be assessed in accordance with the gas and odour management plans

Table S3.10 Landfill gas – other monitoring requirements				
Monitoring point ref. / description	Parameter	Monitoring frequency	Monitoring standard or method	Other specifications
One in waste borehole or one leachate well per cell for stable non-reactive hazardous waste, asbestos or gypsum on landfills for non-hazardous waste	Trace gas	Annually	Trace gas analysis in accordance with LFTGN04 (version 3 dated 2010) or a trace gas characterisation method agreed with the Environment Agency or such other subsequent guidance as may be agreed in writing with the Environment Agency	The concentration of trace gas components shall be assessed against the assumptions made in the Landfill gas risk assessment and dispersion modelling.
Gas collection system at well control valve, manifolds (if applicable) and strategic points on gas system	Methane Carbon Dioxide Oxygen Carbon Monoxide Atmospheric pressure Gas flow rate or suction % Balance Gas (calculated as the difference between the sum of measured gases and 100%)	Monthly or at such other frequency as may be agreed in writing with the Environment Agency.	Calibrated handheld monitoring instrument	Where the oxygen concentration exceeds 5% or the % balance gas is greater than 20% an assessment of air ingress into the system shall be undertaken. Where the concentration of carbon monoxide exceeds 100ppm then further investigation shall be undertaken. Record the ambient air temperature and whether the ground is: waterlogged frozen snow covered
Gas collection system at well control valve	Hydrogen Sulphide	Six monthly	Calibrated handheld monitoring instrument or Tedlar Bag sample in accordance with LFTGN04 (version 3 dated 2010) or other such subsequent guidance as may be agreed in writing with the Environment Agency or a method agreed with the Environment Agency.	Concentrations of hydrogen sulphide shall be assessed in accordance with the gas and odour management plans

Table S3.10 Landfill gas – other monitoring requirements				
Monitoring point ref. / description	Parameter	Monitoring frequency	Monitoring standard or method	Other specifications
Input to flare or LFG Utilisation Compound	Trace gas	Annually	Trace gas analysis in accordance with LFTGN04 (version 3 dated 2010) or such other subsequent guidance as may be agreed in writing with the Environment Agency [or a trace gas characterisation method agreed with the Environment Agency].	The concentration of trace gas components shall be assessed against the assumptions made in the Landfill gas risk assessment and dispersion modelling.
Input to flare or LFG Utilisation Compound	Methane Carbon Dioxide Oxygen Gas flow rate Suction % Balance Gas (calculated as the difference between the sum of measured gases and 100%)	Weekly		Where the oxygen concentration exceeds 5% or the % balance gas is greater than 20% an assessment of air ingress into the system shall be undertaken.
Fixed gas flare A3 as shown on Drawing 1695.VAR.06 (dated 12/12/2013)	Temperature	As per LFTGN05 (Version 2, 2010) or such other subsequent guidance as may be agreed in writing with the Environment Agency.	As per M2 or such other subsequent guidance as may be agreed in writing with the Environment Agency.	



<b>Table S3.10 Landfill gas – other monitoring requirements</b>				
<b>Monitoring point ref. / description</b>	<b>Parameter</b>	<b>Monitoring frequency</b>	<b>Monitoring standard or method</b>	<b>Other specifications</b>
Mobile gas flare or flares at a location to be agreed with the Agency.	Temperature	As per LFTGN05 (Version 2, 2010) or such other subsequent guidance as may be agreed in writing with the Environment Agency.	As per M2 or such other subsequent guidance as may be agreed in writing with the Environment Agency.	
Landfill gas engines A1, A2 and A4 as shown on Drawing 1695.VAR.06 (dated 12/12/2013)	NOx and CO	Quarterly	In accordance with Appendix C of LFTGN08, (Version 2, 2010) or such other subsequent guidance as may be agreed in writing with the Environment Agency.	Where monitoring using hand-held, electrochemical equipment indicates an exceedance of the emissions standards specified in table S3.2, these shall be used as action levels and the operator shall investigate the cause and take appropriate measures to reduce emissions.

Table S3.11 Leachate – other monitoring requirements				
Monitoring point reference or description	Parameter	Monitoring frequency	Monitoring standard or method	Other specifications
<b>Operational Cells or Phases</b> <b>(Any cell or phases that do not have a final engineered cap agreed in accordance with condition 2.5)</b>				
MEPP	pH, EC, total alkalinity, ammoniacal nitrogen, Chloride, COD, BOD, cadmium, chromium, copper, lead, nickel, iron, arsenic, magnesium, potassium, total sulphates, calcium, sodium, zinc, manganese	Quarterly	At leachate compliance points as listed in table S3.1.  As specified in Environment Agency Guidance LFTGN02 'Monitoring of Landfill Leachate, Groundwater and Surface Water' (February 2003), <u>risk assessments for your environmental permit (www.gov.uk)</u> , or such other subsequent guidance as may be agreed in writing with the Environment Agency	None
MEPP	Hazardous substances	Annually		
MEPP	Depth to base (mAOD)	Annually		
<b>Non Operational Cells or Phases</b> <b>(Any cell or phases that have a final engineered cap agreed in accordance with condition 2.5)</b>				
MEPP	pH, EC, total alkalinity, ammoniacal nitrogen, Chloride, COD, BOD, cadmium, chromium, copper, lead, nickel, iron, arsenic, magnesium, potassium, total sulphates, calcium, sodium, zinc, manganese	Annually	At leachate compliance points as listed in table S3.1.  As specified in Environment Agency Guidance LFTGN02 'Monitoring of Landfill Leachate, Groundwater and Surface Water' (February 2003), <u>risk assessments for your environmental permit (www.gov.uk)</u> , or such other subsequent guidance as may be agreed in writing with the Environment Agency	None
MEPP	Hazardous substances	Once every four years		
MEPP	Depth to base (mAOD)	Annually		

Table S3.12 Surface water – other monitoring requirements				
Monitoring point ref. / description	Parameter	Monitoring frequency	Monitoring standard or method	Other specifications
MEPP	Ammoniacal Nitrogen Chloride Electrical conductivity pH Suspended solids Visual Oil and Grease	Monthly	Spot sample	As specified in Environment Agency Guidance LFTGN02 'Monitoring of Landfill Leachate, Groundwater and Surface Water' (February 2003), <u>risk assessments for your environmental permit</u> ( <a href="http://www.gov.uk">www.gov.uk</a> ) or such other subsequent guidance as may be agreed in writing with the Environment Agency.

Table S3.13 Ambient air – other monitoring requirements				
Monitoring point ref. / description	Parameter	Monitoring frequency	Monitoring standard or method	Other specifications
MEPP	Hydrogen sulphide Volatile organic carbon	Monthly	Spot sample	

## Schedule 4 – Reporting

Parameters, for which reports shall be made, in accordance with conditions of this permit, are listed below.

<b>Table S4.1 Reporting of monitoring data</b>		
<b>Parameter</b>	<b>Reporting period</b>	<b>Period ends</b>
Leachate and / or groundwater level As specified by schedule 3, table S3.1	Every 3 months	31 March, 30 June, 30 September, 31 December
Point source emission to air As specified by schedule 3, table S3.2	Every 12 months	31 December
Point source emission to water (other than sewer) As specified by schedule 3, table S3.3	Every 3 months	31 March, 30 June, 30 September, 31 December
Emission to groundwater As specified by schedule 3, table S3.4	Every 3 months	31 March, 30 June, 30 September, 31 December
Landfill gas in external monitoring boreholes As specified by schedule 3, table S3.5	Every 3 months	31 March, 30 June, 30 September, 31 December
Particulate matter in ambient air. As required by schedule 3, table S3.7	Every 6 months	30 June, 31 December
Emission of landfill gas from capped surfaces As specified by schedule 3, table S3.8	Every 12 months	31 December
Other groundwater monitoring As specified by schedule 3, table S3.9	Every 3 months	31 March, 30 June, 30 September, 31 December
Other Landfill gas monitoring As specified by schedule 3, table S3.10	Every 3 months	31 March, 30 June, 30 September, 31 December
Trace gas monitoring	Every 12 months	31 December
Other leachate monitoring As specified by schedule 3, table S3.11	Every 12 months	31 December
Other surface water monitoring As specified by schedule 3, table S3.12	Every 12 months	31 December
Meteorological data Landfill Directive, annex III, section 2	Every 12 months	31 December

\* - where the reporting period is 12 months, you may submit this information as part of the 'annual report' required by condition 4.2.2.

<b>Table S4.2: Annual production/treatment</b>	
Leachate: Disposed of off-site; Disposed of to any onsite effluent treatment plant; Recirculated into the waste mass.	Cubic metres/year
Landfill gas: combustion in flares; combustion in gas engines; Other methods of gas utilisation. Average methane content entering the landfill gas utilisation or treatment compound (based on the annual average of Table S3.10 monitoring) Methane generation rate (50%ile from a representative model)	Normalised cubic metres/year  % methane v/v  m3 /hr

<b>Table S4.3 Performance Parameters</b>			
<b>Parameter</b>	<b>Frequency of assessment</b>	<b>Annual total</b>	<b>Unit</b>
Energy used (including for leachate treatment)	Annually		MWh of electricity or natural gas

<b>Table S4.4 Reporting Forms</b>		
<b>Media/parameter</b>	<b>Reporting Format</b>	<b>Date of Form</b>
Leachate	Form Leachate 1 or other reporting format to be agreed in writing with the Environment Agency	01/01/2015
Air	Form Air 1 or other reporting format to be agreed in writing with the Environment Agency	01/01/2015
Controlled water	Form Water 1 or other reporting format to be agreed in writing with the Environment Agency	01/01/2015
Groundwater	Form Groundwater 1 or other reporting format to be agreed in writing with the Environment Agency	01/01/2015
Sewer	Form Sewer 1 or other reporting format to be agreed in writing with the Environment Agency	01/01/2015
Landfill gas	Form LFG 1 or other reporting format to be agreed in writing with the Environment Agency	01/01/2015
Particulate matter	Form Particulate 1 or other reporting format to be agreed in writing with the Environment Agency	01/01/2015
Waste Return	Waste Return Form RATS2E	01/01/2015
Landfill topographical surveys and interpretation	Reporting format to be agreed in writing with the Environment Agency	01/01/2015

## Schedule 5 – Notification

This page outlines the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

If any information is considered commercially confidential, it should be separated from non-confidential information, supplied on a separate sheet and accompanied by an application for commercial confidentiality under the provisions of the EP Regulations.

### Part A

Permit Number	
Name of operator	
Location of Facility	
Time and date of the detection	

<b>(a) Notification requirements for any incident or accident which significantly affects or may significantly affect the environment</b>	
<b>To be notified within 24 hours of detection</b>	
Date and Time of the event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances(s) potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken, or intended to be taken, to stop any emission	
Description of the failure or accident.	

<b>(b) Notification requirements for the breach of a limit</b>	
<b>To be notified within 24 hours of detection unless otherwise specified below</b>	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value and uncertainty	
Date and time of monitoring	

<b>(b) Notification requirements for the breach of a limit</b>	
<b>To be notified within 24 hours of detection unless otherwise specified below</b>	
Measures taken, or intended to be taken, to stop the emission	

<b>Time periods for notification following detection of a breach of a limit</b>	
<b>Parameter</b>	<b>Notification period</b>

<b>(c) Notification requirements in the event of a breach of permit condition which poses an immediate danger to human health or threatens to cause an immediate significant adverse effect on the environment</b>	
<b>To be notified within 24 hours of detection</b>	
Description of where the effect on the environment was detected	
Substances(s) detected	
Concentrations of substances detected	
Date of monitoring/sampling	

## Part B to be supplied as soon as practicable

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission	
The dates of any unauthorised emissions from the facility in the preceding 24 months.	

<b>Name*</b>	
<b>Post</b>	
<b>Signature</b>	
<b>Date</b>	

\* authorised to sign on behalf of the operator

## Schedule 6 – Interpretation

“accident” means an accident that may result in pollution.

“annually” means once every year.

“application” means the application for this permit, together with any additional information supplied by the operator as part of the application and any response to a notice served under Schedule 5 to the EP Regulations.

“authorised officer” means any person authorised by the Environment Agency under section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in section 108(4) of that Act.

“background concentration” means such concentration of that substance as is present in:

- For emissions to surface water, the surface water quality up-gradient of the site; or
- For emissions to sewer, the surface water quality up-gradient of the sewage treatment works discharge; or
- For emissions of landfill gas, the ground or air outside the site and not attributable to the site.

“cell layout drawing” means:

- (a) A drawing or drawings of the proposed new cell that illustrate(s) in sufficient detail:
  - (i) the location of the new cell on the site;
  - (ii) the proposed level (Above Ordnance Datum) of the base of the excavation;
  - (iii) the proposed finished levels of all containment and leachate drainage layers;
  - (iv) the positions of leachate management infrastructure; and
  - (v) the positions of landfill gas infrastructure (if appropriate).
- (b) A detailed written explanation of any minor design changes from the most recently approved cell that result from the new cell layout. This would include, for example:
  - (i) changes to slope length and gradient within the cell;
  - (ii) new leachate or landfill gas infrastructure construction design;
  - (iii) slope stability issues such as new basal excavation level; and/or
  - (iv) depth of waste.

“construction Proposals” means written information, at a level of detail appropriate to the complexity and pollution risk, on the design, specifications of materials selected, stability assessment (where relevant) and the construction quality assurance (CQA) programme in relation to the New Cell or Landfill Infrastructure.

“CQA Validation Report” means the final “as built” construction and engineering details of the New Cell or of the Landfill Infrastructure. It must provide a comprehensive record of the construction and must include, where relevant:

- The results of all testing required by the CQA programme - this must include the records of any failed tests with a written explanation, details of the remedial action taken, referenced to the appropriate secondary testing;
- Plans showing the location of all tests;
- “As-built” plans and sections of the works;
- Copies of the site engineer’s daily records;



- Records of any problems or non-compliances and the solution applied;
- Any other site specific information considered relevant to proving the integrity of the New Cell or Landfill Infrastructure;
- Validation by a qualified person that all of the construction has been carried out in accordance with the Construction Proposals.

“emissions to land” includes emissions to groundwater.

“EP Regulations” means The Environmental Permitting (England and Wales) Regulations 2016, SI 2016 No.1154 and words and expressions used in this permit which are also used in those Regulations have the same meanings as in those Regulations.

“emissions of substances not controlled by emission limits” means emissions of substances to air, water or land from the activities, either from the emission points specified in schedule 3 or from other localised or diffuse sources, which are not controlled by an emission or background concentration limit.

“exceeded” means that a value is above a permitted limit, or where a range of values or a minimum value is set as a permitted limit it means a value outside that range or below the minimum value, whichever is applicable.

“groundwater” means all water, which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil.

“hazardous substances” as defined by the Environmental Permitting (England and Wales) Regulations 2016, SI 2016 No.1154, schedule 22 and listed in our Hydrogeological risk assessment guidance.

“inert waste” means waste that does not undergo any significant physical, chemical or biological transformations. Inert waste will not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm human health. The total leachability and pollutant content of the waste and the ecotoxicity of the leachate must be insignificant, and in particular not endanger the quality of surface water and/or groundwater

“landfill Infrastructure” means any specified element of the:

- permanent capping;
- temporary capping (i.e. engineered temporary caps not cover materials);
- leachate abstraction systems;
- leachate transfer, treatment and storage systems;
- surface water drainage systems;
- leachate monitoring wells;
- groundwater monitoring boreholes;
- landfill gas monitoring boreholes;
- landfill gas management systems;
- lining within the installation.

within the site.

“LFTGN 05” means Environment Agency Guidance for monitoring enclosed landfill gas flares.

“LFTGN 07” means Environment Agency Guidance on monitoring landfill gas surface emissions.

“LFTGN 08” means Environment Agency Guidance for monitoring landfill gas engines.

“liquids” means any liquid other than leachate within the engineered landfill containment system.

“List of Wastes” means the list of wastes established by Commission Decision 2000/532/EC replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on

waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste, as amended from time to time.

“M2” means Environment Agency Guidance Monitoring of stack emissions to air.

“MCERTS” means the Environment Agency’s Monitoring Certification Scheme.

“medicinal product” means any medicine licensed by the Medicines and Healthcare products Regulatory Agency (MHRA) or their predecessors under the Medicines Act 1968, section 130.

“MEPP” Monitoring and extraction point plan, required by condition 4.2.2(h) to specify extraction points and routine monitoring locations.

“new cell” means any new cell, part of a cell or other similar new area of the site where waste deposit is to commence after issue of this permit and can comprise:

- groundwater under-drainage system;
- permanent geophysical leak location system;
- leak detection layer;
- sub-grade;
- barriers;
- liners;
- leachate collection system;
- leachate abstraction system;
- separation bund/layer;
- cell or area surface water drainage system;
- side wall subgrade and containment systems;

for the New Cell.

“no impact” means that the change made to the construction process will not affect the agreed design criteria, specification or performance in a way that has a negative effect.

“pests” means Birds, Vermin and Insects.

“previous year” means the 12 month period preceding the month the annual report is submitted in.

“quarter” means a calendar year quarter commencing on 1 January, 1 April, 1 July or 1 October.

“relevant waste acceptance procedures” means the procedure for the acceptance of waste at landfills and the associated sampling and test methods specified in the Council Decision Annex (2003/33/EC, European Council of 19 December 2002).

“relevant waste acceptance criteria” means the waste acceptance criteria and the associated sampling and test methods specified in the Council Decision Annex (2003/33/EC, European Council of 19 December 2002).

“review of the Hydrogeological Risk Assessment” means a written review of the hydrogeological risk assessment included in the Application, together with any other parts of the Application that addressed the requirements of the EP Regulations. The review shall assess whether the activities of disposal or tipping for the purpose of disposal of waste authorised by the permit continue to meet the requirements of the EP Regulations.

‘sustainably extracted’ means where suction can be applied to the extraction wells such that a flow rate of landfill gas, with a methane content capable of either being combusted, or treated by bio-oxidation, can be extracted without increasing the risk of air ingress to the waste or inducing aerobic degradation within the waste.

‘waste code’ - See ‘List of Wastes’.

“WFD” means Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste [and repealing certain Directives] – the Waste Framework Directive.

Unless otherwise stated, any references in this permit to concentrations of substances in emissions into air means the standards included in Environment Agency Guidance for Monitoring Enclosed Landfill Gas Flares LFTGN 05 or Guidance for Monitoring Landfill Gas Engine Emissions LFTGN 08.

Where the following terms appear in the waste code list in Table S2.2, S2.3 and S2.4 they have the meaning given below:

‘hazardous substance’ means a substance classified as hazardous as a consequence of fulfilling the criteria laid down in parts 2 to 5 of Annex I to Regulation (EC) No 1272/2008;

‘heavy metal’ means any compound of antimony, arsenic, cadmium, chromium (VI), copper, lead, mercury, nickel, selenium, tellurium, thallium and tin, as well as these materials in metallic form, as far as these are classified as hazardous substances;

‘polychlorinated biphenyls and polychlorinated terphenyls’ (‘PCBs’) means PCBs as defined in Article 2(a) of Council Directive 96/59/EC’.

Article 2(a) says that ‘PCBs’ means:

- polychlorinated biphenyls
- polychlorinated terphenyls
- monomethyl-tetrachlorodiphenyl methane, Monomethyl-dichloro-diphenyl methane, Monomethyldibromo-diphenyl methane
- any mixture containing any of the above mentioned substances in a total of more than 0,005 % by weight;

‘transition metals’ means any of the following metals: any compound of scandium, vanadium, manganese, cobalt, copper, yttrium, niobium, hafnium, tungsten, titanium, chromium, iron, nickel, zinc, zirconium, molybdenum and tantalum, as well as these materials in metallic form, as far as these are classified as hazardous substances;

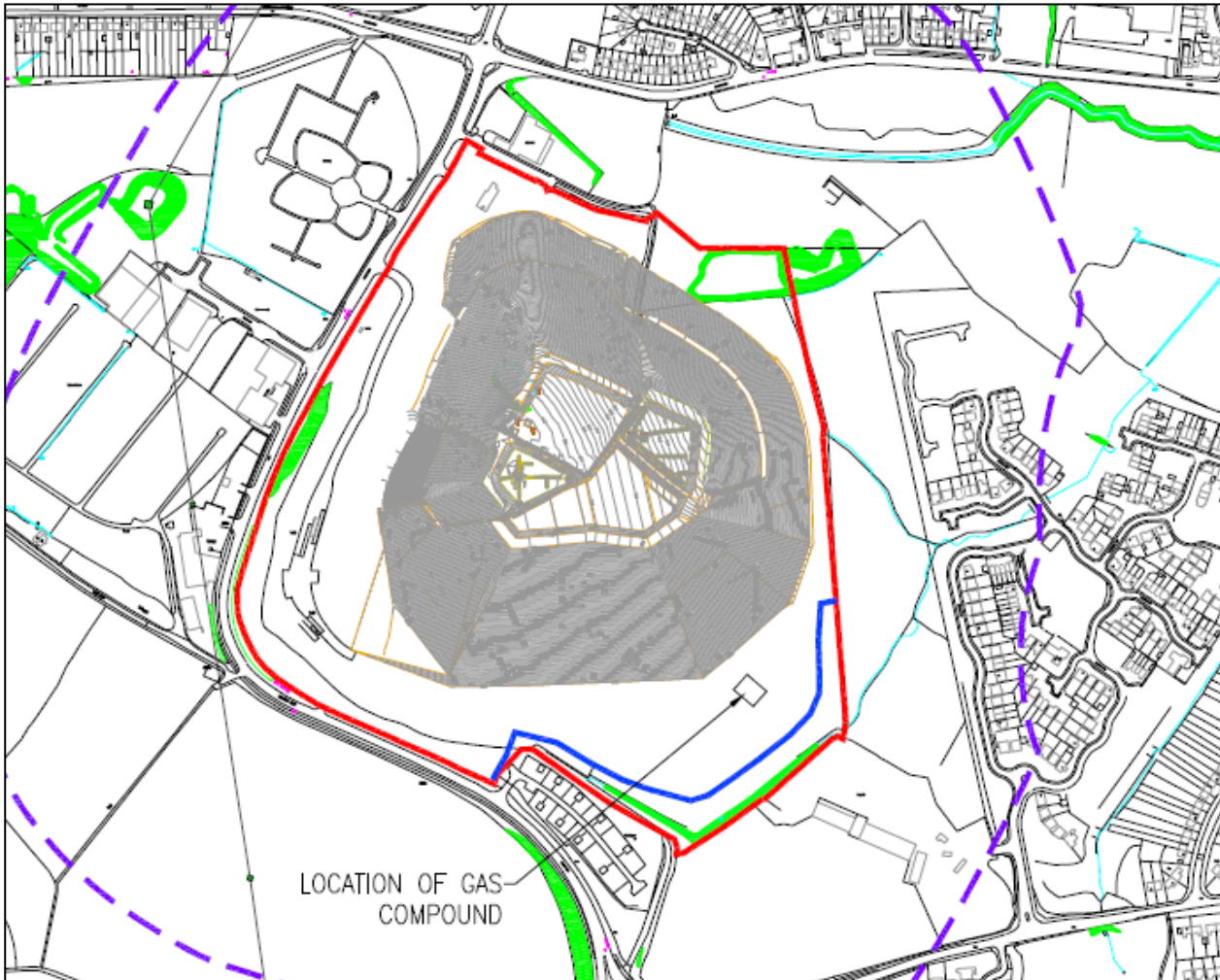
‘stabilisation’ means processes which change the hazardousness of the constituents in the waste and transform hazardous waste into non-hazardous waste;

‘solidification’ means processes which only change the physical state of the waste by using additives without changing the chemical properties of the waste;

‘partly stabilised wastes’ means wastes containing, after the stabilisation process, hazardous constituents which have not been changed completely into non-hazardous constituents and could be released into the environment in the short, middle or long term.

## Schedule 7 – Site plan

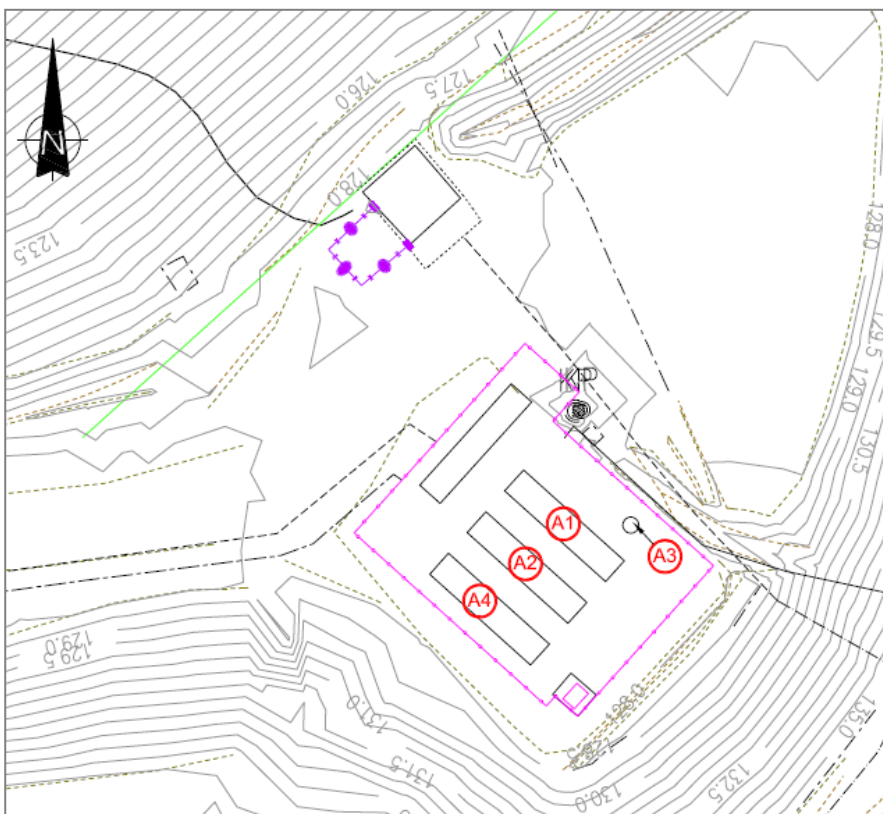
Installation boundary plan



## Leachate treatment plant location plan



## Gas management compound layout plan



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**EEL.7268.R03.003**

**RED INDUSTRIES LIMITED**

**WALLEYS QUARRY LANDFILL SITE**

**ODOUR MANAGEMENT PLAN**

**OCTOBER 2019**

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**Prepared for**  
**Red Industries Limited**



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### **Document Review**

<b>Version No.</b>	<b>Date of Review</b>	<b>Prepared By</b>	<b>Reviewed By</b>	<b>Approved By</b>
1.0	27/07/2018	Anna Cole	Dave Wolstencroft	
1.1	30/07/2018	Anna Cole	Client review	
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<b>Appendix 2</b>	<b>Odour Survey Proforma</b>

## 1.0 INTRODUCTION

This document outlines the system and operational procedures which Red Industries Ltd (the Site Operator) use to prevent and otherwise minimise potential odorous emissions from Walleys Quarry Landfill Site (the Site) in compliance with Environmental Permit EPR/BR9677IT. Condition 3.3 states:

*Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.*

This Plan brings together the existing odour management provisions and serves as a working document to aid (i) decision making on the choice of control methods and operational procedures, in line with current industry best practice and (ii) facilitate the compliance process. The provisions of this Plan aim to ensure that:

- Odour control is integrated into the routine site management;
- Odour is primarily controlled through good housekeeping and operational procedures, and operator competence training;
- The control measures are taken to primarily prevent or, where not reasonably practicable, to reduce emissions to air that can result in odour events outside the Site boundary.

The Plan incorporates the relevant management provisions for landfill gas, leachate and waste relevant to odour, that are already adopted by the site operator, and reflects the industry best practice detailed in the following guidelines:

- IPPC H4: Horizontal Guidance for Odour
- LFTGN 03: Guidance on the management of landfill gas
- LFTGN 04: Guidance for monitoring of trace components of landfill gas
- LFTGN 07: Guidance for monitoring landfill gas surface emissions
- Environment Agency. Guidance for the Landfill Sector S5.02
- Best Practice for odour monitoring and community engagement at landfill sites. Sniffer Research Project ER31, January 2013.

## 2.0 GENERAL CONSIDERATIONS

### 2.1 Sources of odour

There are three main potential sources of odour associated with permitted landfill waste operations:

- 1) waste material;
- 2) landfill gas, and
- 3) landfill leachate.

The permitted activities at Walleys landfill site are listed in Schedule 1 (Operations) of the Site Permit and include the following operations that have a potential to generate odorous emissions:

- Landfill of non-hazardous and hazardous wastes<sup>1</sup>;
- Landfill gas treatment by extraction, flaring or utilisation for energy recovery;
- Temporary storage, biological treatment of leachate and discharge to sewer.

The above landfill operations require ongoing engineering works including those which can exacerbate odour conditions such as installation of gas or leachate wells and profiling of waste levels ahead of capping works.

### 2.2 Receptors to odour

The Site is located approximately 1.5km west from Newcastle-under-Lyme and 0.5km east of Silverdale, in Staffordshire. The Site is bounded by mixed agricultural, industrial and residential land uses and contain the following receptors to odour, within 500m radius from the Site:

	Odour Receptor	No. Properties	Min Distance,	Max Distance,	Direction
1	Silverdale Residential	98	300	870	North
2	Knutton Residential Dwellings along the B5044	124	110	380	North
3	Garner's Garden Centre	None	20	100	North
4	Knutton St Mary's Primary	14	260	400	North, NE
5	Warehouse/Depot	12	300	530	NE
6	Newcastle under Lyme	334	230	1100	South, SE
7	Consented Residential Area (former Hampton Scrapyard)	?	30	310	South, SE
8	Thistleberry Parkway	214	190	950	SE
9	Cemetery Road Caravan Site	14	40	210	South
10	Rosemary Wood Cottage	1	300	400	South
11	Recreational Grounds	None	250	540	SW

<sup>1</sup> Hazardous wastes are not accepted at the Site for commercial reasons.

	<b>Odour Receptor</b>	<b>No. Properties</b>	<b>Min Distance,</b>	<b>Max Distance,</b>	<b>Direction</b>
12	Silverdale Residential	503	260	850	West
13	Allotments	None	80	370	West, SW
14	Cemetery	None	60	230	West
15	Silverdale Business Park	None	60	230	West
16	Silverdale Housing Estate	89	90	460	East
17	Keele Road & Orme Road	781	270	1360	East
18	Industrial Area	None	220	1010	NW
19	Silverdale Residential Area	195	400	830	North
20	Ironbridge Drive Residential	75	450	740	NE

These receptors are shown on the enclosed plan Walleys Landfill - Odour Sensitive Receptors (Appendix 1).

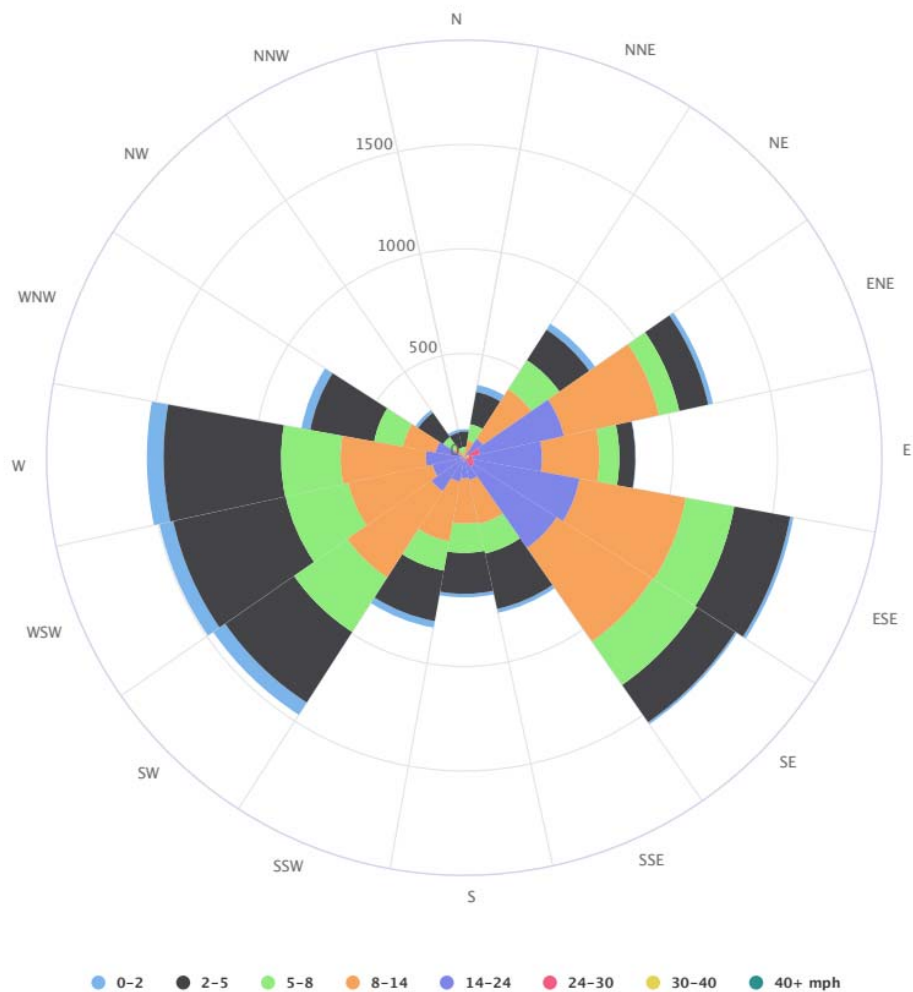
The above list will be updated if and when any new sensitive receptors in close proximity to the site, have been given planning approval.

### 2.3 Odour Pathway

The key factors in odour dispersion are the prevailing wind direction, and local weather conditions that have the potential of odour impact, these are i) light wind towards odour receptors; ii) still and stable atmospheric condition during autumn-winter which leads to 'anticyclonic gloom' and iii) warm/hot weather spells.

At Walleys landfill site the prevailing wind directions are from 110-145° degrees (ESE to SE), and from 210-280° (SW to W). The annual wind rose for Walleys Landfill Site is shown below as provided by the on-site Skylink Pro weather data system.

Wind Rose for LA02: 2018-03-06 to 2019-03-06 : Winds blowing From



### **3.0 LANDFILL ODOUR CONTROLS**

#### **3.1 Waste Materials**

This Plan covers both normal operational activities in relation to waste acceptance and disposal, and those temporary/abnormal activities, that can result in odour emissions.

##### Waste Acceptance

Waste odour management at the Site is an integral aspect of operational management procedures, which are part of the Operator's Integrated Management System. The management system is externally certified to ISO9001:14001 and OHSAS 18001.

The Operator's adopted procedures for pre-acceptance assessment, receipt and acceptance of waste materials, are outlined below.

- Pre-acceptance assessment. Red/MS/MC009 procedure is followed to assess whether a waste material is suitable to be approved for receipt at the site. The procedure includes checks on the potential odour of the waste and any break-down products that may arise from the waste to cause an odour when landfilled. Inherently malodorous wastes and high sulphate bearing wastes e.g. gypsum, plasterboard etc are not approved for receipt at the facility. The Technical Assessment Team and the Site Manager will liaise with waste producers at the enquiry stage to assess acceptability of the waste at the Site.
- Receipt and Acceptance Verification. Red/MS/MC010 procedure is followed by the Site Manager and Team at the facility to ensure that the waste is conforming on receipt. This involves verification of the characteristics of the load, including its odour potential, both at the weighbridge and the tipping face. Should the delivered waste be found to be in breach with the pre-acceptance criteria, then the Non-conformances and Corrective Actions procedure SYS008 is followed. This may include the rejection of the load, contacting the client for more information to address the non-conformance or other measures deemed appropriate by the Site Manager.

##### Plant and Equipment

The Site Manager will ensure that sufficient plant and equipment are available at the tipping area to promptly and adequately place, bury, compact and cover all delivered waste.

##### Compaction of Waste

Suitable plant and equipment is used to cover and compact all waste delivered to the active tip area. The area size reflects operational requirements and is kept to the minimum to reduce the pathway for odorous emissions and minimise ingress of surface water into the waste prior to application of final capping.

#### Application of Daily and Intermediate Cover

The working area and the flanks will be covered with a layer of cover material (typically soils or fines) by the end of each working day. The daily cover is considered to be effective in controlling odour emissions from the fill. It is used to reduce the exposure of the waste to the elements, improve the stability of waste, minimise the risk of wind-blown litter and discourage vermin.

The working area will continue to be covered with the next layer of waste the following working day or after a short period of time, only. Where the site operations require that a working area will not be accepting waste for a period of six months or more, an intermediate cover will be applied.

The Site Manager will ensure that there are adequate supplies of daily cover material available at the Site.

#### Progressive Capping of Completed Areas

Completed areas of the landfill site will be capped with an engineered cap to achieve full waste containment, prevent gas emissions and rainwater infiltration in the medium to long term. Areas of the site that have been completed to final waste height will be permanently capped within 6 months of completion of waste placement. Where this is not achievable these areas will be considered for temporary capping as an interim measure.

#### Avoiding Disturbance to Previously Deposited Waste

Wherever possible, measures will be taken to ensure that previously emplaced waste is not disturbed, exposed or moved. Where such activities are necessary, e.g. during the installation of environmental management infrastructure, the excavated boreholes, trenches and areas will be covered as soon as practicable or waste will be removed and buried at the earliest opportunity. Any additional odour control and/or monitoring measures that may be necessary during such operations, will be adopted and notified to the Environment Agency.

### **3.2 Landfill Gas Management**

Landfill gas odour is typically associated with trace components in the gas, such as sulphides and mercaptans. Collection and treatment of the gas is the primary means of destroying trace gases and thus controlling the odour. The relevant operational procedures are outlined below.

The gas extraction system at the Site comprises an extensive abstraction network connected to the gas utilisation plant (combustion engines and back up gas flare). Where operationally practicable, gas abstraction infrastructure is progressively extended across the active tip areas, in accordance with the Site Landfill Gas Management Plan (Lafarge Aggregates, January 2012).

Balancing of the entire gas field (wells, manifolds and knockout pots) is currently carried out at fortnightly intervals, with Strategic Monitoring Points (SMPs) (typically manifolds) checks, undertaken daily. Gas wells are balanced to optimise the abstraction efficiency (gas quality and flow rates) for gas utilisation. Any anomalies such as the presence of oxygen in the system, large changes of methane levels etc, are investigated at the time of the balance.

The gas treatment approach is on an engine-led basis, with the capacity of the engines optimised (and new engines added as necessary) to ensure that the maximum sustainable gas flow from the landfill is maintained at all times. The backup gas flare treats the gas when the engine(s) are down for servicing thus ensuring that the level of gas extraction is not affected.

To ensure that the gas treatment system works efficiently, weekly operational performance checks, are undertaken on the gas plant.

CLP Envirogas Ltd is the gas management contractor at the Site. The company's management responsibilities are listed in the Landfill Gas Management Plan (section 3.6). The company operates to a gas well monitoring and balancing protocol for undertaking gas field balancing and operational procedures for servicing the gas plant.

### **3.3 Leachate Management**

Landfill leachate is a liquid produced as a result of infiltration of rainwater and decomposition of the waste. Leachate can emanate an odour due to presence of hydrogen, nitrogen, sulphurs and other chemicals produced in the waste degradation process. Leachate odour varies in strength depending on the composition and the age of waste and may cause nuisance to those exposed to it.

At Walleys landfill, leachate is extracted and treated on-site before being disposed of into a local sewer. A leachate abstraction network is installed in each cell (9 in total), and leachate wells are raised in line with infilling progress. Leachate wells and pipework are adequately sealed and are connected to the gas abstraction network (where possible) to prevent a potential for fugitive odour release. Regular checks are undertaken by the Site Manager, the approved leachate system maintenance supplier and CLP Envirogas, to ensure that the leachate wells remain sealed and under adequate pressure from the gas abstraction system.

Raw leachate is treated on site via a sequential batch reactor type biological treatment plant. Leachate is pumped directly to the balancing tank which is enclosed and is fitted with a biofilter for air emissions. The treatment process is fully contained and regulated/monitored in terms of process optimisation. There are process control procedures in place to include Spillage Action Plan and Planned Preventative Maintenance Programme.



### **3.4 Odour Suppression System**

The Site maintains an operational odour suppression spray system located along the site boundary. The system is designed to use odour masking or neutralising agents, as airborne odour controllers. The system is deployed on a daily basis to mitigate potential odour emissions from the Site towards local sensitive receptors.

## **4.0 LANDFILL ODOUR MONITORING**

The above described operational measures are routinely inspected and monitored to ensure their effectiveness in minimising odour emissions from the Site. In instances when the outcome of the monitoring and inspection procedures that indicate an odour event, this will trigger the Odour Action Plan (Section 5).

The Site Manager has an overall responsibility for implementation of the Odour Management Plan. In addition, all site operatives are responsible for reporting any significant odours on site immediately to the Site Manager.

### **4.1 Regular Monitoring**

Proactive odour monitoring and inspection is part of the daily site management. Odour checks are carried out as part of waste acceptance procedures and implemented by the site operatives under the coordination of the Site Manager. Odour issues associated with certain waste streams are ascertained before the waste is delivered on site. Further checks are carried out on receipt of waste loads; these procedures are outlined in Section 3.1.

A daily site inspection is carried out under the oversight of the Site Manager, which include the general odour situation on site and performance of the odour suppression system. Operational procedures OPS006A Site Inspection and FRM195 Landfill Check List are followed daily. If odour is identified as an issue, then the Site Manager will instigate actions as part of the Odour Action Plan (Section 5.0). The Site Manager will also carry out weekly odour inspections of the local area.

When inspecting the odour on site, care will be taken regarding detection of hydrogen sulphide (H<sub>2</sub>S) odours. The gas is toxic and can paralyse the olfactory nerves rendering the nose unable to detect odour, thus increasing the hazardous potential. All operatives wear H<sub>2</sub>S monitors.

In addition, a weekly Sniff Testing Survey will be undertaken by the Site Manager at the site boundary to establish whether any odours are discernible at the perimeter of the Site. The survey methodology is as follows:

1. The surveyor should walk slowly along the site boundary and breath normally. If an odour cannot be detected in this way, the inspector should periodically stand still and inhale deeply facing upwind. No detectable odour is recorder as 1.
2. If odour is detected, the odour intensity should be recorded as 2 (faint) -5 (very strong). If odour is detected while walking, the intensity should be recorded as at least 3.
3. Following an odour survey at the site boundary, a surveyor should continue seeking to trace any observed odour back to the source so that the appropriate remedial measures can be identified. Attention should be paid to

the active tipping area, and places of maintenance and/or engineering works on landfill, gas and leachate management infrastructure. Observations including time, date, weather conditions, odour type, location, intensity, extent and sensitivity will be recorded on the Odour Survey Proforma (Appendix 2). 'Abnormal' site operating conditions at the time of the survey e.g. gas infrastructure installation/maintenance, engine/flare downtime, etc should be also recorded.

Records of all current sniff testing surveys will be maintained on site including remedial measures taken.

## **4.2 Monitoring of Landfill Gas and Leachate Management Infrastructure**

Landfill gas quality (bulk and trace gases) are monitored within the in-waste gas and leachate wells in compliance with the Site Permit (Schedule 3, Table S3.10). These include routine monitoring of concentrations of hydrogen sulphide in raw landfill gas and the annual monitoring of trace gases. The results are assessed in terms of permit compliance and to inform if odour action measures are required.

To minimise any fugitive emissions of landfill gas (thus odour) from the gas extraction and leachate management infrastructure, the integrity and efficiency of the infrastructure is monitored on a regular basis in accordance with the site Landfill Gas Management Plan. Any defects identified during routine gas balancing surveys, such as a loss of integrity of pipework, leaky bentonite seals, gas pressure drop etc, are remediated as soon as practicable. CLP Envirogas maintain the records of any required remedial works, timescales and responsibilities for their completion and report them to the Site Manager, who in turn will use this information to apply odour contingency measures and controls (if necessary). A liaison between CLP and the Site Manager will be carried out daily.

The results of the landfill gas (bulk and trace gases) monitoring are reported to the Environment Agency.

## **4.3 Monitoring of Gas Engines and Flare**

Emissions of total VOCs and non-methane VOCs in the combustion gas are required by the Site Permit (Schedule 3 Table S3.2 Point source emissions to air), and the relevant emission limits are set. These aim to ensure a complete combustion of landfill gas and thus low potential for odour emissions.

CLP Envirogas is responsible for undertaking annual engine emission testing, flare emission testing and trace gas testing at the Site. In addition, the company carries out its own assessments of the efficiency of the gas plant at regular intervals to ensure optimal combustion. Results of the combustion emissions monitoring are reported to the Environment Agency.

#### **4.4 Annual Methane Emissions Survey**

In accordance with Site Permit Schedule 3 (Table S3.8 Landfill gas surface emissions), methane concentrations are measured across all permanently and temporarily capped areas, and the uncapped areas of the Site. Where the surveys show that surface emissions are elevated, the appropriate remedial measures are carried out as part of its Non-conformances and Corrective Actions Procedure SYS008. Re-testing of the affected area is undertaken following the remediation measures. Results of the surveys are submitted to the Environment Agency.

#### **4.5 Monitoring of Meteorological Conditions**

Monitoring of weather conditions on site is pertinent to effective odour control.

The Site benefits from access to the real-time meteorological data provided by the on-site Skylink Pro weather data system. It provides the following data: wind speed and direction, temperature and humidity, barometric pressure, rainfall measurement, dew point. All data is recorded at 30-min intervals and stored on the site computer for management purposes and for record purposes.

The Site Manager will also have regard to 5-day regional weather forecasts<sup>2</sup> including wind strength and direction, barometric pressure, rainfall and temperature.

The Site Manager will assess the current and forecasted weather conditions as part of the daily site management and will use this information to proactively manage site operations so as to minimise risk of odour emissions on site.

#### **4.6 Odour Management Responsibilities**

The Site Manager has an overarching responsibility for ensuring effective odour management at the site and odour monitoring, in line with this Odour Management Plan. The Site Manager is also responsible for resolving odour complaints and liaising with the local community and the Environment Agency.

The Site Manager will maintain suitable records for the site in order to have a good understanding of the factors such as the site activities, infrastructure, certain areas of the site and waste load types, certain abnormal situations and adverse weather conditions which could lead to an odour event on site and/or result in odour complaints. These records are an invaluable form of evidence of the proactive odour management on site when discussing odour issues with the Environment Agency and the local community.

The Site Manager is adept at undertaking odour surveys using the sniff testing method (Section 4.1).

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<sup>2</sup> <https://www.metoffice.gov.uk> , <https://www.metcheck.com> or similar.

All site-based operatives are made aware of the importance of odour reporting and control. Odour matters are discussed at weekly team meetings.

#### **4.7 PREPAREDNESS FOR AN ODOUR EVENT**

The main odour control measures (Sections 3 and 4 above) are geared towards minimising risks of odour events from operational activities and unforeseen events on site. This section addresses the means of proactively preparing for such potential 'odour events' aiming to minimise their impact.

##### Adverse weather conditions

As described in Section 2.3 certain weather conditions such as high atmospheric pressure, calm and/or foggy conditions, temperature inversion or warm/hot weather spells tend to exacerbate or prolong odour

Meteorological monitoring is pertinent to daily odour management on the landfill site. On-site meteorological data will be used not only for investigating and substantiation of odour complaints but also as a proactive tool to plan and appropriately manage any engineering, maintenance and repair works which have a potential of causing odour emissions. The Site Manager will assess the prevailing meteorological conditions ahead of the works and apply appropriate mitigation measures (Section 5.2) based on his understanding of the risk of odour emissions from any particular activity.

The Site Manager will also consult the regional weather forecast when planning for any odour prone activities such as drilling, plant maintenance, waste excavation etc. If the predicted weather conditions are unfavourable for odour dispersion, these activities will be rescheduled and/or additional mitigation measures applied.

Extra daily cover will be used if deemed necessary by the Site Manager. Cover is applied such that it meets the key criteria of minimising odours, minimising visual pollution and to protect the waste from vermin.

A windsock will be erected on site to understand wind direction at a glance for dust and odour management.

##### Proactive Odour Monitoring

Detection of odour in the air is carried out as part of site manager's daily management duties as well as the weekly Odour Surveys along the site boundary. The Manager will undertake an odour survey more frequently if there is a likelihood of an odour event on site and during the event. The results of such a survey will help inform whether the odour control measures are sufficient and/or there is a need to apply additional mitigation measures (described in Section 5.2).

##### Communication

The site operator will notify the local council before carrying out any scheduled works which have the potential to lead to an increase in odour levels. Such engineering works that may lead to a short-term odour event, have an underlying

long-term benefit and are typically required as part of compliance with the site permit. The site operator has various means of communicating odour issues and, in particular, to explain the likelihood / cause of a potential odour event and how it will be addressed. These are described Section 6.

## **5.0 ODOUR ACTION PLAN**

This Odour Action Plan will be actioned in the event of the following odour 'non-conformances' at the Site:

- 1) Receipt of an odour complaint;
- 2) In response to routine odour checks and surveys when significant landfill odour is detected;
- 3) Receipt of odorous waste loads;
- 4) Engineering works on site which have a potential to generate fugitive emissions of odour, such as well installation/maintenance, waste excavation etc;
- 5) Abnormal conditions, such as power failure, damage to or failure of the environmental management infrastructure, waste slip, in-waste fire etc accidents or incidents which have a potential to lead to an odour event.

### **5.1 Odour Complaint Investigation**

The following procedures will be followed upon receiving a complaint about odour:

1. Any complaints received will be logged/recorded as received typically via the Environment Agency.
2. Details of the odour complaint (intensity, location, date and time, the name, address and telephone number of the caller (if available) are logged.
3. Odour Investigation.

The Site Manager will initially undertake a:

- Review of the waste operations at the Site prior to and at the time of the complaint aimed at determining the potential odour source;
- Review of the environmental control systems (landfill gas and leachate) operative prior to and at the time of the complaint;
- Review of the meteorological conditions (wind speed/direction/rainfall data) prior to and at the time of the complaint, to establish whether a pathway can be established between the Site and the complainant;
- Review the previous history of complaints from that location.

If the Site Manager considers that a source and pathway may be present between the Site and the complainant, the Site Manager will visit the complaint location as soon as practicable to assess odour presence/absence and, if present, odour characteristics and intensity. The sniff testing survey methodology (Section 4.1 of this Plan) will be used to assess odour in ambient air at the receptor location.

The odour complaint will be substantiated (or otherwise) by the Site Manager by undertaking an odour investigation at the complaint location. The investigation will be carried out in the following circumstances:

- a) If several complaints received from locations downwind from the Site or during other adverse weather conditions, as demonstrated by meteorological data recorded on the on-site weather station;
- b) If the complaint occurred during a period of temporary works, unforeseen event and other abnormal site conditions.
- c) The Environment Agency has visited the complaint location and confirmed that the odour exists and is potentially significant.

The Site Manager will use Sniff Test method when undertaking odour complaint investigations. If a complaint were substantiated the NCR procedure would be followed and a full report completed. The Site Manager will also follow Non-conformances and Corrective Actions Procedure SYS008 and will discuss this matter with the Group Technical Operations Director to identify the remedial action(s). The Site Manager will submit the results of the odour investigation to the Environment Agency.

## 5.2 Remedial Measures

In the event that any of the above odour 'non-conformances' are determined at the Site, the likely odour source(s) will be identified. The corresponding appropriate odour remedial measures will involve one or more of the followings:

### Malodorous Waste

- Use waste pre-acceptance and acceptance procedures to identify potentially odorous waste inputs and refusal to accept malodorous waste at the Site;
- Reduce the size of the active tipping area;
- Discuss with the waste producer the possibilities of containing the waste in bags or other receptacles prior to landfill disposal or pre-treatment of the waste prior to acceptance at the landfill;
- Apply odour masking/neutralising sprays pending completion of remedial work.

### Waste Excavation/Drilling

- Bury any excavated waste arisings immediately and/or terminate the drilling/excavation operations until favourable conditions prevail (in particular, the wind direction to ensure odour dispersion away from local receptors).
- Apply odour masking/neutralising sprays pending completion of the remedial work.



#### Inadequate Cover or Capping

- Review waste covering and compaction procedures;
- Additional temporary/daily cover will be applied to the identified area as soon as possible.
- Adequate stock of cover material will be available on site at all times.
- Plan and carry out progressive capping works. If necessary, bring the planned capping works forward to reduce odour potential from the area;
- Apply odour masking/neutralising sprays pending completion of remedial work.

#### Inadequate Gas Control

- Carry out a comprehensive audit on the gas extraction system to ensure its integrity and effectiveness. This should include a gas survey to assess fugitive gas emissions from the active landfill areas and gas infrastructure.
- Repair and/or replace any malfunctioning infrastructure e.g. gas pipes, wellheads, knock-out pots etc;
- Install additional gas wells to provide a representative area coverage for gas capture;
- Maintain the gas plant within the normal operational parameters at all times;
- Use of a gas flare in addition to the gas engines, if necessary to achieve full suction from the field;
- Apply odour masking/neutralising sprays pending completion of remedial work.

#### Damage to the Gas Collection System

As mentioned in para 4.2 above, the gas collection system is routinely checked for integrity, oxygen concentration as a sign of ingress of air, drop in methane concentration and/or vacuum pressure, all of which could lead to potential fugitive emissions of the gas from the system.

Damage to the gas system itself will trigger alarm on sensing high oxygen or excess suction. CLP Envirogas engineers are trained to operate, and service all installed equipment and have extensive gas field training and experience. The company holds a considerable stock of gas field equipment to remediate any such damage as soon as practicable.

#### Gas Engine/Flare Trip

In the event of a gas plant trip such as mains outage, the booster and flare will come on automatically. A gas plant trip will be indicated by an automated telemetry call to the appropriate engineering technician who operate on a 24/7

rota basis. Any extended un-planned loss of gas utilisation plant or electric supply, CLP Envirogas will supply a standby engine unit and a second flare. Gas plant spares are held on site.

#### Leachate Wells/Monitoring Points

- Carry out a comprehensive audit on the leachate management system to ensure its integrity and effectiveness;
- Repair and/or replace any malfunctioning infrastructure;
- Consider applying additional suction to leachate wells;
- Any areas of leachate ponding will be removed;
- Apply odour masking/neutralising sprays pending completion of remedial work.

The effectiveness of the above odour remedial measures will be assessed in line with the procedures of the Operator's Quality Management System. The Site Operator holds regular management meetings to discuss current and planned site operations; these address potential nuisance issues including odour situation.

More frequent/detailed odour surveys will be carried during any odour prone site activity or to confirm the effectiveness of the remedial works undertaken.

In the event that it proves impracticable to carry out adequate remedial measures within two working days, the Site Manager will notify and agree with the Environment Agency, the proposed actions and the timetable for their completion.

If an odour survey records a score of 4 or more on two out of the three classification categories (intensity, sensitivity and extent), the Site Manager will investigate the odour in line with the procedure in Section 5.1 and where appropriate, take specific remedial measures to minimise the potential for further odour emissions.

Details of odour 'non-conformances' including subsequent investigations and remedial measures taken, and notifications to the Regulators, will be recorded by the Site Manager, and copies will be maintained in the site office, in compliance with Non-conformances and Corrective Actions Procedure SYS008.

The Odour Action Plan will remain in place for the duration of the conditions and activities which triggered it.

The provisions of the Odour Management Plan will be reviewed annually. As part of the review odour complaints and effectiveness of remedial actions taken, will be assessed. Odour management measures and/or monitoring procedures will be amended if necessary.

## **6.0 COMMUNICATING ODOUR ISSUES**

As mentioned above, the site operator will carry out routine meetings to discuss odour control in relation to on-going site operations. Findings of odour checks, inspections and odour complaints investigation are discussed to learn what operational and remedial actions are most effective in minimising odour emissions from the site.

The site operator maintains regular means of communication with local stakeholders including regulators, councils, residents' representatives etc. The scope of the public communication includes the following:

- Quarterly liaison meetings with representatives of the local councils (the liaison group) to update them on operational activities at the site and to discuss control of amenity related issues (incl. odour). The meetings are also used to communicate the information gathered from odour surveys carried out by the site operator, the Regulator and other stakeholders.
- Publish minutes of these meetings on the operator's website.
- Notify the Environment Agency in advance of the engineering works on site which have odour potential.
- The Site Manager will carry out face to face meetings with local residents, on request.
- Contact phone numbers are provided on a sign at the site entrance. These are used to report complaints to the EA and to contact the site operator.


## **APPENDICES**

### **Appendix 1                      Walleys Landfill - Odour Sensitive Receptors**



- Notes
1. OS data provided by Ordnance Survey.
  2. Do not scale from this drawing.
  3. Any anomalies on this drawing should be brought to the attention of Egniol Environmental Ltd.
  4. Key.

- Site Boundary.
- 250m and 500m from site boundary.
- Consented residential development site.
- Receptor area.

Rev	Modifications	By	Chk	App	Date
Red Industries Ltd.					
Walleys Quarry Landfill Site					
Odour Sensitive Receptors					
Drawn by GOJR		Checked by AC		Approved by AC	
Date 27.07.2018		Scale @ A3 Not To Scale		Revision -	
Status Final					
Drawing Number 7052.GA.D01					
ENGINEERING ENVIRONMENTAL HEALTH & SAFETY					

### Walleys Landfill Site – Local Receptors to Odour

	Odour Receptor	No. Properties	Min Distance,	Max Distance, m	Direction
1	Silverdale Residential Dwellings 1	98	300	870	North
2	Knutton Residential Dwellings along the B5044	124	110	380	North
3	Garner's Garden Centre	None	20	100	North
4	Knutton St Mary's Primary School	14	260	400	North, NE
5	Warehouse/Depot	12	300	530	NE
6	Newcastle under Lyme residential areas	334	230	1100	South, SE
7	Consented Residential Area (former Hampton Scrapyard)	?	30	310	South, SE
8	Thistleberry Parkway	214	190	950	SE
9	Cemetery Road Caravan Site	14	40	210	South
10	Rosemary Wood Cottage	1	300	400	South
11	Recreational Grounds	None	250	540	SW
12	Silverdale Residential Dwellings 2	503	260	850	West
13	Allotments	None	80	370	West, SW
14	Cemetery	None	60	230	West
15	Silverdale Business Park	None	60	230	West
16	Silverdale Housing Estate	89	90	460	East
17	Keele Road & Orme Road Housing Estate	781	270	1360	East
18	Industrial Area	None	220	1010	NW
19	Silverdale Residential Area	195	400	830	North
20	Ironbridge Drive Residential Area	75	450	740	NE

## **Appendix 2            Odour Survey Proforma**

## Odour Survey Proforma – Walleys Landfill Site

Weather Conditions

Description	Wind Direction	Wind Force[1]	Temperature, Degree C	Atmospheric Pressure mb	Ground Conditions	Stability Air [2]

[1] Referenced to the Beaufort wind scale from 0/1 = calm/light air to 8/9 =gale/strong gale

[2] Referenced to Pasquill stability categories from A = very unstable to F/G = very stable

Reference Point (as per Plan 7052. GA.D01)	Date	Time	Character Odour [3]	Intensity[3]	Extent[3]	Sensitivity[3]	Suspected Source	Comments

[3] See attached 'Classification Systems' for additional information



## Classification Systems

### Meteorological Data

The Beaufort Wind Scale			
Force	Description	Observation	m.p.h.
0	Calm	Smoke rises vertically	0
1	Light air	Smoke drifts in wind direction, wind vanes not moved	1 - 3
2	Light breeze	Wind felt on face, leaves rustle, wind vanes moved	4 - 7
3	Gentle breeze	Leaves and small twigs in constant motion	8 - 12
4	Moderate breeze	Raises dust and paper, small branches are moved	13 - 18
5	Fresh breeze	Small leafy trees swayed, medium branches moved	19 - 24
6	Strong breeze	Large branches moved, umbrellas used with difficulty	25 - 31
7	Near gale	Whole trees moving, walking against wind inconvenient	32 - 38
8	Gale	Twigs break off trees, walking generally impeded	39 - 46
9	Strong gale	Slight structural damage occurs	47 - 54

Assessment of Pasquill Stability Categories					
Surface wind speed	Sunshine			Night Time	
m.p.h.	Strong	Moderate	Slight	Thickly overcast or >1/2 cloud cover	<3/8 cloud cover
<4.5	A	A-B	B	-	G
4.5 - 6.7	A-B	B	C	E	F
6.7 - 11.2	B	B-C	C	D	E
11.2 - 13.4	C	C-D	D	D	D
>13.4	C	D	D	D	D

Notes     Strong sunshine corresponds to a sunny midday in midsummer  
               Slight sunshine corresponds to a sunny midday in midwinter  
               "Night time" is defined as the period one hour before sunset to one hour after dawn  
               Windspeed should be estimated by reference to the Beaufort scale  
               Pasquill categories are from A = very unstable to F/G = very stable

Descriptors	Value	Intensity
<b>A</b> acidic	1	No detectable odour
<b>B</b> acrid	2	Faint odour - need to stand still, face the wind and inhale to detect
<b>C</b> agricultural	3	Moderate odour - detectable when walking & breathing normally
<b>D</b> ammoniacal	4	Strong odour - bearable
<b>E</b> cabbagey	5	Very strong odour - possibly nauseous, wish you were elsewhere
<b>F</b> dustbin		
<b>G</b> eggy/sulphurous	Value	Extent
<b>H</b> fruity	1	Local and not persistent - detected during brief periods
<b>I</b> landfill gas	2	Impersistent as 1 but detected outside site boundary
<b>J</b> mains gas	3	Persistent but localised
<b>K</b> oily	4	Persistent and pervasive up to 50m away from site boundary
<b>L</b> putrid	5	Persistent and widespread - detected >50m away from site
<b>M</b> pungent		
<b>N</b> rotten	Value	Sensitivity
<b>O</b> sickly	1	remote - no premises within 500m of odour affected area
<b>P</b> sour	2	low - no premises within 100m of odour affected area
<b>Q</b> sweet	3	moderate - premises within 100m of odour affected area
	4	high - premises within odour affected area
	5	extreme - complaints arising from odour affected area

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**SCRUTINY REVIEW WORKING PARTY – WALLEY’S QUARRY**

**QUESTIONS FOR STAFFORDSHIRE COUNTY COUNCIL**

SCC Highways

- 1 What monitoring and measures are carried out to ensure highway safety can be maintained on local roads leading to Walley’s Quarry (WQ)? Are there any improvements that could be carried out such as through Traffic Regulation Orders?

Accident data (injury accidents only) is monitored across the County’s network and any clusters identified investigated to confirm if there are any common factors and if there is any solution. This is not specific to the local roads leading to the quarry. An investigation would be required to understand what the issues are and if there is an appropriate solution to mitigate them.

- 2 How can the condition of local roads and Cemetery Road in particular be protected from the high number of HGVs travelling along them? Should a weight restriction be introduced and if not, what criteria is applicable when considering weight restrictions?

Any weight restriction has to be carefully investigated and where part of the main network is being used (i.e. A and B roads) restricting their use is most likely not appropriate. In some cases restricting lesser routes may still require ‘Except for access’ to be added which may not provide the restriction being sought. The first action would be to collect data to determine the number and type of vehicle use along a specific road and what the HGV use was.

- 3 Can the area around Cemetery Road be better managed to ensure highways issues cause minimum impact in this sensitive area?

There has to be a clear understanding as to what is meant by ‘better managed’. Given there is a quarry access off Cemetery Road which is in the process of being filled there will be access required to this location. Condition 15 of planning permission N.12/09/216 MW (attached) for landfilling in Walleys Quarry allows up to 880 HGV movements per full working week (440 in and 440 out).

- 4 How can the layby on Cemetery Road be better managed to prevent overnight parking and use as a waiting area for the Quarry? What can be done to address issues of parked vehicles causing an obstruction to the highway and causing nuisance through litter etc?

A parking restriction can be used to prevent overnight usage although enforcement of this would be problematic unless the Police would agree to do so given their 24 hour operation. A daytime restriction for the layby could be considered but would limit the use for any vehicle which may impact any visitors to the cemetery who use the layby to park. In terms of general parking causing obstruction, where identified to be occurring, could be prevented with the use of a parking restriction.

- 5 How could any parking/ vehicle restrictions be implemented and what could these look like?

Once funding has been identified to consider a restriction the process would be to identify the issue, possibly with a parking survey or site visits to observe the situation. Once the scale of the issue is known a proposal can be drawn up, possibly for informal discussions initially before progressing to the formal, legal process. Once any objections have been considered and possibly changes made the final scheme can be implemented. What the actual restrictions would be (timed, single yellow lines and/or double yellow lines) will depend upon the issues noted and the progress of the proposals via the informal and formal consultations.

6 What evidence is required to impose parking / vehicle restrictions?

In general knowledge of the parking practices. This evidence could be in the form of photographs from the community or, as mentioned in the earlier reply, via a parking survey or site visit observations by officers.

7 How long would these take to implement and who would pay for this and the subsequent enforcement?

It is difficult to give an accurate time frame since the process does to a great degree depend on issues out of our control, specifically the consultations and any changes requested, and any subsequent objections submitted during the formal, legal, consultation. The general timescale given is therefore 8 to 12 months once it is handed over to the Design Team to start the investigation. Funding can be provided by the business, the Parish Council, Newcastle Borough Council with the only funding available via the County Council being using the County Councillor's Divisional Highway Programme (DHP) fund. This fund is limited and has many competing demands for it. The decision to prioritise any issue to utilise this fund sits with the County Councillor. Once a scheme is implemented enforcement of the restriction sits with the County Council as the Highway Authority via the Clear Streets Team.

8 How can damage to verges and footpaths be reduced and what restoration measures can be implemented when damage does occur?

Where considered necessary physical barriers can be introduced (bollards, railings etc.). However the priority given will be low if purely an amenity issue with make safe works more likely to be carried out than the introduction of bollards etc. The bollards installed at each of the layby in the recent past were funded by the landfill operator in order to address issues caused by vehicles visiting the quarry.

9 How often does mud and debris from vehicles leaving WQ impact local roads and how can this be reduced? What is the current road sweeping schedule? If not weekly, could this be increased to a weekly schedule? How often are road sweepers serviced and cleaned to prevent them adding to the problem of mud and debris on the roads?

Responsibility for keeping the road clean sits with Newcastle Borough Council so they may have details. Suitable wheel washing facilities at the very least will limit the detritus coming off the landfill area on to the highway. If details of the non-landfill sweeping arrangements are required this would need to be confirmed by officers from Newcastle Borough Council. Schedule 3 of the s.106 legal agreement for the landfilling operations requires vehicles leaving the site to use the wheel wash to prevent deleterious material being deposited on the public highway. The agreement also requires that waste being taken to the site is sheeted or otherwise contained, again to prevent any deleterious material being deposited on the public highway. Conditions 14, 16, 17 and 18 in planning permission N.12/09/216 MW also relate to quarry vehicles keeping the public highway free from mud and debris.

10 What impact will an increase in the permit have on highways – will increased vehicles visiting the site have a significantly detrimental impact on local roads and how can this be managed?

The change in the permit is to allow an increased tonnage (from 250,000 tonnes to 300,000 tonnes) to be brought into the site. The consultation response from Staffordshire County Council Planning to the Environment Agency for the increase in tonnage for the permit did include a reminder that the

number of vehicle movements allowed under the planning permission (880 per week, 440 in and 440 out) would still be applicable and if the changes to the permit would require more vehicle movements than those already permitted then the applicant would also need to apply to vary the condition. The applicant stated that they could achieve the increased tonnage and remain within the limits of the planning permission through increased tonnage per vehicle and that previous vehicle movements have been less than those allowed under the planning permission.

- 11 How is the impact of noise, dust and volume of vehicles visiting WQ measured and what actions can be taken to minimise the impact on the local community?

Newcastle under Lyme Borough Council monitor air quality across their area. Darren Walters from NULBC has said that he will provide the Scrutiny Panel with further information on this.

- 12 How many complaints relating to WQ are received per month and how are these recorded and monitored?

Reports about the highway concerns – damage, parking etc – should be reported using the online system 'Report It'. Issues regarding damage to the highway will be forwarded to the Reactive Inspector to investigate and determine if a repair is required, what the repair needs to be and what priority it should be given for scheduling. Many of these reports will be difficult to relate directly to WQ since they may be about carriageway defects in general along Cemetery Road and the surrounding roads leading to the area. It is therefore not possible to provide a figure. Where issues are reported about parking these would be forwarded to the Community Traffic Management Office and logged on the DHP mentioned previously. Although the issue was raised last year by the Nursery and Silverdale Parish Council no further reports have subsequently been added to the logged issue on the DHP spreadsheet.

### SCC Planning

- 1 Can you outline the planning history to the landfill site. What are the conditions and obligations arising from the planning permission and how are they monitored?

The site is a former clay pit from which Etruria marl was extracted to manufacture bricks and tiles.

After the end of World War II, the government concluded that it was important to establish a balance between the Country's need for minerals in the post-war reconstruction period and the need to avoid conflict with other land uses and the protection of amenity. The Town and Country Planning (General Interim Development) Order 1946 withdrew previous permitted development rights for surface mineral working. From October 1946, most new surface mineral working needed an express grant of permission from the interim development authority. Interim Development Order permissions (known as 'IDOs') granted after 21 July 1943 and before 1 July 1948 have been preserved by legislation as valid planning permissions by various planning acts.

The Planning and Compensation Act 1991 ('the 1991 Act') required applications to register old mineral permissions by 25 March 1992. If no applications were made, then the permission would cease to have effect. These applications had to include a scheme of operating and restoration conditions for approval (known as a Scheme of Conditions).

Following on from the 1991 Act, the Environment Act 1995 introduced a requirement to Review Old Mineral Permissions (known as 'ROMPs') and thereafter to carry out Periodic Reviews of the mineral permissions at least every 15 years. The IDO, ROMP and Periodic Review processes have therefore

provided an opportunity to review the mineral planning permission to ensure that modern standards are maintained.

On 9 September 1992, an 'Interim Development Order' (IDO) permission was formally registered for Walley's Quarry and approval was sought for a Scheme of Conditions (ref. IDO/N/1). The Scheme of Conditions was reported to the County Council's Planning Committee where it was resolved to amend several conditions and an amended IDO Scheme of Conditions was issued on 17 June 1994. This decision was appealed and the Secretary of State for the Environment, Transport and Regions approved the conditions on 14 November 1997. The permission was also subject to a Section 106 Legal Agreement which was completed on 15 July 1998.

The IDO permission required the winning and working of minerals, the extraction of minerals from stockpiles and the depositing of waste to cease on or before 21 February 2042.

The IDO permission was subject to a periodic review of the conditions with a new set of conditions being approved in May 2016 (reference N.12/09/216 MW) along with an associated legal agreement.

Planning permission for the retention of a mess room and ancillary facilities comprising storage areas and a fuel tank within a compound was granted in July 2007 (ref. N.07/04/216 MW). Permission was granted in 13 March 2009 for the construction of a landfill gas utilisation compound to control and convert gas into electricity (ref. N.09/01/216 MW), and permission for an additional gas engine was granted in October 2013 (ref. N.13/04/216 MW). The erection and operation of a leachate treatment plant was confirmed to be permitted development on 11 July 2013. These permissions can be found on the County Council's website.

Copies of the main site planning permission (N.12/09/216 MW) and associated s.106 legal agreements are attached. These are monitored by the Planning Regulation team making visits to the site, both pre-arranged and unannounced (usually unannounced if in response to complaints).

2 Is the site currently fully compliant with planning conditions?

Conditions on the main site permission (N.12/09/216 MW) required submissions of details. Some were not submitted within the required time period but have now been submitted and are being considered by the County Council. We are not aware of any other current breaches of conditions at the site.

3 During the life of the site, have you identified any breaches of planning conditions and if so what action has been taken to ensure compliance?

Where any breaches of planning control are identified, in the first instance officers would normally bring these to the attention of the site operator and ask them to remedy the breach (unless the breach was having such a detrimental effect on amenity to require immediate formal enforcement action). Where any such breaches have been identified in relation to Walleys Quarry, actions have been taken by the operator and therefore no formal enforcement action has been taken.

4 Has a restoration and landscaping plan been approved for the site and what does this look like?

Condition 39 of planning permission N.12/09/216 MW required the submission of a detailed restoration and aftercare scheme. The scheme has been submitted and is currently being considered. The submitted documents are not yet valid but when they are validated they can be viewed on our website under reference N.12/09/216 MW D2.

5        How many complaints are received per month regarding WQ and how are these recorded and monitored.

During the year from 1 April 2019 - 31 March 2020 the Planning Regulation Team at the County Council received 1 complaint relating to the site. Since 1 April 2020, two complaints have been received, one in September 2020 and one in October 2020.

When any complaint is received an officer from the team will investigate as appropriate depending on the nature of the complaint, such as making an unannounced visit to check the condition of the site access, visiting the site to check that the wheel wash is operating properly and speaking to the operator to discuss possible remedies to any identified issues. Our aim is to make our initial investigation and reply to the complainant within 10 working days of any complaint being received.

6        Is the membership of the Liaison Committee sufficiently representative and should it be extended to include a public health perspective and local business representation? How well does it communicate its role and work to the local community?

Schedules 6 and 7 of the latest legal agreement (attached) includes details of the membership of the Liaison Committee which does not include a specific public health or local business representation, however does allow the Committee to invite other organisations or individuals to its meetings where their contribution would be relevant.

It is not for Staffordshire County Council's Planning Regulation Team to comment on how well the Liaison Committee communicates its role to the local community. Local members (including some on the Scrutiny Panel who attend the Liaison Meetings) would be better placed to comment.

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Graham Allen  
Web site: www.staffordshire.gov.uk/planning

Our Ref: IDO/N/1 216 MW D4

Your Ref: DSG/JE/D102335

5 June 2007

Dear Sirs,

**DELEGATION SCHEME: SUBMISSION OF DETAILS IN COMPLIANCE WITH CONDITION 30 OF PLANNING PERMISSION IDO/N/1 RELATING TO SUBMISSION OF LORRY ROUTEING DETAILS AND OPTIONS IN CONNECTION WITH THE REQUIREMENTS OF THE S106 LEGAL AGREEMENT PURSUANT TO WALLEY'S QUARRY, CEMETERY ROAD, SILVERDALE, NEWCASTLE-UNDER-LYME.**

Thank you for your letters dated 7 December 2006 and 8 February 2007, which accompanied details submitted in compliance with Condition 30 of planning permission IDO/N/1 and the Section 106 legal agreement pursuant to the above site.

**Condition 30 of the permission states:** *'Within 3 months from the day on which, in accordance with section 22(2) of the 1991 Act the permission has effect, or such longer period as the County Planning Authority may agree in writing, a sign shall be erected in a location to be agreed in writing with the Planning Authority giving details of the vehicle routes agreed with the Planning Authority'*

**The Section 106 Legal Agreement states:** *"3(3) Mechanism for determining lorry routes (a) Redland shall prior to the tipping after 31 December 2001 pursuant to the IDO Permission of Approved Materials by Redland or any licensee under a licence granted after the date hereof shall submit details of the lorry routes to the Council for its approval not to be unreasonably withheld or delayed and may thereafter submit details of new or replacement routes if there is a change in circumstances since the last application for approval of the Council not to be unreasonably withheld and if the Council shall unreasonably refuse or delay its approval to any details submitted pursuant to this clause 3(3) the lorry routes shall be such routes as are determined by an independent highway engineer acting reasonably at the request of Redland".*

#### **Details submitted**

The submitted route options report dated February 2007 analyses the four route options available to HGV traffic travelling to and from the quarry. It assesses each route in turn looking at the highway traffic layout/features, possible constraints and accident history. At the request of the Highway Authority, possible access restrictions, including left in/out and trip timings have also been analysed.

Further analysis was undertaken on the A525 to the west, after landfill had commenced in January 2007, which demonstrated that only 1.5% of HCVs serving the quarry were using this route, equating to 5 HCVs per day.

/Contd.



## **Procedure**

The submitted details have been subject to consultation, and notification has been carried out. Public notices were erected along the proposed routes and individual letters posted to 154 residents; relevant residents' associations were also notified. A press notice was published notifying the various locations, including libraries, where details of the proposed routes and routeing report were available for public access. The report and plan were also posted on the Staffordshire County Council's website.

## **Responses**

### External

**Newcastle Borough Council** was consulted on the proposals on 12 March 2007. No response has been received.

**Silverdale Parish Council** resolved to endorse the local highway authority suggestions contained in paragraph 2.8 of the route options report. Concern was raised at the lack of a pedestrian phase at the nearby crossroads controlled by lights; a suggestion was made that the applicant be required to contribute towards the costs of any improvements.

**Keele Parish Council** expressed concern about a number of traffic issues on the A525 (Route B) and Route A and do not support the report on the proposed routeing options. The Parish Council's concerns relate to the density and speed of existing traffic on the A525 (Route B) and some specific traffic issues on Route A. Other concerns were the potential cumulative impact of a proposal to provide a public civic amenity site at Maries Way and the dangers to road users and pedestrians due to an increase in traffic. The Parish also requested the closure of the M6 exit at Keele so as to avoid intolerable passage of traffic through the Keele Conservation Area.

**The Environment Agency** had no comments.

### Internal

**The Head of Transport Development Control (on behalf of the Highways Authority)** has seen the consultation responses and the representations that have been received, all of which have been considered. The Highway Authority accepts the recommendations in the route options report and subsequent analysis, subject to the prevention of HCV traffic to/from the site using the A519 and a limit of 440 HCV loads being delivered to the site per week.

**The Environment and Countryside Unit (ECU)** had no objections to the proposals.

**The Planning Regulation Team** had no comments to make concerning the proposal, though it was noted that paragraph 2.9 of the report dismisses the use of 'turn left only' option which had been discussed at meetings prior to the submission of the options report.

### Representations

As a result of the publicity and notifications which were undertaken, seven individual representations were received.



Five of the representations object to the use of Route B with particular regard to the A525 through Thistleberry. Heavy use of this road, its narrowness in places, cumulative impacts associated with new housing and recycling depot proposals and the number of accidents are cited as the main reasons for objection to this particular route. Two of the representations object to the use of Route C; noise and dust are cited as concerns.

Thistleberry Residents Association considered that the use of Keele junction of the M6 motorway should have been considered as an option; this was also supported in two of the other representations received. Routes C and D were also considered to be preferable to the use of Route B in one of the representations received.

#### Observations

The Routeing Options Report has been developed through negotiation between the applicant, Scott Wilson (consultants) and the Highways Authority (Staffordshire County Council) and additional analysis has been undertaken, at the Authority's request, on a number of possible restrictions. The resulting report dated February 2007 is the product of these negotiations and assessments.

The assessment criteria were the road environment and highway safety. Having assessed each route under these criteria, the report concludes that each of the four options is acceptable to be used, given the highway geometry and accident history. All the routes under consideration are classified A or B roads and are therefore designed to accommodate significant volumes of traffic. Having examined possible access restrictions, including left in/out and trip timings, the report also concludes that these restrictions could result in creating additional highway safety problems including inappropriate 'u' turns and convoys of vehicles.


The Section 106 legal agreement requires that details of lorry routes shall be submitted for approval by the County Planning Authority as the Highways Authority, and that if the lorry routing details shall be unreasonably refused or delayed, the routes shall be such routes as could be determined by an independent highway engineer. The proposed routes have been subject to negotiations between the applicant and the Highways Authority prior to their submission for approval and the proposed routes have been considered along with the consultation responses and representations received. The Highway Authority accepts the recommendations in the report that all the proposed routing options are considered acceptable, subject to the prevention of HGV traffic travelling to and from the site using the A519 and to a limit of 440 HGV loads per week.

Condition 30 of planning permission IDO/N/1 requires that a sign shall be erected in a location to be agreed in writing with the Planning Authority giving details of the agreed vehicle routes. The most appropriate location for a sign would be at the quarry site, it is therefore considered that a sign indicating the agreed routes should be erected at, or in close proximity to the site entrance once the approval granted by this letter is given.

Under the powers delegated to the Corporate Director (Development Services) this letter **APPROVES** the submission of details – 'Route Options Report' dated February 2007.

In accordance with this approval and to fully comply with Condition 30 of planning permission IDO/N/1, a sign shall be erected at the Walley's Quarry site entrance giving details of the vehicle routes agreed with the Planning Authority.

Yours faithfully,

  
Richard Higgs  
Deputy Corporate Director (Planning and Regeneration)



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Graham Allen  
Planning Development Control  
Staffordshire County Council  
Highways House  
Riverway  
STAFFORD  
ST16 2LE

Your Reference:

Our Reference: DSG/JE/D102335

Date: 8 February 2007

Dear Graham

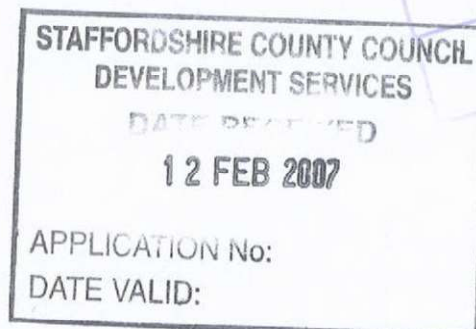
### Walleys Quarry Routeing Options Report

Further to your recent email, please find enclosed six copies of our Routeing Option Report for Walleys Quarry, Newcastle-under-Lyme.

If you have any queries, please do not hesitate to contact me using the details above.

Yours sincerely  
for SCOTT WILSON LTD

pp D Gallear  
Technical Director



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Lafarge Aggregates Ltd.

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# **Walley's Quarry, Newcastle-under-Lyme Route Options Report**

February 2007

## Walley's Quarry, Newcastle-under-Lyme Route Options Report

<b>Client:</b>	Lafarge Aggregates Ltd. The Horse Shoe Mountsorrel Quarry Mountsorrel Loughborough LE12 7GZ	Scott Wilson Ltd Dimple Road Business Centre Matlock Derbyshire DE 4 3JX
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**Doc No:** D102335/TP/002

**Status:** FINAL

**Date:** February 2007

**Approved:**

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- 1.0 INTRODUCTION**
- 2.0 METHODOLOGY**
- 3.0 PROPOSAL**
- 4.0 ROUTE ASSESSMENTS**
- 5.0 ROAD SAFETY ON THE ROUTES**
- 6.0 ROUTEING AGREEMENT**
- 7.0 CONCLUSIONS**

## **APPENDICES**

**APPENDIX A - SITE LOCATION PLAN**

**APPENDIX B – ROUTE DIAGRAMS**

**APPENDIX C – PIA RECORDS 2002 – 2005**



## 1.0 INTRODUCTION

- 1.1 Scott Wilson Ltd. have been commissioned by Lafarge Aggregates Ltd, the owners of Redland, to act as independent Highway Engineering consultants, and, in this capacity, to give advice to Lafarge Aggregates Ltd. with respect to routeing options available to and from Walley's Quarry.
- 1.2 A Section 106 Agreement between Ibstock Bricks Limited, Redland Property Holdings Limited and Staffordshire County Council was signed on the 15<sup>th</sup> July 1998 with respect to work at the development known as Walley's Quarry.
- 1.3 This Agreement related to two aspects of work; the working of the clay at the site, and the deposit of waste materials.
- 1.4 A plan showing the location of Walley's Quarry is given as Appendix A.
- 1.5 The 1998 Section 106 Agreement was made subject to restrictions:-

3(1)

*"Redland shall not after 31 December 2001 pursuant to the IDO Permission deposit or permit the deposit by any license under a license granted after the date hereof of Approved Materials unless it issues all drivers of Heavy Goods Vehicles entering and leaving the site thereafter with instructions as to the lorry route determined pursuant to clause 3(3) to be followed"*

3(3)

*"(a) Redland (here, not including any lessee) shall prior to the tipping after 31 December 2001 pursuant to the IDO Permission of Approved Materials by Redland or any licensee under a license granted after the date hereof (here, not including any lessee) shall submit details of the lorry routes to the Council for its approval not to be unreasonably withheld or delayed and may thereafter submit*



*details of new or replacement routes if there is a change in circumstances since the last application for approval of the Council not to be unreasonably withheld and if the Council shall unreasonably refuse or delay its approval to any details submitted pursuant to this clause 3(3) the lorry routes shall be such routes as are determined by an independent highway engineer acting reasonably at the request of Redland."*

## 2.0 METHODOLOGY

- 2.1 This report will examine routeing options between Walley's Quarry and the surrounding 'strategic road network box' made up of stretches of the M6 and the A500.
- 2.2 Using a small scale map of the area backed up by a site visit, it is clearly evident that the A34 would be used out of choice for trip ends to the north and east. To the south, the A34 would be preferred to the A519. It is evident that the local highway authority is keen to manage the use of the A519 and stop HGVs from 'rat-running' through the residential areas between A525 and A519. It has therefore introduced an area wide traffic management scheme prohibiting HGVs except for access on side roads. To the west, the A525 would be used and possibly the A531 between the A525 and the A500 and M6 J16. Therefore the routeing strategy could involve HGVs using the local 'B' roads from the landfill site to the A34 and A525.
- 2.3 From the above the local routes to be considered are as follows:
- A) North – to the A34 via the B5368
  - B) South – to the A34 via the B5044 and the A525
  - C) East – to the A34 via the B5044 and the B5367
  - D) West – to the A500 via the A525 and A531.
- 2.4 A plan showing these routes is given in Appendix B, with sites of particular importance illustrated.
- 2.5 The report will assess each route option using both subjective (urban environment) and objective (road safety record) variables:
- 1) The Urban Environment
    - including available road infrastructure and any sensitive boundary facilities (e.g. schools etc.)
  - 2) The personal injury accident (PIA) record
    - over a period of four years from 1<sup>st</sup> January 2002 to the 31<sup>st</sup> December 2005 in accordance with best practice

- 2.6 The routes will be assessed with conclusions drawn in Section 7.0.
- 2.7 Options Considered and Dismissed  
The local highway authority is keen to assess whether using combinations of routes or timing of HGV trips could help to mitigate the impacts of the HGV traffic.
- 2.8 The local highway authority has suggested the following:
- A) The site access be made left in/left out;
  - B) The site access be made left out only;
  - C) No inbound or outbound trips on the local road network during school journey times, usually 0800 – 0900 and 1500 – 1600 hours on weekdays.
- 2.9 From the small scale map it is clear that prohibiting turning movements at the access would lead to the Inner Ring Road stretch of the A34 between its roundabout junctions with the A525 and B5368 being more heavily used. HGV mileage on 'B' roads generally in the inbound direction would increase. Additionally the left out only could lead to drivers U-turning at inappropriate locations, such a manoeuvre being difficult to control against effectively.
- 2.10 Similarly in the inbound direction it is impractical to control against HGVs being on the local highway network at certain times. Additionally such a restriction could result in outbound HGVs leaving the site in convoys, which is undesirable in terms of a possible increased environmental impact.
- 2.11 For these reasons it is not considered practical to continue with a detailed assessment of restricting the access or the timing of trips.



### **3.0 PROPOSAL**

- 3.1 The extraction agreement at Walley's Quarry provided for the removal of clay deposits from the site. The permission gave a maximum generation of 880 HGV movements per week.
- 3.2 When clay extraction ceases at Walley's Quarry, the intention is to fill the void. When land filling has commenced, it is anticipated that the site will be operating at the maximum permitted generation, i.e. there will be no increase overall in HGV traffic. This is equivalent to 80 HGVs/day in and 80 HGVs/day out, assuming a 5½ day working week (0700 – 1900 hours Monday – Friday and 0700 – 1300 hours Saturday).
- 3.3 No information is available on the distributions of the land filling trips between points of the compass. However, this report considers routes to all compass points.

## 4.0 ROUTE ASSESSMENTS

### 4.1 Route A – North (to the A34 via the B5368)

4.2 The site access is located to the northern end of Cemetery Road directly opposite to the cemetery to the west. Traffic would turn right out of the access onto Cemetery Road and proceed northwards.

4.3 Cemetery Road is a single carriageway with wide verges and lit with class 2 lighting. There is a parking bay for the cemetery and a combined pedestrian cycleway along the western side. There is a grass verge along the eastern side.



*Photograph 4.1: Cemetery Road; parking bay, combined foot/cycleway within wide verges*

4.4 A crest in the vertical alignment limits visibility to the right from the access. Beyond the crest, the road falls to the access into the neighbouring garden centre and a signalised crossroads with Silverdale Road and Church Lane. There are single lane approaches on Cemetery Road, Silverdale Road (West) and Church Lane.

4.5 Traffic would proceed across the crossroads along Church Lane. The land use adjacent to Church Lane is predominantly residential but set back from the road after a quarry and industrial area is passed. There are footways on both sides of the lit road. Opposite Acacia Avenue there is a school and library.



Here the verges and footways are wide. There is a signalised pedestrian crossing outside at the main school entrance. A speed camera is located immediately beyond the signalised pedestrian crossing in the southbound direction.

- 4.6 At the northern end of Church Lane there is a double mini-roundabout junction with Knutton Lane. HGV traffic is routed between Church Lane and Knutton Lane (West): there is a narrow bridge across the railway line with a tight crest on Knutton Lane (East) that is unsuitable for larger vehicles. Consequently, traffic from the site would turn left and then immediately right at the junction of Knutton Lane and Lower Milehouse Lane. The layout is constrained. However, it was observed to be operating efficiently during a weekday PM peak period (1600 – 1800).



*Photograph 4.2: Pedestrian crossing outside school and library on Church Lane*

- 4.7 The development along Lower Milehouse Lane is mostly residential, set back from the road. However, there is also a Morrisons Supermarket and a large employment site. Both the supermarket and the employment site would generate HGV traffic.
- 4.8 The approach to the roundabout with the A34 is uphill. There is a signalised pedestrian crossing immediately before the junction.

- 4.9 There are no constraints to the routeing to the north that warrant precluding this route. Existing structures are set well back from the road as are the school and library. Furthermore the route is currently already trafficked by HGVs and this is likely to be increased in the future as employment sites are developed in the area.

**4.10 Route B – South (to the A34 via the B5044 and A525)**

- 4.11 Traffic leaving the site would turn left onto Cemetery Road and proceed approximately 1 kilometre to the junction with the A525 Keele Road. At this junction, the traffic would turn left again. Although the road is lit to class 2 standard the area adjacent to the road is predominantly of rural character after a commercial area next to the cemetery is passed.



*Photograph 4.3: On street parking permitted on a short stretch of A525*

- 4.12 After approximately ½ kilometre the road enters a residential area. The road is still lit (class 1). Although the road narrows, on-street parking is permitted and parked vehicles were observed. Continuing towards the town centre, the parking is restricted to off peak (8pm – 6am) periods only on one side of the road with double yellow lines on the other side. It passes by a residential home. Further towards the centre parking is prohibited with double yellow lines.





*Photograph 4.4: Approach to the traffic signals at A525 – Pooldam*

- 4.13 At a traffic signal junction with Pooldam, the HGV traffic would turn left.
- 4.14 There are no constraints to the routeing to the south that warrant precluding this route. Approximately half of the route is along non-residential roads. Where the route enters a built up area it narrows for a short stretch before widening out again. Parking is mainly controlled during the working day.
- 4.15 Route C - East (to the A34 via the B5044 & B5367)**
- 4.16 Traffic would proceed as for Route 1 to the signalised crossroads with Silverdale Road. Here traffic from the site would turn right. Silverdale Road is built up, predominantly residential, along the northern side. However buildings are set back from the road.
- 4.17 After approximately 1 kilometre Silverdale Road becomes Rowan Court. Here HGV traffic travelling away from the site, must turn left; the ahead route is restricted by the mainly commercial development on both sides and on street parking. The junction consists of two simple priority junctions back to back linked by a very short link road. At the second junction, vehicles would turn right onto Knutton Lane.
- 4.18 On the north side of Knutton Lane is the Newcastle Under Lyme College development and to the south a Council highways depot and Fire Station. The junction with the A34, a roundabout, is approached via a residential area with a signalised pedestrian crossing.



- 4.19 There are no constraints to the routeing to the east via the B5044 and B5367 with the possible exception of the Knutton Lane link junction arrangement (where the layout is unusual).

**4.20 Route D (West to A500, via A565 and A531)**

- 4.21 Traffic leaving the site would turn left onto Cemetery Road and proceed approximately 1 kilometre to the junction with the A525 (Keele Road). At this junction, the traffic would turn right.
- 4.22 This road is predominantly rural with junctions on both the north and south leading to the settlements of Keele and Silverdale. In addition, the A525 serves the main entrance of the Keele University campus and Silverdale Colliery (signed HGV route).
- 4.23 After approximately 4.8km, the A525 reaches a junction with the A531 at Madeley Heath. The A525 is a predominantly rural road to Market Drayton. The A531 is predominantly rural in nature although passing through the established settlements of Wrinehill and Betley and the new Wychwood Park development. There is on street parking in the villages, particularly Betley. After approximately 9km, this route reaches a junction with the A500 in Cheshire.

#### 4.24 Summary

	Route A	Route B	Route C	Route D
Sharp bends	Moderate bend	Moderate bend	-	Moderate Bends
Junctions where HGVs stop	2	2	2	5
Speed limits	30/40	60 + 30/40	30/40	30/40/50/60
Development: <i>both sides</i> <i>one side</i> <i>rural</i>	✓ ✗ ✗	✓ ✗ short section	✓ ✓ ✗	occasional occasional ✓
Other hazards & sensitive locations (e.g. schools)	Primary school Library Supermarket	Retirement home	College Fire station	Village settlements of Madeley Heath, Wrinehill and Betley

Table 4.1: Summary of the four routes

4.25 There are no problems that indicate that any of the routes should be avoided.

Drivers of vehicles over 16'0" in height would need to be advised of a height restriction on the A531.

4.26 These routes should be self enforcing as they are the only four routes available once the option of using the A519 is removed.

## **5.0 ROAD SAFETY ON THE ROUTES**

5.1 The PIA records for four full years 2002 – 2005 have been provided by the Council for the Routes and the A34 at the East side of the area. They are attached at Appendix C.

5.2 Of particular importance for the Routes are:

- 1) the accidents involving HGVs of the size likely to be generated by the landfill (i.e. OGV2 of >7.5 tonnes)
- 2) the accidents occurring during landfilling operations 0700 – 1900 Monday – Friday and 0700 – 1300 Saturday
- 3) the accidents occurring during the landfilling operations which involved vulnerable road users, pedestrians and cyclists.

### **5.3 Accidents involving HGVs**

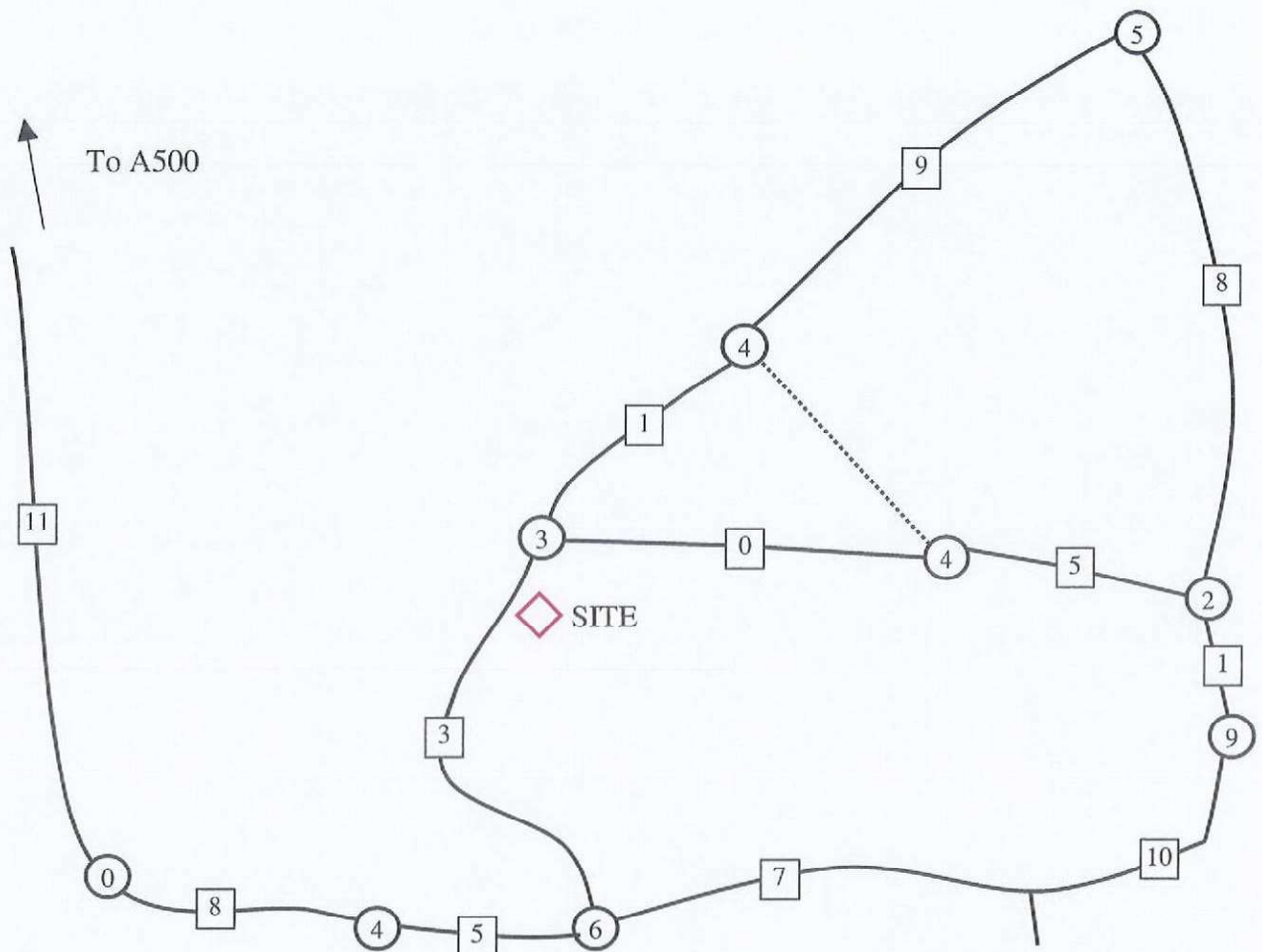
Only one accident, on the A34 between its junctions with the B5368 and B5367, involved an HGV >7.5 tonnes. This accident involved a car being driven in the same direction. The collision occurred whilst the HGV was overtaking a stationary vehicle at 0950 on a Thursday.

5.4 Five additional accidents involved an OGV1, with no concentration on any one route.



## 5.5

The position is summarised below:

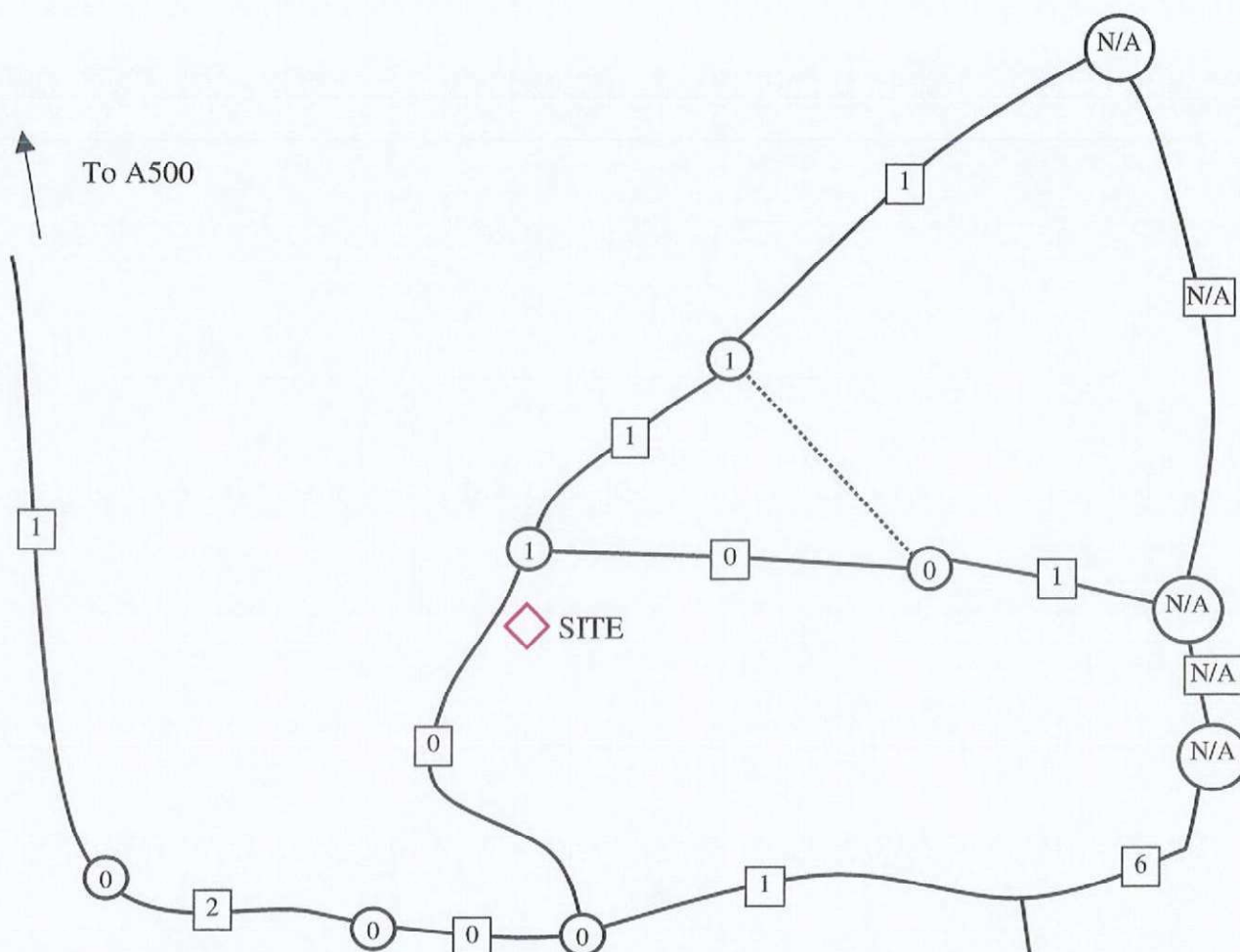


105 accidents occurred during times of landfilling operations in total. Excluding accidents on the A34, for Route A there were 17, on Route B 26, Route C 12 and Route D 37.

5.6 The accident densities on the routes to the A34 (Route D cannot be compared on this basis) were:

Route B	2.7km	9.6 accidents/km
Route A	2.0km	8.5 accidents/km
Route C	1.7km	7.1 accidents/km

5.7 Accidents (in Staffordshire) during Landfilling Operations involving Vulnerable Road Users (not A34)



(N/A not assessed)

Of 92 accidents on Routes A, B, C and D there were 14 involving pedestrians and one involving a cyclist (involves some double counting). For Route A there were 4, Route B 7, Route C 2 and Route D 2.

Only 4 of the 14 pedestrians were of school age and only one accident occurred at school journey times (on Route B at 1600 on a Friday). The incident involving a cyclist was a child of school age during school journey times (on Route D).

5.8 The vulnerable road user accident densities on the routes (Route D cannot be compared on this basis) were:

Route B	2.7km	2.6 accidents/km
Route A	2.0km	2.0 accidents/km
Route C	1.7km	1.2 accidents/km

5.9 **Summary:** There are no accident problem sites involving HGVs and the similarity of densities of all accidents and those involving vulnerable road users do not indicate a route to be avoided.

## **6.0 ROUTEING AGREEMENT**

6.1 Lafarge Aggregates Ltd is obliged to submit details of the lorry routes to the Council for its approval. Accordingly Lafarge Aggregates Ltd will require that:

- A) HGVs travelling to and from the site will not use the A519;
- B) No other routes will be prohibited from use other than those already controlled by weight restrictions

6.2 Lafarge Aggregates Ltd undertakes to advise HGV operators of these requirements by way of hand out notices and permanent signage prominently displayed on site.

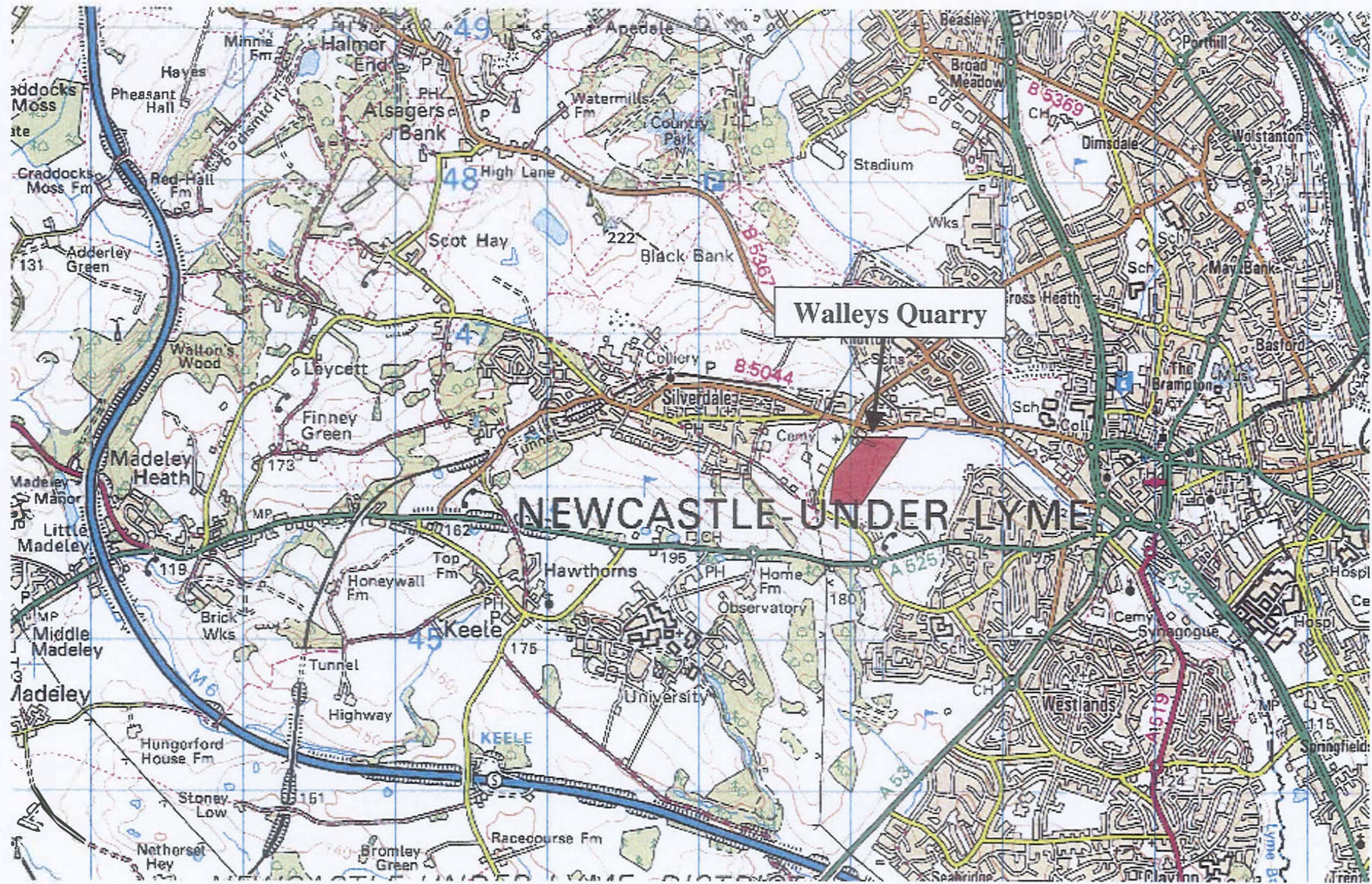


## **7.0 CONCLUSIONS**

- 7.1 This report has reviewed four local routeing options for HGV movements to access and egress the site known as Walley's Quarry for landfilling operations at a rate of 80 loads per day.
- 7.2 The assessment criteria selected were the road environment (subjective) and road safety (objective).
- 7.3 There were no constraints on any of three routes to the A34 to preclude their use based on these criteria. There is a height restriction on the A525 route to the west.
- 7.4 Therefore all four routes should be available to HGVs.
- 7.5 Lafarge Aggregates Ltd will enter into a Routeing Agreement with the Council to prevent HGV traffic associated with the site from using the A519.



# Appendix A



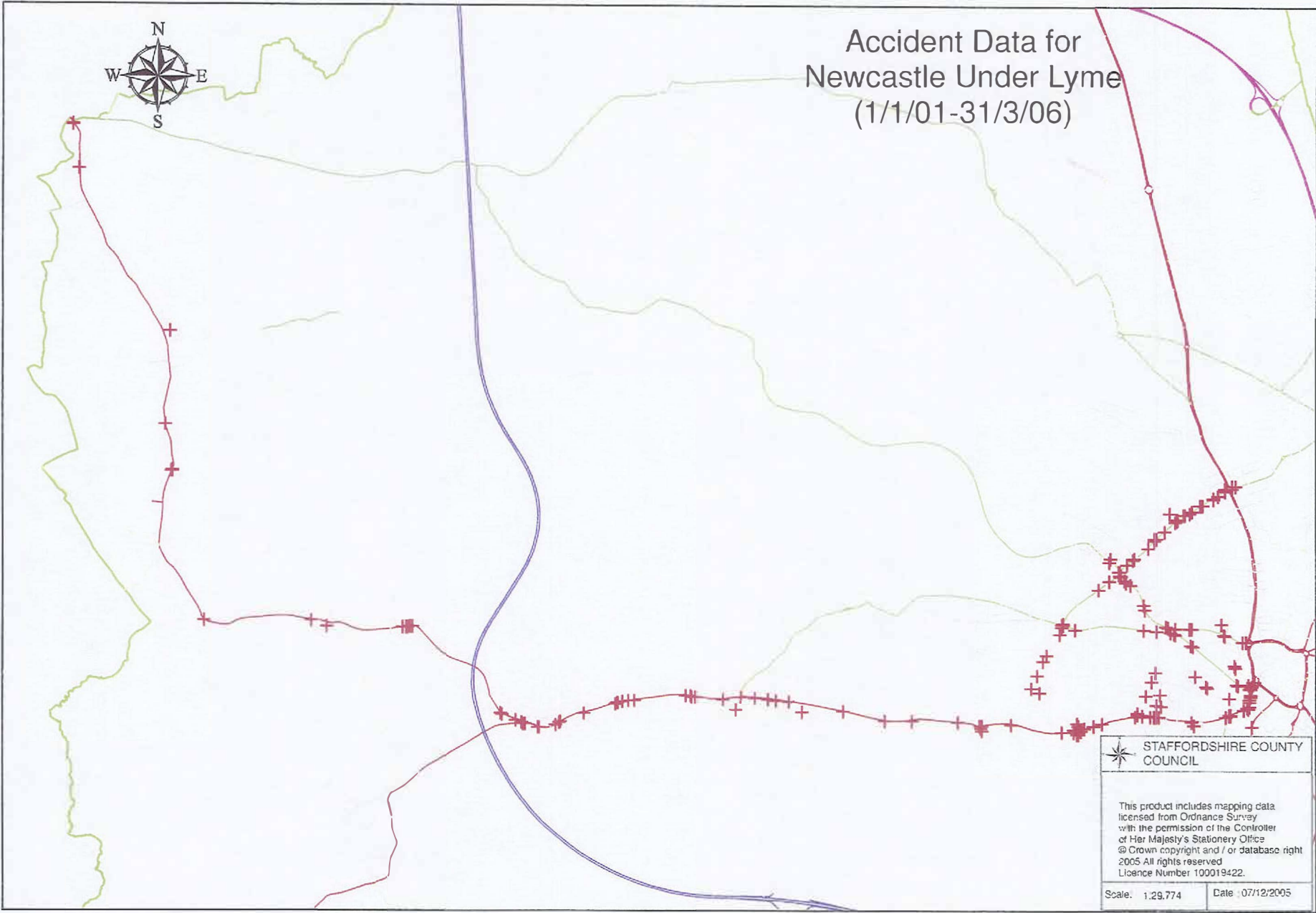




Route A = — Route B = — Route C = — Route D = —



Appendix C





**Expertise and Services Offered:**

Advanced Technology  
Airports & Aviation  
Archaeology  
Bridges & Tunnels  
Building Structures  
Business Consultancy  
Coastal Engineering  
Commercial Development  
Dams & Water Resources  
Defence Facilities  
Design & Construction Supervision  
Dispute Resolution  
Due Diligence & Project Finance  
Environmental Services  
Facilities Management  
Forensic Engineering  
Geographical Information Systems  
Geotechnics  
Health & Safety  
Human Resource Development  
Industrial Development  
Information Systems  
Institutional Development  
Landscape Architecture  
Maintenance & Refurbishment  
Masterplanning  
Mechanical & Electrical Systems  
Mining & Quarrying  
Planning & Feasibility Studies  
Planning & Urban Development  
Ports & Harbours  
Project Management  
Pharmaceuticals  
Quality Management  
Railways  
Regeneration  
Renewable Energy  
Risk Assessment  
Roads and Highways  
Rural Development  
Site Surveys  
Sustainable Development  
Tourism & Leisure  
Training & Technical Assistance  
Transportation Planning  
Urban Development  
Water & Wastewater







# Role of the Environment Agency

- Established in 1996 to protect and improve the environment.
- Within England we're responsible for:
  - regulating major industry and waste
  - treatment of contaminated land
  - water quality and resources
  - Fisheries
  - inland river, estuary and harbour navigations
  - conservation and ecology
- We are also responsible for managing the risk of flooding from main rivers, reservoirs, estuaries and the sea.
- We have offices across England divided into 14 areas





# Regulators Code & Framework

**Regulators' Code** - provides a framework for how we should engage with our regulated customers. It is statutory guidance. The Environment Agency must have follow the code and its requirements within our regulatory work.

**Growth Duty** – requires us and other National Regulators to have regard to the desirability of promoting economic growth alongside our other statutory duties.

**Regulatory Framework** - We work within a regulatory framework which is set out by central government and relevant legislation.

Our role is to implement the regulations, we do have discretion on when, where and how to act. We use our resources to target activities and sites which pose the greatest risk and achieve the best outcomes for people and the environment

# What is not part of our role

The Local Planning Authority normally decides where landfills should be located. Planning permission normally also includes:

- operating life of landfill
- Vehicle movement numbers & traffic movement on highways
- Final landform – shape / height of the completed site
- Operating hours

Local Authority have statutory duties within their authority boundaries including:

- Regulating smaller industrial processes;
- Producing local air quality management plans including monitoring and assessment;
- Statutory nuisance regulations – noise, gas, smoke, dust, odour and pests.

Any questions regarding these issues should be directed to the appropriate authority

# What is not part of our role

## Advice & Guidance on health

At sites we regulate we have a statutory duty to protect the environment and safeguard people's health. However we are not qualified to give health advice

We seek advice and information from health professionals to inform any decisions. When making decisions on the risks from landfills we regulate, we consult Public Health England (PHE), formerly the Health Protection Agency (HPA) and follow their advice and guidance.

**Public Health England (PHE)** - agency of the Department of Health. It provides a technical support service to Government, Government bodies, local authorities and the public.

# Environmental Permits

Permit allows specified activities to be carried out within a prescribed set of conditions, including emissions to air and discharges to water. There are many factors that will determine these conditions including the environmental standards set in European and national legislation

- *Walleys Quarry Landfill site* – Environmental Permit issued on the 9 June 2005 to Lafarge Aggregates Limited. Permit was transferred to Red Industries RM Limited on the 3 November 2016.
- Allows the operation of a Non Hazardous waste landfill with a separate cell for Stable Non-Reactive Hazardous Waste (gypsum and asbestos). The operator has never used a separate cell and therefore (SNRHW) are not accepted.
- The total quantity of waste allowed is currently 250,000 tonnes per year. Non Hazardous waste includes municipal and industrial wastes.
- The permit is a public register document

# Activities & Monitoring



Schedule 3 – Emissions and monitoring

Table S3.1 Leachate level limits and monitoring requirements			
Monitoring point reference/Description	Limit	Monitoring frequency	Monitoring method
Leachate monitoring wells in Cells 1 and 2 as shown on drawing number 1164.06 (dated 16/08/11).	S3 in ADO 2m below the level of the surrounding groundwater during the post-closure period	Monthly	As specified in Environment Agency Guidance TON22 (February 2003) or such other subsequent guidance as may be agreed in writing with the Environment Agency, or as otherwise agreed with the Agency as part of a leachate monitoring plan.
Leachate monitoring wells in Cells 3 and 4 as shown on drawing number 1164.06 (dated 16/08/11).	1m above the surface of the basal soil during the operational phase 2m below the level of the surrounding groundwater during the post-closure period	Monthly	

Table S3.2 Point source emissions to air – emission limits and monitoring requirements						
Emission point Ref. & Location	Parameter	Source	Limit (including unit)	Reference Period	Monitoring Frequency	Monitoring Standard or Method
Visible gas flare or flares at a location to be agreed with the Agency.	Oxides of Nitrogen	Landfill Gas Flares	150 mg/m <sup>3</sup>	Hourly mean	Annually	As per M2 or such other subsequent guidance as may be agreed in writing with the Environment Agency. Monitoring is unnecessary where the flare is active for <10% of the year.
	CO		50 mg/m <sup>3</sup>			
	Total VOCs		10 mg/m <sup>3</sup>			
Landfill gas engines A1, A2 and A3 as shown on Drawing 1896 V&R.06 (dated 12/12/2013).	Oxides of Nitrogen	Gas utilisation plant	500 mg/m <sup>3</sup>	Hourly mean	Annually	As per M2 or such other subsequent guidance as may be agreed in writing with the Environment Agency.
	CO		1400 mg/m <sup>3</sup>			
	Total VOCs		1000 mg/m <sup>3</sup>			
	Fixed gas flare A3 as shown on Drawing 1896 V&R.06 (dated 12/12/2013).	Landfill Gas Flares	150 mg/m <sup>3</sup>	Hourly mean	Annually	
	Oxides of Nitrogen		50 mg/m <sup>3</sup>			As per M2 version 10, October 2004, as such other subsequent guidance as may be agreed in writing with the Environment Agency. Monitoring is unnecessary where the flare is active for <10% of the year.
	CO		50 mg/m <sup>3</sup>			
	Total VOCs		10 mg/m <sup>3</sup>			

Permit number  
SPO/SH047/17

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Table S3.3 Point source emissions to water (other than sewer) – emission limits and monitoring requirements

Emission point Ref. & Location	Parameter	Source	Limit (including unit)	Reference Period	Monitoring Frequency	Monitoring Standard or Method
Discharges to the Silverdale Brook as shown in figure 12 of the working plan	Suspended Solids	surface water and groundwater discharge	50 mg/l		Monthly	Laboratory testing
	Visible oil		none visible		Daily	
	Turbidity (expressed in nephelometric turbidity units)		50		Monthly	
	pH		6-9		Monthly	
	Maximum daily volume of discharge		4,000 cubic metres per day		Daily	
			50 litres per second			
			25 litres a second during flood warnings			

Permit number  
SPO/SH047/17

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Table S3.3 Point source emissions to water (other than sewer) – emission limits and monitoring requirements						
Emission point Ref. & Location	Parameter	Source	Limit (including unit)	Reference Period	Monitoring Frequency	Monitoring Standard or Method
	Ammoniacal Nitrogen expressed as N		No limit set		Weekly	
Discharge 2 to an unnamed tributary of the Silverdale	Suspended Solids	Surface water and groundwater	50 mg/l		Monthly	Laboratory testing

Table S3.4 Groundwater – emission limits and monitoring requirements					
Monitoring point reference	Parameter	Limit (including unit)	Reference Period	Monitoring frequency	Monitoring standard or method
Downstream groundwater monitoring point labeled as "Pumped groundwater discharge in lagdon – groundwater compliance point" on drawing 1896 V&R.06 (dated 12/12/2013).	Ammoniacal nitrogen	0.5mg/l	Spot Sample	Quarterly	As specified in Environment Agency Guidance TON22 Monitoring of Landfill Leachate, Groundwater and Surface Water (February 2003), Horizontal Guidance Note 4 – Environmental Risk Assessment for Landfills, February 2004, and the Environment Agency's Groundwater Monitoring Manual (February 2004).
	Chloride	250mg/l			
	Mercury	0.0001mg/l			

# Variation Application

Variation application received on 12 December 2018 to increase the permitted quantity of waste annually (January to December) from 250,000 tonnes to 300,000 tonnes

Applicant amended the application (13 May 2019) to increase annual tonnage to 400,000 tonnes

- Consultation on application between 24 May 2019 to 20 August 2019.
- Consultation on Draft “minded to issue the variation” decision commenced on 19 August 2020 for 28 days

We will only issue a permit variation if we believe that harm to the environment, people and wildlife will be minimised and that the operator has the ability to meet the conditions of the permit.



# Variation Application

Completion of site – the sites planning permission issued by Staffordshire County council requires waste disposal to cease by 2026. The additional waste could enable the site to be completed sooner, by 2024 (currently waste disposal must be completed by 2026). However this is dependant on the operator accepting the additional waste requested.

Enforcement Position - While the application is being determined we allowed the operator to accept more waste in 2019 than the current permitted limit of 250,000 tonnes subject to appropriate controls. Decisions to allow temporary situations like this are made on a case by case basis in line with our regulatory remit.



# Waste types

## Waste types permitted at Walleys Quarry landfill.

Permit includes approx. 300 non hazardous waste types from different sources (mining, agriculture, wood processing, chemical processes, photographic industry, thermal processes, packaging, construction & demolition, human and animal healthcare, waste management facilities & municipal wastes

## Banned waste

You cannot send certain waste to landfill. This includes:

- any liquid waste – including waste water but excluding sludge
- waste that would be explosive, corrosive, oxidising, flammable or highly flammable in the landfill
- infectious medical or veterinary waste
- chemical substances from research and development whose effects are not known
- whole or shredded used tyres – apart from bicycle tyres and tyres with a diameter of more than 1,400mm

# Non Hazardous waste types accepted 2019

EWC Chapter	2019 (tonnes)
01 - Mine & Quarry	1259
02 - Agriculture & Food	9
03 - Furniture & Paper/Card	130
07 - Organic Chemical Processes	11
08 - Paints and Inks	97
10 - Thermal Processes	9231
11 - Metal Treatment & Coating	11
12 - Shaping Metal/Plastics	303
15 - Packaging	23
16 - Other waste from Industrial processes	1244
17 - Construction and Demolition	50911
18 - Healthcare	953
19 - Water & Waste Treatment	292653
20 - Municipal	4157

# Compliance / Regulation

Compliance process checks whether operators are meeting the requirements set out in the conditions of their permit, process is risk based and planned, with the outcomes recorded on a Compliance Assessment Report (CAR) form which are public register.

Compliance assessments vary in frequency, duration, detail and complexity:

**Site visits:** check compliance with some permit conditions, includes odour assessments off site

**Audits:** More in depth inspection

**Review of report & data:** quarterly and annual monitoring reports, engineering reports, notifications

**Procedure reviews:** review of the operators procedures to ensure they are both adequate and being followed

We record all non compliances, each is given a score. There are 4 risk categories of non-compliance. They represent the severity of the reasonably foreseeable impact, or in the case of amenity conditions, the actual impact. The scores are accumulated during the compliance year and impact the annual charge the operator pays the Environment Agency for the permit.

# Compliance activity at Walleys Quarry

Year	Site Visit	Audit	Procedure Review	Report / Data review	Permit Breaches
2019	21	2	1	15	11
2020 (to 1 <sup>st</sup> Sept)	10	1 (in progress)	2	8	8

Covid-19 restricted compliance assessments during March–June 2020.

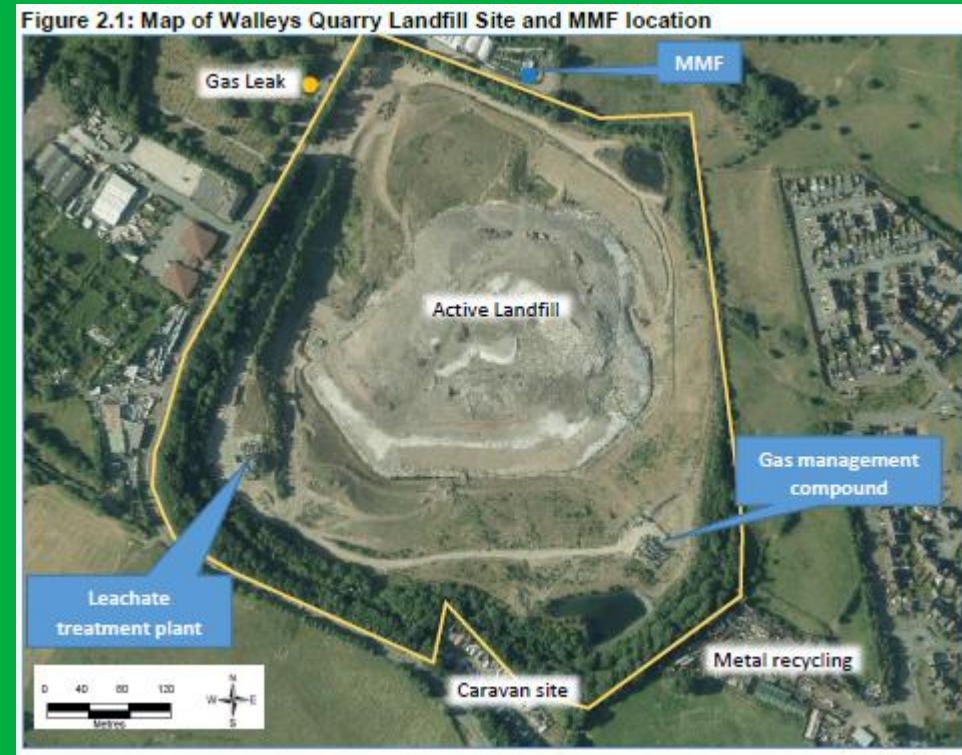
Annual charge funds baseline compliance (1 x Audit, 4 x site visits, 4x Report reviews & 1x Engineering visit)

**Closure of the site** – Landfill is required by planning to achieve a landform. The site must be capped to the required standards to ensure future stability and management of landfill gas leachate and surface water.

After closure and final capping, the environmental permit conditions require the permit holder to complete the monitoring required by conditions and demonstrate that no pollution is occurring.

# Environment Agency Air Quality Monitoring

- Study 1 - 6 July 2017 to 14 February 2018
- Study 2 - 15 January 2019 to 25 June 2019. During this study the wind was towards the monitoring location for 51.6% of the monitoring period



Monitoring reports are public register documents



# Air Quality Monitoring

Continuous monitoring during both exercises – the monitors were not turned off and all data collected is reviewed within the reports.

## Conclusions of Environment Agency report - Study 1

Comparison of the particulate data from the monitoring at Silverdale with the Air Quality Strategy objectives showed that the monitoring location was subject to concentrations that would meet their respective AQS objectives

The hydrogen sulphide data was compared with its World Health Organisation guidelines and was found to be within the specified health limits. Comparison of the data with the guideline for odour annoyance indicated that there were 34 instances during the monitoring period, on 11 separate days where the 30-minute average hydrogen sulphide concentration was greater than  $7\mu\text{g}/\text{m}^3$ . These results suggest that complaints due to odour nuisance from hydrogen sulphide could be expected for less than 1% of the monitoring period.

The highest levels of particulate were seen, not from the direction of the landfill site, but from the direction of residential properties to the south west of the monitoring site.

The highest levels of hydrogen sulphide and methane were seen, not from the direction of the landfill site, but from north of the monitoring site. Slightly lower levels were seen from the direction of the landfill site, which were thought to be emissions from the gas management compound

# Air Quality Monitoring

## Conclusions of Environment Agency report - Study 2

Comparison of the particulate, nitrogen dioxide and benzene data from the monitoring at Silverdale with the Air Quality Strategy objectives showed that the monitoring location was subject to concentrations that would be expected to meet their respective AQS objectives. Toluene, ethylbenzene and m&p-xylenes were found to be below their respective Environmental Assessment Levels.

The hydrogen sulphide and toluene data were compared with their respective World Health Organisation (WHO) guidelines. Toluene was found to be below the specified health and odour limits. Comparison of the hydrogen sulphide data between the 15 January 2019 and 12 February 2019 (28 days) with the WHO guidelines showed that concentrations were below health limits, but exceeded odour limits for 6% of the shorter monitoring period. Comparison of the hydrogen sulphide data between the 28 February 2019 and 25 June 2019 (118 days) with the WHO guidelines showed that concentrations were below health limits but exceeded odour limits for 1% of the monitoring period.

Consideration of the directional sources of hydrogen sulphide and methane suggested that the highest contributing sources were seen from the direction of the landfill site, alongside lower contributing sources.

Consideration of the directional sources of oxides of nitrogen suggested that the highest contributing sources were seen from the direction of the landfill site from the gas management compound, alongside lower contributing sources.



# Response from Public Health England

*“PHE has assessed the environmental air quality data provided by the Environment Agency (EA) (July 2017-February 2018, and January 2019-June 2019) and compared hydrogen sulphide data with the World Health Organisation (WHO) air quality health-based guideline value of 107 ppb as a 24-hour average. We note that these levels are low and would not expect there to be any long-term health consequences. However, due to the low odour threshold of hydrogen sulphide, the EA monitoring data shows a small percentage of periods of exceedance of the WHO short-term odour value of 5 ppb as a 30-minute average; therefore there will have been the potential for significant odour complaints to occur. The unpleasant odour may cause discomfort leading to transient nausea, headaches and dizziness. Odour can be a cause of stress and anxiety, even when the substances causing the odours are not harmful to health at the levels detected at these locations. In addition PHE has not received any analysis regarding site-related odour complaints related to either local meteorological conditions or on-site practices. Please also note the PHE position that living close to a well-managed landfill site does not pose a significant risk to human health*

*(<https://www.gov.uk/government/publications/landfill-sites-impact-on-health-from-emissions>)”.*



Environment  
Agency

# Walleys Quarry Landfill Engineering

As wastes degrade they produce polluting substances known as leachate and landfill gas. If these substances escape in an uncontrolled manner they can cause pollution to the environment or harm to human health.

Landfills are therefore engineered to:

- Contain the waste
- Collect and treat the contaminated water generated (leachate)
- Collect gas generated within the landfill

## 2.5 Landfill Engineering

2.5.1 No construction of any new cell of the landfill shall commence until the operator has submitted construction proposals and the Environment Agency has confirmed that it is satisfied with the construction proposals.

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2.5.2 Where the operator proposes to construct any new cell other than the first cell, but proposes no change from the design of the most recently approved cell which could have any impact on the performance of any element of the design, no construction of the new cell shall commence until the operator has submitted a cell layout drawing and the Environment Agency has confirmed that it is satisfied with the cell layout drawing.

2.5.3 The construction of a new cell shall take place only in accordance with the approved construction proposals unless:

- (a) any change to the approved construction proposals would have no impact on the performance of any element of the design; or
- (b) a change has otherwise been agreed in writing by the Environment Agency.

2.5.4 No disposal of waste shall take place in a new cell until the operator has submitted a CQA Validation Report and the Environment Agency has confirmed that it is satisfied with the CQA Validation Report.

2.5.5 No construction of landfill infrastructure shall commence until the operator has submitted relevant construction proposals or a written request to use previous construction proposals and the Environment Agency has confirmed that it is satisfied with the construction proposals.

2.5.6 The construction of the landfill infrastructure shall take place only in accordance with the approved construction proposals unless:

- (a) any change to the approved construction proposals would have no impact on the performance of any element of the design; or
- (b) a change has otherwise been agreed in writing by the Environment Agency.

2.5.7 The operator shall submit a CQA Validation Report as soon as practicable following the construction of the relevant landfill infrastructure.

2.5.8 Where pollution controls are immediately necessary to prevent an incident or accident, then conditions 2.5.5 and 2.5.6 do not apply and the relevant landfill infrastructure may be constructed, provided that the construction proposals are submitted to the Environment Agency as soon as practicable.

2.5.9 For the purposes of conditions 2.5.1, 2.5.2, 2.5.4 and 2.5.5, the Environment Agency shall be deemed to be satisfied where it has not, within the period of four weeks from the date of receipt of the relevant construction proposals or CQA Validation Report, either:

- (a) confirmed whether or not it is satisfied; or
- (b) informed the operator that it requires further information.

2.5.10 Where the Environment Agency has required further information under condition 2.5.9(b), the Environment Agency shall be deemed to be satisfied where it has not, within the period of four weeks from the date of receipt of the further information, either:

- (a) confirmed whether or not it is satisfied; or
- (b) informed the operator that it requires further information.

# Our Approach to Landfill Engineering

## Desired outcomes:

- The environment is protected by preventing uncontrolled releases of liquids and gases
- Landfills are constructed using methods and materials that are fit for purpose and will provide a stable structure with the expected levels of environmental protection over their design lives
- The construction and operation of landfills is quality assured to high standards

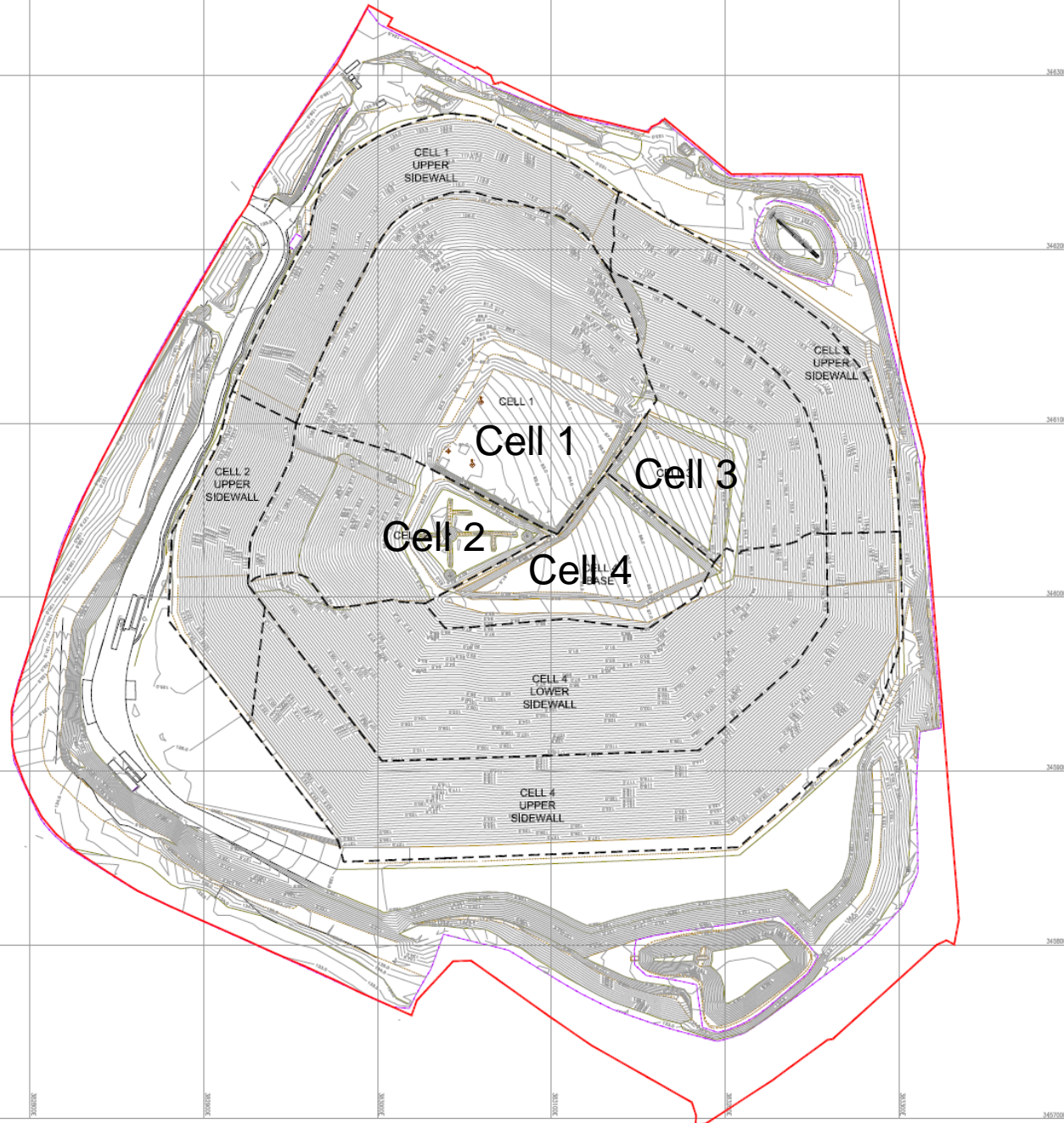
- Construction Quality Assurance (CQA) is a process that is used to ensure that engineering works are undertaken to a high standard
- The CQA Plan details what materials are to be used, what their specifications are and how they are to be installed and tested
- The CQA Report details how the works were undertaken and how the requirements of the specification were met
- The CQA process is overseen by an independent third party CQA Consultant (CQA Project Manager, CQA Engineer, CQA Inspector)

The permit requires all Construction Quality Assurance documents to be submitted to the Agency for review

- No engineering works are allowed to commence until the Agency has confirmed that it is satisfied with the construction proposals (the CQA Plan) and
- Waste cannot be tipped in a new cell until the Agency has confirmed that it is satisfied with the CQA Report.

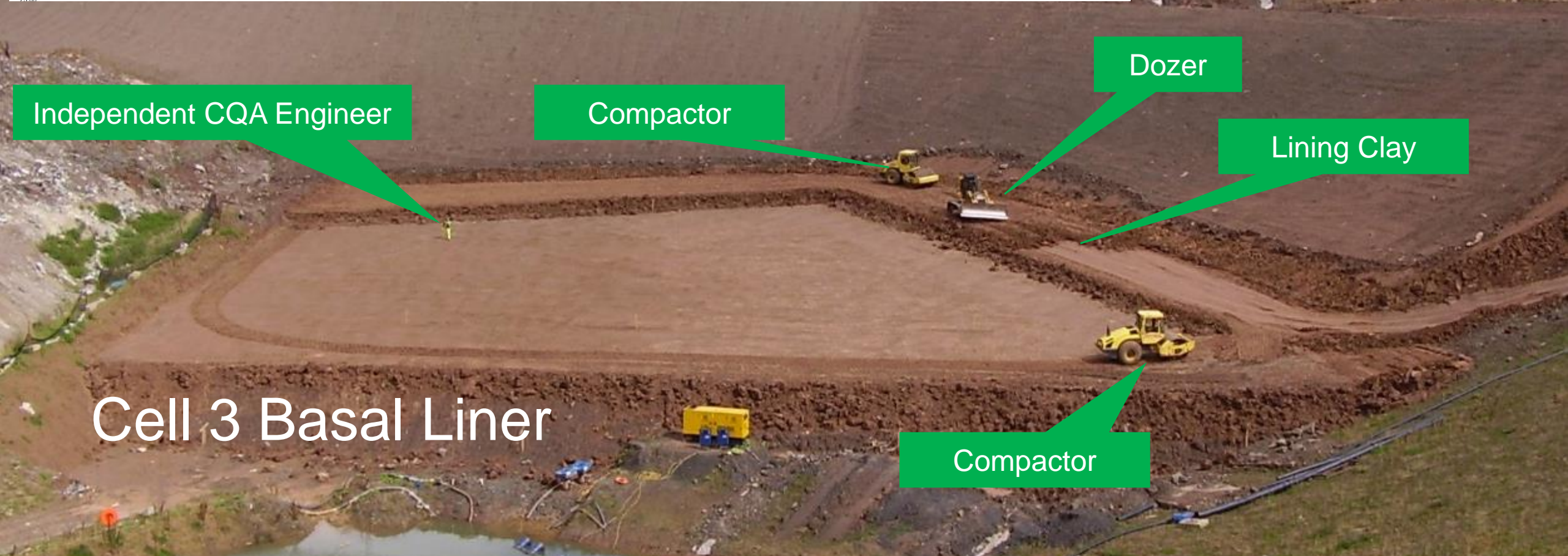
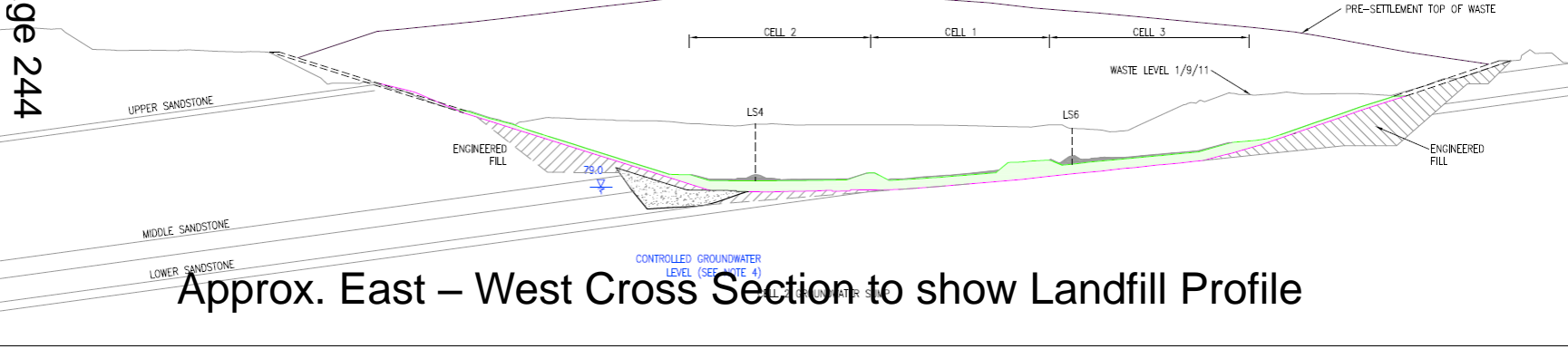


North



- Walleys Quarry Landfill is a former clay quarry and covers an area of approximately 23.5 hectares.
- The site is divided into four distinct areas called cells which are engineered to contain the waste.
- Engineering work for landfill operations commenced in 2006 and waste was first accepted in Cell 1 in January 2007.
- Waste disposal operations have continued progressively in Cells 1, 2 and 3 with Cell 4 becoming operational in 2011.
- Waste has now been deposited in all cells to varying depths and all cells are currently operational and accepting waste.







# Base of Cell 3

Target Pad

Leachate Drainage Aggregate

Leachate Collection Point



Leachate Treatment Plant





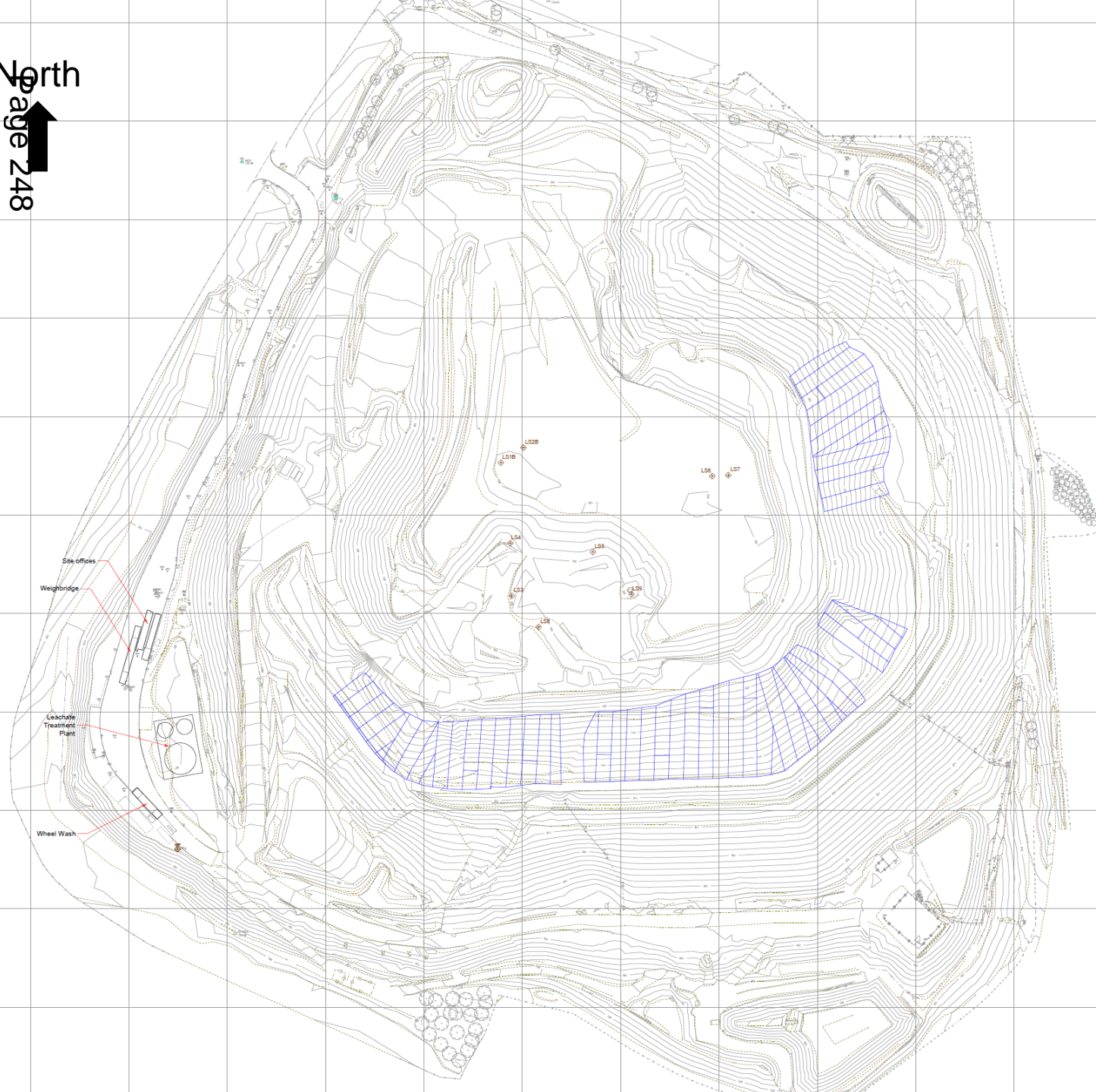


# Engineered Capping

Temporary Geomembrane Capping Installed in 2019







Extent of Temporary  
Geomembrane Capping  
Installed in 2019



# Landfill Gas Compound at Walleys Quarry

The gas utilisation plant at Walleys Quarry Landfill comprises:

- three modern spark ignition engines
- an enclosed high calorific gas flare with a capacity of 2000 m<sup>3</sup>/h
- a 200 m<sup>3</sup>/h mobile flare.

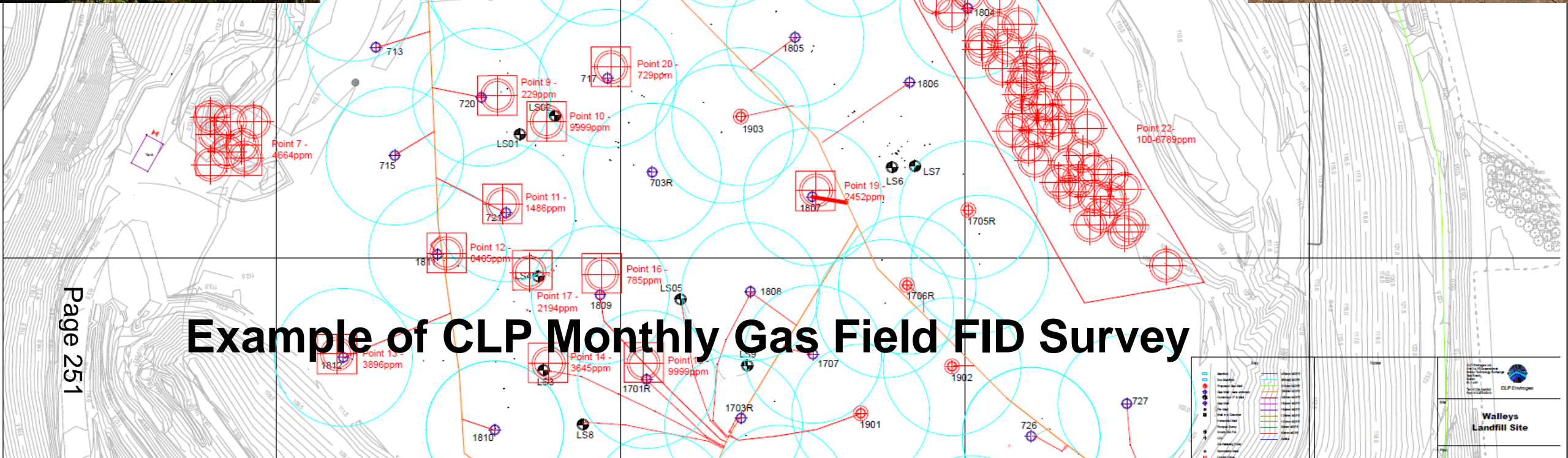
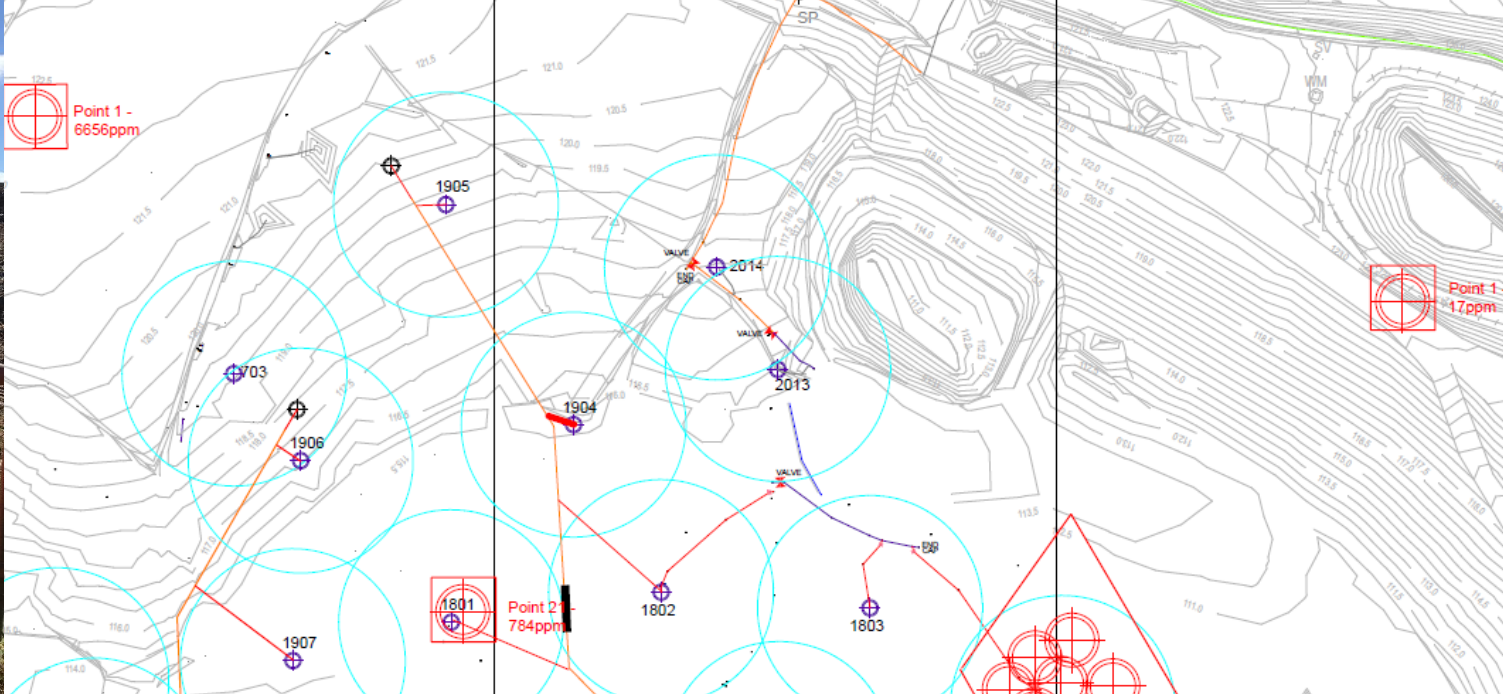
## 2.9 Landfill gas management

- 2.9.1 The operator shall take appropriate measures, including, but not limited to, those specified in any approved landfill gas management plan, to:
- (a) collect landfill gas; and
  - (b) control the migration of landfill gas.
- 2.9.2 The operator shall use the collected landfill gas to produce energy. If the collected landfill gas cannot be used to produce energy, the operator shall use appropriate measures to flare or treat the gas in accordance with an approved landfill gas management plan.
- 2.9.3 The operator shall:
- (a) if notified by the Environment Agency, submit to the Environment Agency for approval within the period specified, a revised landfill gas management plan;
  - (b) implement the revised landfill gas management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.










# Example of CLP Monthly Gas Field FID Survey

MONTHLY GAS FIELD MONITORING SHEET														CLP ENVIROGAS									
Site:		Walleys						Weather Conditions:						Overcast						<div> CLP Envirogas</div>			
Date:		24/03/2020																					
Name:								Temperature °C:						12									
Equipment Used :		GA5000																					
Serial No :		G506634						Total Gas Flow m³/h:						2680									
Last Calibration Date :		18/03/2020																					
Calibration Due Date :		07/09/2020						Total Power Setting kW:						2130kw + Large Flare									
1	2	3	4	5	6	7	8													9	10	11	12
ID	Date/Time	CH <sub>4</sub> %	CO <sub>2</sub> %	O <sub>2</sub> %	BALANCE %	RESIDUAL NITROGEN %	RELATIVE PRESSURE mb	ATMOSPHERIC PRESSURE mb	CO ppm	H <sub>2</sub> S ppm	VELOCITY m/s	FLOW m³/h	METHANE FLOW m³/hr	VALVE POSITION %	COMMENTS			WEATHER	TECHNICIANS NAME	STATION LOAD kW	ENGINES ONLINE	FLARES ONLINE	
COMPOUND	02/03/2020 08:35	56.2	43	0.6	0.2	0	-110.8	973	56	1585	11.6	2562	1439.8	100				Overcast		2130	2		
WALGW726	03/03/2020 10:09	72.8	25.2	0.6	1.3	0	-83.1	986	78	521	0.8	7	5	10				Overcast		2130	2		
WALL1902	03/03/2020 10:12	54.2	39.5	0.4	5.8	4.2	-68.3	984	29	669	18.6	159.3	86.5	70				Overcast		2130	2		
WAL1706R	03/03/2020 10:17	62	44.5	0.5	0	0	-44.3	0	87	594	27	231.6	143.5	80				Overcast		2130	2		
WALL1705R	03/03/2020 10:20	48.4	38.5	2	11	3.4	-21.3	984	65	334	12.1	104.8	50.7	30				Overcast		2130	2		
WALL1807	03/03/2020 10:23	64.5	43.5	0.5	0	0	-77.5	984	54	209	8.5	72.6	46.8	90				Overcast		2130	2		
WAL_LW06	03/03/2020 10:26	17.7	11.1	15.1	55.7	0	-0.4	984	34	153	2.7	23.8	4.2	5				Overcast		2130	2		
WALLPN12	03/03/2020 10:28	40.5	44.5	0.5	14.3	12.5	-0.4	984	78	1946	0.1	1.1	0.4	10				Overcast		2130	2		
WALLPN01	03/03/2020 10:30	57.7	42.9	0.3	0	0	-4.6	984	65	941	3.5	0	0	10				Overcast		2130	2		
WALL1806	03/03/2020 10:32	66	42.2	0.4	0	0	-79.6	984	88	231	4.5	39.4	26	70				Overcast		2130	2		
WALL1804	03/03/2020 10:34	70.5	40.5	0.3	0	0	-71.9	984	67	266	0	0	0	20				Overcast		2130	2		
WALLPN02	03/03/2020 10:36	59.7	49.2	0.4	0	0	-2.6	984	77	696	0	0	0	10				Overcast		2130	2		
WALLPN03	03/03/2020 10:37	62.5	46.2	0.5	0	0	-68.9	984	87	776	2	0	0	10				Overcast		2130	2		
WALL1805	03/03/2020 10:39	66.8	43.5	0.5	0	0	-77.4	984	84	224	10.8	93.9	62.7	80				Overcast		2130	2		
WALL1903	03/03/2020 10:44	50	38.7	2.5	8.6	0	-0.5	984	43	101	0	0	0	5				Overcast		2130	2		
WALLPN04	03/03/2020 10:46	49	41.4	1.6	7.9	1.8	-6	985	62	538	1.2	0	0	10				Overcast		2130	2		
WALLPN13	03/03/2020 10:48	54.9	40.7	0.4	4	2.4	-3.4	984	76	926	0.4	3.7	2	10				Overcast		2130	2		
WALL1802	03/03/2020 10:49	63.9	42.5	0.3	0	0	-79.4	985	32	265	7	60	38.3	90				Overcast		2130	2		
WALL1904	03/03/2020 10:52	53.4	42.7	0.5	3.4	1.5	-41.3	984	37	329	14.8	127.9	68.2	50				Overcast		2130	2		
WALL1905	03/03/2020 10:55	44.5	38.2	0.5	16.6	14.7	-62.7	985	41	441	7.5	64	28.5	50				Overcast		2130	2		
WALL2005	03/03/2020 10:58	50.5	37.5	0.4	11.5	9.9	-11.9	985	18	37	8.3	72.4	36.5	20				Overcast		2130	2		
WALL2004	03/03/2020 10:59	48.5	41.5	0.4	9.3	7.8	-9.6	985	21	177	10.1	87.5	42.5	30				Overcast		2130	2		
WALL2003	03/03/2020 11:02	69.5	46	0.4	0	0	-13.8	985	41	385	13.6	116.5	81	30				Overcast		2130	2		
WALL2002	03/03/2020 11:04	53	39.2	0.5	7	5.2	-21.2	985	15	179	15.8	135.6	72	40				Overcast		2130	2		
WALL1906	03/03/2020 11:06	46.5	37.7	0.3	15.5	14.3	-33.6	985	15	171	24.3	209.5	97.4	60				Overcast		2130	2		
WALL1907	03/03/2020 11:08	63.5	45	0.5	0	0	-50.3	985	54	324	25.6	220.1	139.9	100				Overcast		2130	2		
WALGW720	03/03/2020 11:12	70.4	43.5	0.1	0	0	-72.3	985	64	204	6.3	53.7	37.8	90				Overcast		2130	2		
WAL_LW01	03/03/2020 11:14	68	38.2	0.4	0	0	-73.9	985	43	70	2.7	25.1	17	20				Overcast		2130	2		
WALL703R	03/03/2020 11:15	67	44.9	0.3	0	0	-59.2	985	32	185	10.5	90	60.2	50				Overcast		2130	2		
WALLPN17	03/03/2020 11:17	52.2	40.5	0.6	6.5	4.3	-3.9	985	67	593	0.6	5.3	2.7	10				Overcast		2130	2		
WALGW721	03/03/2020 11:20	66.4	38.7	0.4	0	0	-73	985	38	42	1.6	14	9.2	20				Overcast		2130	2		
WALLPN18	03/03/2020 11:22	34.7	32.5	0.6	32	29.8	-0.6	985	56	538	0	0	0	10				Overcast		2130	2		
WALLPN19	03/03/2020 11:23	0.3	0.2	21.1	78.4	0	-0.3	985	42	195	0	0	0	0				Overcast		2130	2		
WALL1811	03/03/2020 11:25	64.9	41	0.4	0	0	-72	985	27	162	2.5	22	14.2	30				Overcast		2130	2		
WALL2001	03/03/2020 11:27	67.8	40.5	0.4	0	0	-24.7	985	32	203	18	154.3	104.6	40				Overcast		2130	2		
WALLPN20	03/03/2020 11:29	49.7	39.5	0.6	9.8	7.2	-14.9	985	52	404	0	0	0	10				Overcast		2130	2		
WALL1810	03/03/2020 11:31	62.7	41.7	0.4	0	0	-57.2	985	34	384	21.2	182.3	114.5	80				Overcast		2130	2		
WALL1808	03/03/2020 11:34	57.7	44	0.3	0	0	-51.5	985	18	178	7.9	67.5	39	40				Overcast		2130	2		
WALL703R	03/03/2020 11:36	54	39.7	0.5	5.5	3.7	-59.1	985	28	132	19.5	167.1	90.4	60				Overcast		2130	2		
WALL1901	03/03/2020 11:38	60.5	41.7	0.4	0	0	-41.7	985	43	612	0	0	0	30				Overcast		2130	2		
WALLPN21	03/03/2020 11:40	48.7	45	0.6	5.5	2.8	-0.2	986	67	541	0	0	0	10				Overcast		2130	2		
WAL_LW05	03/03/2020 11:42	7.9	4.8	19.2	68	0	-0.9	986	75	71	0	0	0	5				Overcast		2130	2		
WALL1701R	03/03/2020 11:43	56.5	45.4	0.4	0	0	-75.8	986	89	399	9.3	80.9	45.7	80				Overcast		2130	2		
WALL1809	03/03/2020 11:45	59.2	41.2	0.5	0	0	-75.6	986	65	322	7.5	64.9	38.4	70				Overcast		2130	2		
WAL01702	03/03/2020 11:51	0.8	1	20	78	2.5	-6.7	986	80	94	0	0	0	0				Overcast		2130	2		
WAL01704	03/03/2020 11:51	0.3	0.3	21.2	78	0	-0.2	987	53	41	0	0	0	0				Overcast		2130	2		
WALL2005	03/03/2020 13:34	49.9	37	0.3	12.6	11.5	-12	987	64	70	8.6	74.1	37	40				Overcast		2130	2		
WALL2003	03/03/2020 13:37	68.1	45.5	0.3	0	0	-13.7	987	98	314	15	128.6	87.7	50				Overcast		2130	2		
WALL2001	03/03/2020 13:41	67.3	40.2	0	0	0	-24.6	987	43	222	19.5	167.3	112.5	50				Overcast		2130	2		



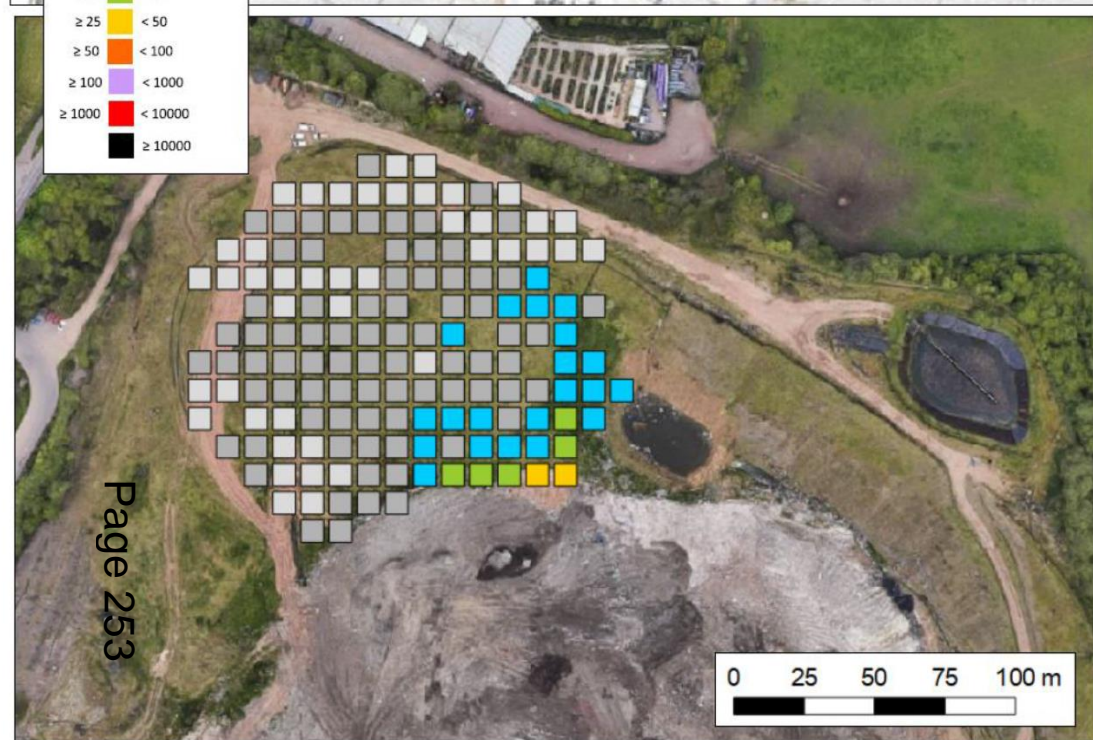
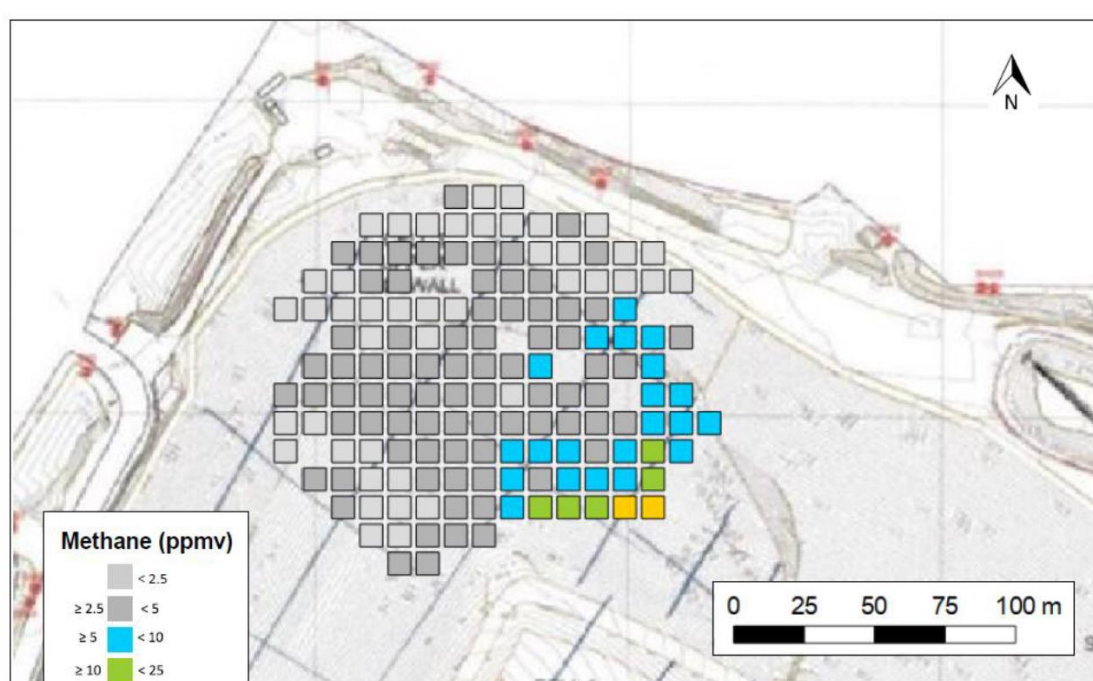


Table S3.8 Landfill gas emissions from capped surfaces for cells that have accepted non hazardous biodegradable waste – monitoring requirements			
Monitoring point Ref. /description	Parameter	Monitoring frequency	Monitoring Standard or method
Permanently capped zone	Methane concentration	Every 12 months	As per LFTGN 07 (v2 2010) or such other subsequent guidance as may be agreed in writing with the Environment Agency.
Temporarily capped zone	Methane concentration	Every 12 months	As per LFTGN 07 (v2 2010) or such other subsequent guidance as may be agreed in writing with the Environment Agency.
Whole site	Total methane emission	As agreed with the Environment Agency	As per LFTGN 07 (v2 2010) or such other subsequent guidance as may be agreed in writing with the Environment Agency.

Permit number  
EPR/BR0677/IT

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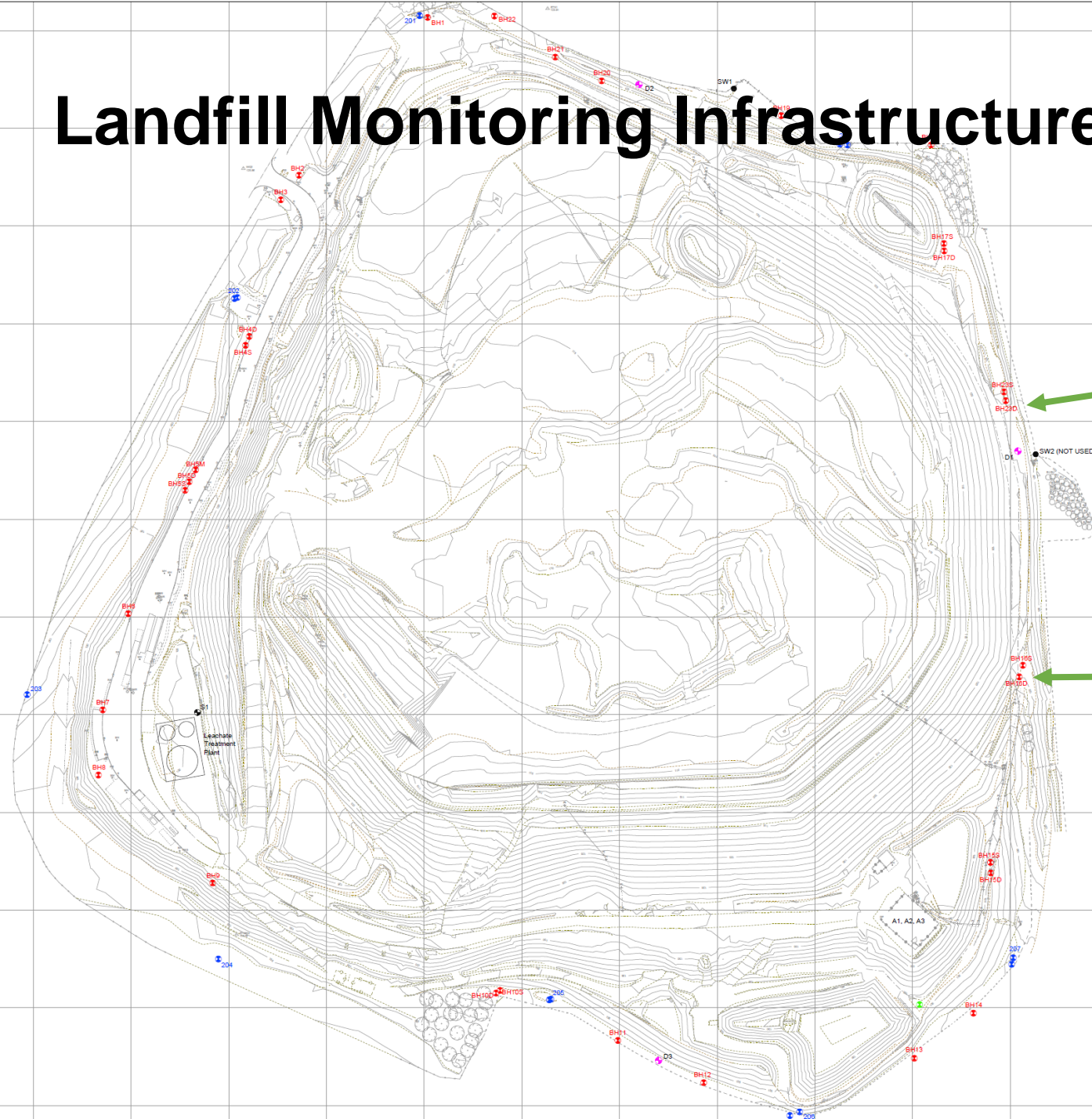
Table S3.8 Landfill gas emissions from capped surfaces for cells that have accepted non hazardous biodegradable waste – monitoring requirements			
Monitoring point Ref. /description	Parameter	Monitoring frequency	Monitoring Standard or method
Uncapped areas	Methane concentration	Every 12 months	As agreed with the Environment Agency based on the wording of revised LFTGN 07 or landfill sector guidance or such other subsequent guidance as may be agreed in writing with the Environment Agency.

# Surface Emissions Monitoring





# Landfill Monitoring Infrastructure



- Notes
1. Survey information provided by Red Industries Limited.
  2. All levels in metres Above Ordnance Datum Newlyn.
  3. Do not scale from this drawing.
  4. Any anomalies on this drawing should be brought to the attention of Egniol Environmental Ltd.
  5. Key
- Existing gas monitoring borehole.
  - Existing groundwater monitoring borehole.
  - SW Surface water monitoring point.
  - Dust monitoring point.
  - Groundwater compliance point.
  - Emission point to sewer.

A	BH9 Added	JB	DW	DW	13/03/20
Rev	Modification	By	Chk	App	Date

Red Industries Ltd.

Walleys Quarry Landfill Site

Monitoring 7 Extraction Point Plan  
Part 2: External Points

Drawn by	Checked by	Approved by
GOJR	AC	AC
Date	Scale @ A1	Revision
24.01.2017	1:1000	A

Status: Final

Drawing Number: 5883.GA.D03



Monitoring Borehole

Monitoring Borehole



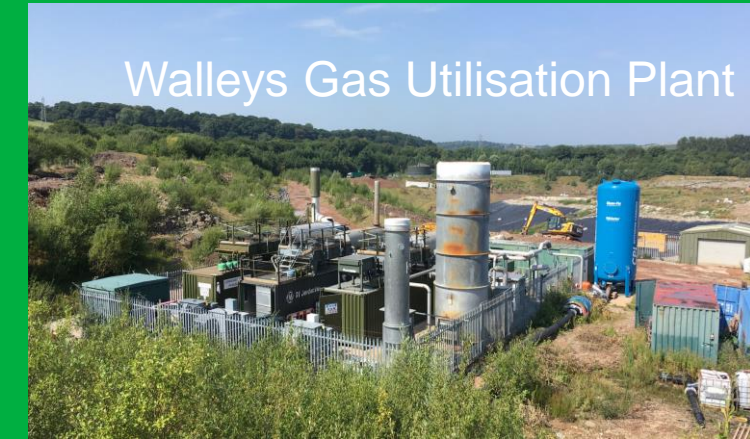
# Engineering for Odour Control

## Controlling emissions of landfill gas from:

- lateral migration
- active tipping area
- uncapped active cells
- capped areas
- leaks & failures in gas collection system



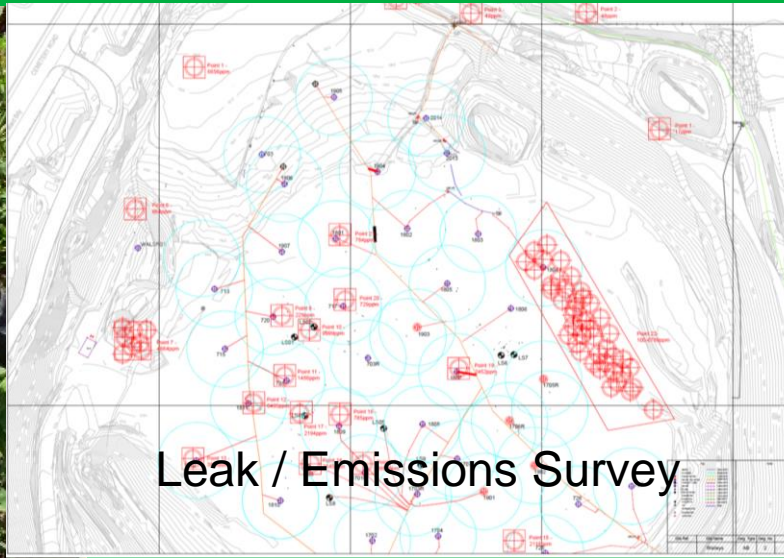
Temporary Capping



Walley's Gas Utilisation Plant



Air tight / sealed leachate wells



Leak / Emissions Survey



Well covered temporary waste flanks

# Amenity Nuisance Issues

Environment Agency Officers carry out regular odour monitoring tours in the vicinity of Walleys Quarry landfill site, the monitoring tours can be undertaken at any time of the day ranging from early in the morning to late at night. Since July 2020 we have completed 18 odour tours and detected odours during on 11 occasions but not at a level to be in breach of the permit.

When Officers undertake odour tours they also record whether there are issues with:

- Mud on the Road
- Whether there is any dust nuisance from the landfill.
- They record whether there birds flying above the site or perching on adjacent buildings
- The Environmental Permit requires the site operator to use management systems to prevent or at least minimise environmental impact from the site regarding the above potential nuisance issues



# Odour Monitoring Tours

- Odour tours are conducted at a number of locations, and we take into account recent complaints to ensure these locations are included in the tour.
- When officers have detected landfill type odours during a tour they record the type of odour, for example whether its a gassy smell or a smell of fresh or rotting waste. The officer gives it an odour strength rating ranging from 0:No odour to 6: Extremely strong odour.
- As part of our odour assessment work the Agency has also undertaken on site monitoring with a portable hand held laser, a Geotech TDL 500. The laser is specifically calibrated to detect methane, rather than general flammable gases, at parts per million levels. This meter helps us determine whether landfill gas, escaping from the site could be causing a odour..

# Odour Tours continued:

- The Officer also records the location of the odour, wind direction, weather conditions and whether the odour is constant or intermittent
- The TDL Monitor



# Odour Tours during Covid 19

- During the Covid 19 period the Environment Agency continued to carry out odour tours. We carry out the tours strictly in line with Government Covid19 guidance.
- Our odour tours are determined by the location and frequency of the complaints, and after the tour the Environment Agency contacts the Walleys Quarry landfill site operator with the findings. Officers can also visit the site after a tour to meet the operator.
- The Environment Agency requires the operator to manage odours on site in accordance with its 'Odour Management Plan, which requires the operator to carry out investigations into any odour we detected during the odour tour, and report back to us.
- The operator is required to use Best Available Technique (BAT) to manage the site to ensure that its waste operations on site prevent or at least minimise odour potential.

# Working with Partner Organisations

The Environment Agency shares the information it gathers from Odour Tours with other partner organisations, for example; when Officers detect a non-landfill type odour they inform Newcastle-under-Lyme Borough Council, this allows them to carry their own investigation in the area.

The Environment Agency hold regular telecoms with its partner organisations and we attend and inform others at site liaison meetings.

We continually review and update information through Community Links and on SharePoint to ensure that our customers receive up-to-date information. Where appropriate the Environment Agency can also distributes information via email and post to its customers.

# Odour tours are Important

Odour tours allow the Environment Agency as a regulator to gather information on odours in the vicinity of Walleys Quarry landfill site and to ensure that the site operator complies with its Environment Permit.

It is important that our customers report any odours that affect their daily lives by using the Environment Agency incident Hotline 0800 807060.

With all complaints the Environment Agency will provide feedback to complainants who request it. We never give away complainants details.

As Covid 19 restrictions are eased, and where appropriate the Environment Agency intends to resume offering to meet complainants face to face at the earliest opportunity, at the location of the odour complaint to assess impact.



# Mud on the Highway

- All landfill sites have the potential to cause nuisance with vehicles using the site leaving mud deposits at the site entrance and on the highway. At Walleys Quarry there are a number of measures in place to minimise nuisance from mud and comply with the requirements of the permit
- Vehicles using the site must go through the wheel wash facility before leaving the site.





# Mud on the Highway continued:

- The site has a long exit road which helps dry vehicles after they have been through the wheel wash, before they leave the site.



# Mud on the Highway continued:

The use of the concrete waste transfer unloading pad also minimises vehicles travelling on muddy site roads.



The operator uses a road sweeper to keep the site entrance and adjacent highway clean.



# Dust Nuisance:

- The operator is required to know when potentially dusty waste loads arrive on site. This enables the operator to handle dusty loads to specifically minimise nuisance.
- Dusty waste is carefully handled and covered over as quickly as possible.
- The operator uses an onsite water bowser to damp down dust on site roads and the working area during dry weather.
- Vehicle speed restrictions are used on site to minimise dust disturbance from vehicle movements.

# Nuisance from Birds

During the operational life of the Walleys Quarry landfill site, the Environment Agency has received public complaints regarding birds from the site, usually gulls.

- The operator is required to deploy the method detailed in its Pest Management Plan, to deter birds staying on site, and scavenging on the waste.
- We accept that birds can cause nuisance to surrounding properties, by flying over buildings, perching on house roofs and can cause fouling nuisance to buildings, pavements and cars.
- The Environment Agency works with its partner organisations, to help achieve a co-ordinate approach for bird control, to minimise nuisance off site.



# Nuisance from Birds cont:

Current bird control measure used on the site include the use of 'bangers', birds of prey and ensuring that waste is properly covered as quickly as possible.

The operator varies control measures to stop the birds becoming familiar with the control techniques.

In June 2020 the Environment Agency carried out an audit review of the operators management system procedures used to control birds on site.

We produced an inspection report which made a number of recommendations to further improve bird control measure on the Walleys Quarry landfill site. The operator has incorporated these recommendations into their procedures





# Incident Reporting

The Environment Agency takes each incident report it receives very seriously and we will investigate incidents reports as a regulator to achieve the best outcome.

It is important that our customers contact us on the Environment Agency free phone Incident Hotline (**0800 807060**) as soon as they experience odours that effect their daily lives, this helps us make the right response.

The Incident Hotline operates 24 hours a day, 7 days a week. We always request that reports are made to the incident line and not directly to an Environment Agency Officer. This ensures that they are picked up when the site Officer is on leave or out of the office for example

# Incidents Reporting cont:

The incident reporter can request feedback, which when requested will usually be provided within 10 days. If feedback is not requested we do not usually contact the incident reportere.

Reports received on our Incident Hotline are passes to the Duty Officer within 30 minutes. The only exception ito this is overnight, when odour complaints are normally passed to an Officer in the morning.

The operator is informed about all incident reports, but we don't release personal data so they cannot identify the reporters.

The operator is required to investigate the incident reports and to advise us of any resulting changes to their operations.

# Communication & Engagement

- Attend liaison meeting (quarterly)
- Community Newsletter – distributed to members of public
- Citizen space information page – external web page
- Landfill Frequently Asked Questions (FAQ's)
- Respond to written enquiries, request for information and complaints (email [Enquiries\\_Westmids@environment-agency.gov.uk](mailto:Enquiries_Westmids@environment-agency.gov.uk))

Walley's Quarry Landfill Site, Cemetery Road, Silverdale, Newcastle under Lyme ST56DH

## Overview

Walley's Quarry Landfill Site, Cemetery Road, Silverdale, Newcastle under Lyme ST56DH

### Coronavirus: The Environment Agency response

We are working hard with Government and other emergency responders on protecting the public and the environment from the effects of Coronavirus. The Environment Agency remains fully operational, with the majority of our staff working from home. We continue to carry out regulatory visits to sites that could cause serious environmental harm where required. However, we are reducing regulatory visits to other sites and review how best to regulate them in accordance with the Government guidance.

## Site Details

The Environment Agency regulates two environmental permits held by Red Industries to operate a waste facility at Walleys Quarry. One permit for the landfill site and one permit for the soil treatment facility.

Walleys Quarry Landfill site – We issued an Environmental Permit for Walleys Quarry's Landfill site on 9 June 2005 to Lafarge Aggregates Limited. The permit was transferred to Red Industries RM Limited on 3 November 2016.

Closes 3 Feb 2021

Opened 3 Feb 2020

### Contact

[Engagement\\_WestMids@environment-agency.gov.uk](mailto:Engagement_WestMids@environment-agency.gov.uk)

- <https://consult.environment-agency.gov.uk/west-midlands/walleys-quarry-landfill-silverdale/>

<b>Date/Time First Reported</b>	<b>Notification Details</b>
08/01/2020 17:00	odour
08/01/2020 19:29	odour
10/01/2020 06:27	odour
10/01/2020 09:13	odour
12/01/2020 12:33	odour
17/01/2020 10:17	odour
19/01/2020 11:30	odour
19/01/2020 12:33	odour
20/01/2020 07:18	odour
20/01/2020 07:45	odour
20/01/2020 08:14	odour
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22/01/2020 16:56	odour
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29/01/2020 14:58	odour
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31/01/2020 17:28	odour
03/02/2020 07:42	odour
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05/02/2020 15:49	odour
05/02/2020 15:52	Seagulls
05/02/2020 17:32	Noise
05/02/2020 17:57	Odour
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05/02/2020 19:54	Odour
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05/02/2020 22:10	Odour
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05/02/2020 22:36	Odour
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25/02/2020 08:13	odour
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15/09/2020 11:20	odour
15/09/2020 11:28	odour
15/09/2020 11:45	odour
15/09/2020 12:06	odour
15/09/2020 12:08	odour
15/09/2020 12:13	odour
15/09/2020 12:26	odour
15/09/2020 12:41	odour



15/09/2020 13:52	odour
15/09/2020 15:31	odour
15/09/2020 16:54	odour
15/09/2020 16:54	odour
15/09/2020 17:06	odour
15/09/2020 17:09	odour
15/09/2020 17:13	odour
15/09/2020 17:30	odour
15/09/2020 17:36	odour
15/09/2020 17:42	odour
15/09/2020 17:43	odour
15/09/2020 17:53	odour
15/09/2020 17:55	odour
15/09/2020 17:54	odour
15/09/2020 17:56	odour
15/09/2020 18:03	odour
15/09/2020 18:10	odour
15/09/2020 18:43	odour
15/09/2020 18:56	odour
15/09/2020 19:31	odour
15/09/2020 19:37	odour
15/09/2020 19:56	odour
15/09/2020 20:18	odour
15/09/2020 19:59	odour
15/09/2020 21:04	odour
15/09/2020 21:04	odour
15/09/2020 21:15	odour
15/09/2020 21:19	odour
15/09/2020 12:13	odour
15/09/2020 22:07	odour
15/09/2020 22:16	odour
16/09/2020 03:16	odour
16/09/2020 07:56	Dust
16/09/2020 08:22	odour
16/09/2020 08:23	odour
16/09/2020 09:55	odour
16/09/2020 10:03	odour
16/09/2020 10:45	odour
16/09/2020 15:49	odour
16/09/2020 16:05	odour
16/09/2020 16:37	odour
16/09/2020 21:35	odour
17/09/2020 09:09	odour
17/09/2020 09:30	odour
17/09/2020 13:47	odour
17/09/2020 14:00	Dust
17/09/2020 14:36	odour
17/09/2020 15:10	Dust
17/09/2020 15:10	odour
17/09/2020 15:16	odour
17/09/2020 15:31	odour
17/09/2020 15:41	odour
17/09/2020 15:42	Dust

17/09/2020 15:45	noise
17/09/2020 15:54	odour
17/09/2020 17:43	odour
17/09/2020 18:33	odour
18/09/2020 00:09	odour
18/09/2020 06:55	odour
18/09/2020 07:03	odour
18/09/2020 07:44	odour
18/09/2020 08:34	odour
18/09/2020 09:03	odour
18/09/2020 13:49	odour
19/09/2020 19:57	odour
20/09/2020 09:00	odour
20/09/2020 21:06	odour
20/09/2020 21:29	odour
20/09/2020 23:16	odour
21/09/2020 03:30	odour
21/09/2020 06:11	odour
21/09/2020 06:40	odour
21/09/2020 07:08	odour
21/09/2020 07:17	odour
21/09/2020 07:24	odour
21/09/2020 07:27	odour
21/09/2020 07:35	odour
21/09/2020 07:53	odour
21/09/2020 08:17	odour
21/09/2020 08:37	odour
21/09/2020 08:49	odour
21/09/2020 09:09	odour
21/09/2020 09:19	odour
21/09/2020 10:07	odour
21/09/2020 10:10	odour
21/09/2020 10:20	odour
21/09/2020 11:16	odour
21/09/2020 12:10	odour
21/09/2020 12:21	odour
21/09/2020 16:36	odour
21/09/2020 19:01	odour
21/09/2020 19:33	odour
21/09/2020 19:40	odour
21/09/2020 20:01	odour
21/09/2020 20:46	odour
21/09/2020 21:02	odour
21/09/2020 21:25	odour
21/09/2020 21:54	odour
21/09/2020 21:54	odour
21/09/2020 22:00	odour
21/09/2020 22:11	odour
21/09/2020 22:12	odour
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21/09/2020 22:33	Dust

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22/09/2020 06:11	odour
22/09/2020 06:48	odour
22/09/2020 07:52	odour
22/09/2020 07:59	odour
22/09/2020 08:10	odour
22/09/2020 08:06	odour
22/09/2020 08:07	odour
22/09/2020 08:10	odour
22/09/2020 08:19	odour
22/09/2020 08:26	odour
22/09/2020 08:28	odour
22/09/2020 09:11	odour
22/09/2020 09:15	odour
22/09/2020 09:17	odour
22/09/2020 09:23	odour
22/09/2020 07:30	odour
22/09/2020 09:52	odour
22/09/2020 09:56	odour
22/09/2020 10:52	odour
22/09/2020 11:57	odour
22/09/2020 13:12	odour
22/09/2020 14:49	odour
22/09/2020 20:01	odour
22/09/2020 20:33	odour
23/09/2020 09:23	odour
23/09/2020 15:39	odour
23/09/2020 16:44	odour
23/09/2020 19:13	odour
23/09/2020 19:58	odour
24/09/2020 01:36	odour
24/09/2020 09:34	odour
24/09/2020 18:05	odour
24/09/2020 20:05	odour
24/09/2020 20:05	odour
24/09/2020 20:18	odour
24/09/2020 21:33	odour
24/09/2020 22:21	odour
25/09/2020 10:25	odour
27/09/2020 19:12	odour
27/09/2020 19:41	odour
27/09/2020 22:11	odour
27/09/2020 22:50	odour
28/09/2020 04:05	odour
28/09/2020 04:22	odour
28/09/2020 06:39	odour
28/09/2020 06:59	odour
28/09/2020 07:24	odour
28/09/2020 07:49	odour

28/09/2020 08:12	odour
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28/09/2020 09:28	odour
28/09/2020 09:33	odour
28/09/2020 09:50	odour
28/09/2020 10:22	odour
28/09/2020 10:34	odour
28/09/2020 11:19	odour
28/09/2020 11:56	odour
28/09/2020 12:05	odour
28/09/2020 12:47	odour
29/09/2020 10:09	odour
29/09/2020 17:17	odour
29/09/2020 17:19	odour
29/09/2020 17:19	odour
29/09/2020 17:28	odour
29/09/2020 18:32	odour
29/09/2020 19:09	odour
29/09/2020 20:17	odour
29/09/2020 20:49	odour

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### Odour assessments from July 2020

Date	Time	Findings
02-07-2020	13:30 to 15:30	<p>During the odour tour we both detected intermittent landfill gas type and waste type odours in the gusting wind at the former entrance to the old Hamptons scrap yard, this was particularly noticeable at 14:20hrs which we rated at a 3 to 4 strength (distinct to strong odour). We also detected the same types of odour at Gadwall Croft particular at 14:25hrs rated at 2 odour strength (faint odour).</p> <p>Officer detected intermittent landfill gas type odours on Orme Road between 15:09 and 15:20hrs, rated at 1 to 2 odour strength (very faint to faint odour).</p> <p>The wind was blowing in a direction from the site towards the above locations at the times when odour was detected.</p> <p>Officer also recorded waste vehicles parked in the layby opposite to the Walleys Quarry site entrance, two large 'Yull and Dodds' bulk waste vehicles were seen at 15:15hrs, shortly before that, a Wilshee waste vehicle had been parked in the layby.</p> <p>(2 officers – remained within cars)</p>
07-07-2020	10:30 to 11:30	<p>No landfill type odours were detected during the tour, the weather was very wet with a light wind blowing from the South West.</p> <p>Officer did note that muddy rain water was gathering at the bottom of Silverdale traffic lights, however it was hard to determine to what extent / if any, site operations were contributing to this.</p> <p>(remained within car)</p>
09-07-2020 (2 officers)	13:30 to 15:00	<p>At 13:30hrs to 13:50hrs approximately, the officers both detected a constant waste type and landfill gas type odour outside the site entrance, at Maries Way and along Cemetery Road towards the roundabout, they rated this at an odour intensity of 3-4 (distinct to strong odour).</p> <p>At 14:15hrs to 14:37hrs approximately, the officers again picked up the same odours at the above locations rating it at 2-3 odour intensity (faint to distinct odour).</p>

		<p>Officers observed the road sweeper in use, although some slight highway staining from the site was still evident.</p> <p>The wind was blowing from NNE throughout the tour.</p> <p>(2 officers remained within cars)</p>
14-07-2020	10:45 to 11:30	<p>Officer detected a landfill type odour of waste whilst at the entrance to the former Hamptons Scrap Yard, Galingale View, Gadwell Croft and Barnacle Place. I rated the odour at 1 to 2 and it appear to be in the air. There was a gentle wind blowing which was in the direction of NNE changing too SSE, your on-site weather station will better clarify the direction. Temperature was recorded at 14c</p> <p>(remained within car)</p>
16-07-2020	12:00 to 12:45	<p>Officer detected a landfill type odour of waste whilst at Galingale View and Gadwell Croft (the entrance to Hamptons former scrap yard was blocked by a parked Travis Perkins lorry). At 12:15hrs I rated the odour at 1 to 2 and it appear to be in the air. There was a gentle wind blowing which was in the direction of South East East. Temperature was recorded at 15c.</p> <p>When officer returned to Galingale and Gadwall at 12:45pm the same odour was still detected, officer rated it as a definite 2 odour intensity.</p> <p>(remained within car)</p>
29-7-2020	09:40 to 10:30	<p>An off-site odour tour was undertaken prior to site visit. No odour detected at locations visited</p> <p>Assessments at Gadwell Croft and Hamptons to Gallingle View were completed with the landfill manager who was already in the area completing odour assessments. It was noted there were a small number of birds (approx 20 in total) on the roofs of 8 properties. The birds were on the roofs (with one exception) of properties with accommodation in the lofts.</p> <p>On arrival at the site there was no mud or debris noted on the highway outside of the site entrance.</p>
31-07-2020	10:00 to 11:00	<p>Officer noted odour as follows:</p> <p>10:00-10:10 Garners Garden centre car park - transient landfill gas and waste odour, intensity 2.</p> <p>10:18-10:22 Maries Way - transient landfill gas odour, intensity 1-2.</p> <p>10:30-10:34 Mill Street - transient landfill waste odour, intensity 1.</p>

		<p>10:54-11:00 Cemetery Road (from the layby opposite the site entrance to the cemetery entrance) – persistent landfill gas and waste odour, intensity 1-3 varying with the breeze.</p> <p>The weather was dry, sunny and hot, the temperature was between 23.5 and 25.5c. There was a light occasionally gusty breeze coming from the South East.</p> <p>(remained within car)</p>
12-08-2020	09:35 to 11:00	<p>Off-site odour tour undertaken prior to site inspection. No odours detected other than a very faint fresh waste odour detected for a short section along Cemetery Road between Maries Way and the old garage. The odour was transient and rated at 1 to 2 out of 6.</p> <p>On arrival at the site there was no mud or debris noted on the highway outside of the site entrance or along the internal haul road.</p>
19-08-2020	09:45 to 10:30	<p>An off-site odour tour was undertaken prior to site visit</p> <p>Odour described as fresh waste was detected (2/6) at 9:50am at the Lay-by on Cemetery Road adjacent to the Walleys Quarry site entrance. A similar odour was detected in the car park of the adjacent garden centre at 10:30 am</p> <p>Photos of a lorry parked within the lay-by on Cemetery road and a second on the corner of Cemetery Road (near Park Road) were sent to the site manager prior to the visit at approximately 10.15 am. The movement of vehicles on the public highway does not form part of the Environmental Permit. Operator responded quickly to the messages and the drivers were moved on.</p> <p>On arrival at the site the weather was mild with light rain, the rain increased during the visit. There was no mud or debris noted on the highway outside of the site entrance or along the internal haul road as we arrived and left the site</p>
31-08-2020	17:30 to 18:30	<p>Officer detected a sickly, gassy landfill type odour at the junction of Maries Way, at Walleys Quarry site entrance and the entrance to Gardener Garden Centre at 17:55hrs, 18:00hrs and again at 18:16hrs.</p> <p>Officer rated the odour at a constant 3, and it appeared to be in the air. There was a very light wind in the direction of North North West. Temperature was recorded at 14c.</p>

		(remained within car)
31-08-2020	21:00 to 22:00hrs	<p>Officer didn't detect any odours at the junction of Maries Way, at Walleys Quarry site entrance and the entrance to Gardener Garden Centre, during this later tour.</p> <p>However officer did detect pockets of a gassy landfill odour in the vicinity of Gadwall Croft, Barnacle Place and Greylag Gate I rated the odour at a constant 1 to 2.</p> <p>Officer also detected an odour at the junction of Acacia Avenue/ B5368, it was hard to determine the type of odour, slightly gassy, damp possibly, officer rated this odour at 1 and officer made a note of this as we often receive complaints from the Malham Road area.</p> <p>The air felt still, the weather data recorded a very light wind in the direction of North North West. Temperature was recorded at 9.5c.</p>
01-09-2020	22:45 to 23:30	<p>On my journey there at 10:48hrs officer did detect a wall of gassy odour in the vicinity of the Tesco Express on the Keele Road, at the junctions to Dene Side and Whitfield Ave, officer uncertain of the source type and rated it at 1 to 2 in nuisance strength.</p> <p>At 10:50hrs officer detected a constant sickly gas/ waste type odour at Gadwell Croft and along Barnacle Place, rated at 2 to 3, the air appeared still, temperature 11c.</p> <p>At 23:10hrs officer detected a gassy/ waste type odour at Halfway Place, rated at 2, air still, temperature 11c.</p> <p>Officer returned to Gadwell Croft and Barnacle Place at 23:15 hrs and detected the same sickly odour, rated at 2 to 3, the air appeared still, although the same odour could also now be detected on Galingale View.</p> <p>At Orme Road a very slight gassy odour was noticeable, rated at 1 to 2, still air, 11c.</p> <p>On my return journey the odour officer had detected earlier on the Keele Road near Tesco appeared to have gone.</p> <p>No odours were picked up at any other location, however officer did record a P22 Logistics trailer (no tractor unit or registration number) parked in the layby opposite the Walleys Quarry site entrance during my tour.</p>

		The BBC weather site recorded a very slight wind in a North North West direction during my tour, although to me the air felt still.
03-09-2020	21:30 to 22:30	<p>Officer detected along Barnacle Place at 21:30hrs a very slight stale landfill type odour which I rated at 1 to 2, officer returned at 21:40 and the odour had disappeared.</p> <p>At the Race Course location officer detected a slight fresh cut grass type of odour, and possibly a very slight new paint odour.</p> <p>At 22:10hrs on Halfway Place officer detected a very slight landfill waste type odour, rated this at 1 to 2, and noted that remaining stationary in my car was difficult due to traffic congestion on Halfway Place.</p> <p>I recorded a temperature of 14c, and the light wind was blowing towards NNE according to the BBC Weather App.</p>
09-09-2020	09:15 to 10:30	<p>An off-site odour tour was undertaken prior to site visit. No odour detected at locations visited</p> <p>On arrival at the site the weather was warm with a light wind &amp; some stronger short gusts. There was no mud or debris noted on the highway outside of the site entrance or along the internal haul road as we arrived and left the site.</p>
14-09-2020	12:10 to 13:05	<p>Officer did detect a very slight gassy landfill type odour in the vicinity of Malham Road South and Downham Road at 12:40hrs, rated this at 1 to 2 odour strength. The same odour was also detectable on Brook Way and at the junction of Church View, again very slight 1 to at most 2. There was a very light wind blowing towards the North, temperature was recorded at 22c.</p> <p>Officer didn't detect any landfill odours at the other locations visited, but noted that there were strong 'cooking food' smells in the vicinity of Snowgoose Way and Racecourse.</p> <p>Also officer did record noticeable traffic fumes at various locations during the tour.</p>
16-09-2020	07:25 to 09:50	On arrival the weather was noted as cool, misty and still. No odours were detected other than a faint, localised waste and possible gas type odour in the vicinity of former Hamptons scrap yard. The odour was transient and rated at 1 to 2 out of 6.

		<p>Upon completion of the above tour a return visit was made to the former Hamptons Scrap yard at approximately 08:30hrs to recheck the odours detected earlier. A very faint transient waste odour was detected in the vicinity of the traffic lights at the junction of Keele Road and the entrance to the former scrap yard. Again, this odour was transient and rated at 1 to 2 out of 6.</p> <p>Freshly cut grass noted in Howard Place. The early morning mist had started to clear at this point with the sun starting to break through. A northerly breeze was now noticable.</p>
17-09-2020	08:51 to 10:03.	<p>Officer detected landfill gas initially then fresh waste at Cemetery Road (from Garners entrance up to the junction with Park Road) rated 3/6. 08:52 odour noted whilst driving in the car with the windows down.</p> <p>Keele Road – 1/6 – Cut grass 09:20 Odour noted at traffic lights junction with Galingale View estate          Maries Way – 1-3/6 – Landfill gas and waste 09:22-09:26 Transient odour          Racecourse – 1/6 – Landfill gas and waste - 09:30-09:33          Earls Street – 1/6 – Landfill gas and waste - 09:35-09:37          Abbey Street – 1/6 – Slightly gassy, predominantly waste 09:38-09:40 Transient odour          Maries Way – 1-2/6 – Slightly gassy, predominantly waste, 09:47-10:03 Odour became less strong whilst I was there</p>





# **SCRUTINY REVIEW WORKING PARTY - WALLEY'S QUARRY 25<sup>TH</sup> NOVEMBER 2020**

**Presentation by Environmental Health –  
Newcastle under Lyme Borough Council**

- Darren Walters (Environmental Protection Team Manager)
- Nesta Barker (Head of Environmental Health)

- 1. Environmental Health Role**
  - 2. Environmental Protection Act 1990**
  - 3. How we investigate complaints**
  - 4. Complaints data**
  - 5. Air Quality Standards**
-

# 1. Environmental Health Role

- Consultee to the county council as waste planning authority on planning matters relating to the landfill
- Consultee to the Environment Agency on environmental permit applications
- Consultee to the NULBC on planning matters surrounding the landfill
- Liaison with Public Health England on health matters
- Member of Walley's Landfill liaison committee
- Liaison with key stakeholders
- Investigation and resolution of statutory nuisances
- Local Air Quality Management



# 1. Environmental Health Role

- **Consultee to the county council as waste planning authority on planning matters relating to the landfill.**
    - 1996 Initial planning application to use quarry as a landfill – Objection on adverse impact on community (Permission granted on appeal by Secretary of State)
    - 2013 ROMP application. Requested a number of updated planning conditions in recognition of Persimmons development on boundary
  - **Consultee to the Environment Agency on environmental permit applications**
    - Initial permit application – Objection on community impact grounds
    - 2019 permit variation application to increase waste tonnage to 400k tonnes p.a.– Documents reviewed and objection on a number of technical grounds including odour impact prompted updated info
    - 2020 permit decision consultation – Objection on odour grounds – sought assurance that there would be no worsening of existing situation for surrounding community
  - **Consultee to the NULBC on planning matters surrounding the landfill**
    - Persimmons Estate – Keele Road
    - Hamptons Field Keele Road – Objected on odour grounds (Subsequent refusal of planning permission by LPA overturned on appeal – odour adequately controlled via EA permit)
-

# 1. Environmental Health Role

## Liaison with Public Health England on health matters

*“.....from analysis of health syndromic surveillance data for the period up to December 2019, PHE has no evidence of an increase in GP consultations or calls to NHS 111 by the neighbouring population for symptoms of breathing difficulties or eye problems, and similarly for GP in-hours consultations for asthma and wheeze. If residents have health concerns they are advised to consult their local GP. PHE continues to support the EA and local stakeholders with community engagement and will review any other potential health effects in light of further monitoring information supplied.”*

*“The human nose is very sensitive to odours and often detects odorous chemicals at concentrations in air which pose no risk to health, however odours can be unpleasant and affect wellbeing. Many substances that are perceived as odorous are usually present at levels below which there is a direct toxicological effect. Odours can cause a nuisance to the population possibly leading to stress and anxiety. **Some people may experience symptoms such as nausea, headaches or dizziness as a reaction to odours even when the substances that cause those smells are themselves not harmful to health.** The PHE position is that living close to a well-managed landfill site does not pose a significant risk to human health (<https://www.gov.uk/government/publications/landfill-sites-impact-on-health-from-emissions>).”*

**(Source email from PHE 14/02/2020)**

# **1. Environmental Health Role**

- **Member of Walley's Landfill Liaison Committee**

Have attended quarterly meetings since site opened - Minutes available at <https://www.redindustries.co.uk/walleys-landfill-community/>

- **Liaison with key stakeholders**

Discuss issues with EA, Staffs County Council, RED, Community Group, Residents and business's

- **Signposting and Notification**

Officers are out and about in the community. Where matters are identified which fall within the remit of others these will be reported to site and appropriate regulator e.g. Mud and debris on road, odours not affecting homes or business, gull's, dust, cover, litter.

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## 2. Environmental Protection Act 1990, Part III

STATUTORY NUISANCE
Noise & Vibration
Dust
Light
Odour
Insects
Fumes & Gases

Impact upon the use and enjoyment of property (homes and workplaces) - NOT driving by the site/ public areas

**MUST** serve an Abatement Notice where a statutory nuisance is identified or considered likely

Abatement Notice can  
**ABATE || PROHIBIT || RESTRICT || SPECIFY WORKS**

Abatement Notice can be appealed  
**Not a nuisance || Defect informality || Error || Unreasonable**

**Use of the 'BEST PRACTICABLE MEANS' as defence**

Magistrates Court can  
**Cancel || Quash || Vary**

**THE COUNCIL CANNOT REQUIRE CLOSURE OF SITE OR CESSATION OF ACTIVITIES**

## 2. Environmental Protection Act 1990, Part III

### 'BEST PRACTICABLE MEANS' ( Environmental Protection Act 1990 - section 79(9))

This is defined as having regard;

- to local conditions and circumstances
- to the current state of technical knowledge
- to the financial implications; (e.g. EA requirements and technical guidance for the operation of a landfill)
- the means to be employed include the design, installation, maintenance and manner and periods of operation of plant and machinery, and the design, construction and maintenance of buildings and structures

'Best Practicable Means'

- is only to apply so far as compatible with any duty imposed by law; (This would include conditions relating to the Permit)
- is to apply only so far as compatible with safety and safe working conditions, and with the exigencies of any emergency or unforeseeable circumstances

**CONSENT FROM THE SECRETARY OF STATE IS REQUIRED TO PROSECUTE FOR BREACH OF AN ABATEMENT NOTICE**

**BEST PRACTICABLE MEANS IS ULTIMATELY A DECISION OF THE COURT.**

**COUNCIL CANNOT DETERMINE THAT BEST PRACTICABLE MEANS EXISTS AND USE THIS AS A REASON NOT TO SERVE AN ABATEMENT NOTICE.**

### 3. How we Investigate Complaints

ONLINE	<a href="http://www.Newcastle-staffs.gov.uk">www.Newcastle-staffs.gov.uk</a>	Click the link on the home page to report Walleys Quarry Concerns
BY PHONE	01782 717 717	(Monday – Friday 08:30am to 17:00pm)

- Residents can report all matters, odour, noise, gulls, mud
- Online complaint can be made 24/7
- Aim to provide a response to complaints reported as happening now and falling within the remit of the Council during working hours (Monday to Friday, 9am to 5pm).
- For complaints out of hours officers will be on call during a typical period when we would expect to receive significant complaints (winter time)
- Real time notification of complaints to landfill and EA from 20/02/20(personal information not shared).

### 3 How we Investigate Complaints

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  - Real time notification of complaints to landfill and EA from 20/02/20(personal information not shared).
-

# 3. How we Investigate Complaints

**We take account of case law, guidance and standards in determining a nuisance**

**DEFRA Odour Guidance for Local Authorities** (Although withdrawn provides useful information to support an investigation and assessment) [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/645286/pb13554-local-auth-guidance-100326.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/645286/pb13554-local-auth-guidance-100326.pdf)

**Interaction between Environmental Permitting and local authorities' statutory nuisance duties September 2017**  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/646373/epr-statutory-nuisance-sept-2017.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/646373/epr-statutory-nuisance-sept-2017.pdf)

**Environmental permitting: H4 odour management** - <https://www.gov.uk/government/publications/environmental-permitting-h4-odour-management>

**Guidance on Odour Assessment for Planning** - <https://iaqm.co.uk/text/guidance/odour-guidance-2014.pdf>

**Gov.Uk** <https://www.gov.uk/guidance/nuisance-smells-how-councils-deal-with-complaints>

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## 3 How we Investigate Complaints

- Visits to people at home / workplace during day. Out of hours – to coincide with peak period.
- Officers trained and experienced – scheme of delegation.

Statutory Nuisance: Need to consider and evidence material interference with reasonable use and enjoyment of property This includes Frequency, Duration, Effects, Character of area, Time of day,

Odour is typically characterise according to 5 'FIDOL' factors:

**F**requency – How often the exposure occurs

**I**ntensity – The perception of strength of the odour according to the VDI 0-6 scale

**D**uration – Length of odour event or length of time exposed

**O**ffensiveness – Hedonic tone (Pleasant, neutral, unpleasant)

**L**ocation – Type of receptor – residential most sensitive

Engage and give an opinion / answer questions, acknowledge concerns. We are transparent in our assessment.

**ENFORCEMENT ACTION IS EVIDENCED BASED  
A DECISION TO SERVE AN ABATEMENT NOTICE MUST MEET ALL THE NECESSARY LEGAL TESTS**

Instrumentation not used – odour contains many chemical components. Nose is sensitive to a wide range, particularly sulphurous odour. Portable devices typically measure PPM, and designed to measure the concentration of a particular chemical and concerned with safety. We are interested in odour which can be detected at PPB and whether a statutory nuisance.

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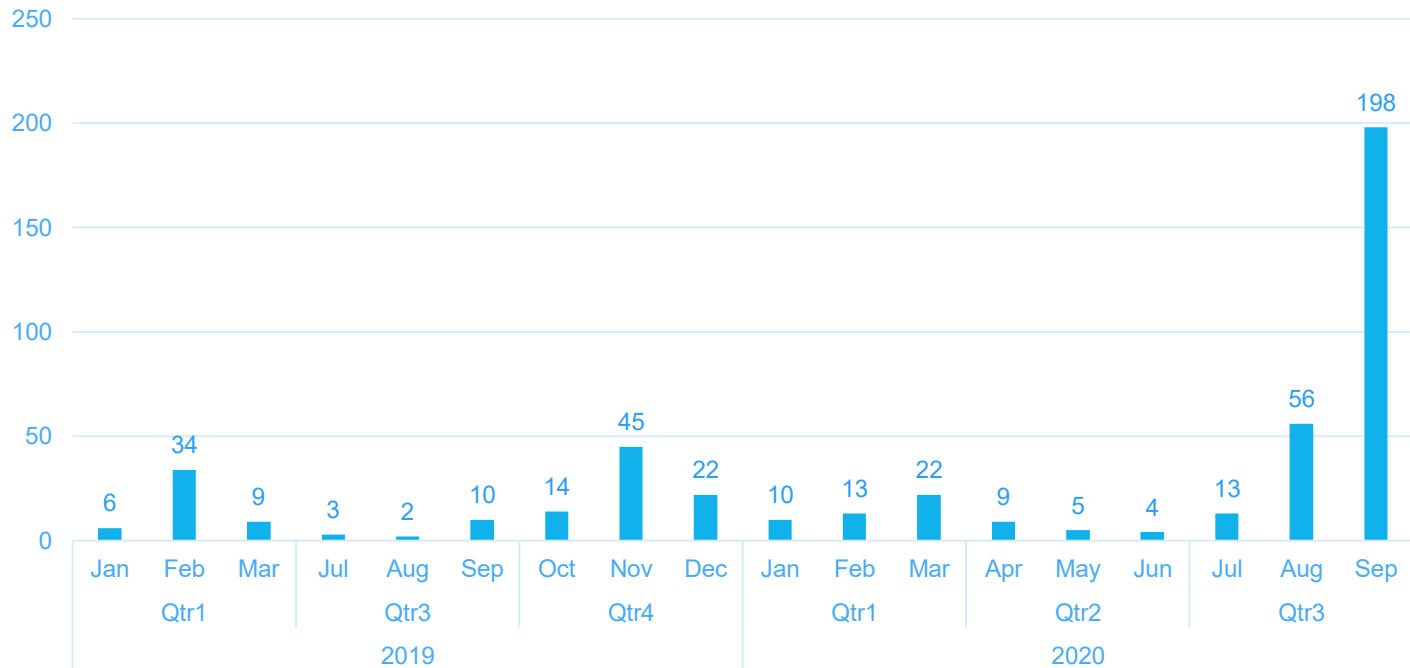


Newcastle under Lyme Borough Council  
Environmental Health Division

Odour investigation form	Date	Time	Duration on site
Address	Officer	Case Ref APP /	LAREF RPO /
Met Data <a href="https://www.metoffice.gov.uk/weather/observations/gcoms/qsmg">https://www.metoffice.gov.uk/weather/observations/gcoms/qsmg</a>			
Weather conditions (dry, rain, fog, snow etc): Wind strength (none, light, steady, strong, gusting) Wind direction (e.g. from NE)		Temperature (very warm, warm, mild, cold, or degrees if known)	
Where is the odour at the address?			
Odour description			
Constant or Intermittent			
Intensity Rating *			
Receptor Sensitivity *			
Effects reported by client at time of visit			
Officer Comments			
Source identified? How?			

<b>Intensity</b>	4 Strong odour	<b>Receptor sensitivity</b>
0 No odour	5 Very strong odour	Low (e.g. footpath, road)
1 Very faint odour	6 Extremely strong odour	Medium (e.g. industrial or commercial workplaces)
2 Faint odour		High (e.g. housing, pub/hotel etc)
3 Distinct odour	Ref: German Standard VDI 3882, Part 14	

# Walleys Quarry Landfill - Complaints to Newcastle under Lyme Borough Council by month Jan 2019 to September 2020



Number of complaints	496
Number rating odour	186
0 – No odour	5
1 - Very faint odour	1
2 – Faint Odour	2
3 – Distinct Odour	8
4 –Strong Odour	30
5 – very strong odour	35
6 – Extremely strong odour	105

Where affected	
Public Place	58
Home	309
not specified	115
Road	2
Outdoors	2
Cemetery	4
home / public place	53

1. When affected	
Bedroom	2
Night	6
Indoors	282
Outdoors	2
indoor / outdoors	163
not specified	120

From description of complaints – a significant number reporting issues at home during the evening and night – Looking to provide an investigation resource subject to Covid restrictions.

31 complaints responded to during working hours in 2019-20 (visit to homes and workplaces) – majority no odour present at time of visit

# 5 Air Quality Standards

## Particulate Matter

Comes from a number of sources – industry, transport, combustion, dust, agriculture

### 2020 Monitoring Network Data

Gravimetric PM10 Daily >50ugm3			
	Number of exceedances	Maximum PM10 ug/m3	(maximum number of allowed exceedances is 35 per annum)
Stoke on Trent (A50 Roadside at Meir)	1	51	
Warrington	1	53	
Note: One location in London exceeded the annual allowance in 2019			

Gravimetric Daily PM2.5 Annual Mean >25ug/m3			
	Number of exceedances	Maximum PM2.5 ug/m3	Data Capture
Stoke on Trent (A50 Roadside at Meir)	0	7	96.9%
Warrington	0	8	94.9%
Note: all sites in London met EU requirement in 2019 for PM2.5			
Current UK standards based on EU requirements. Government currently considering whether to adopt a more stringent 10 µg m-3 target for PM2.5 based on WHO criteria.			

## 6. Future Work

- Continue to respond to complaints
- Provision of a resource to witness complaints out of hours
- Take appropriate action
- Assess future developments on site and around the area and provide appropriate comments
- Work with others

# **SCRUTINY REVIEW WORKING PARTY - WALLEY'S QUARRY 18<sup>TH</sup> NOVEMBER 2020**

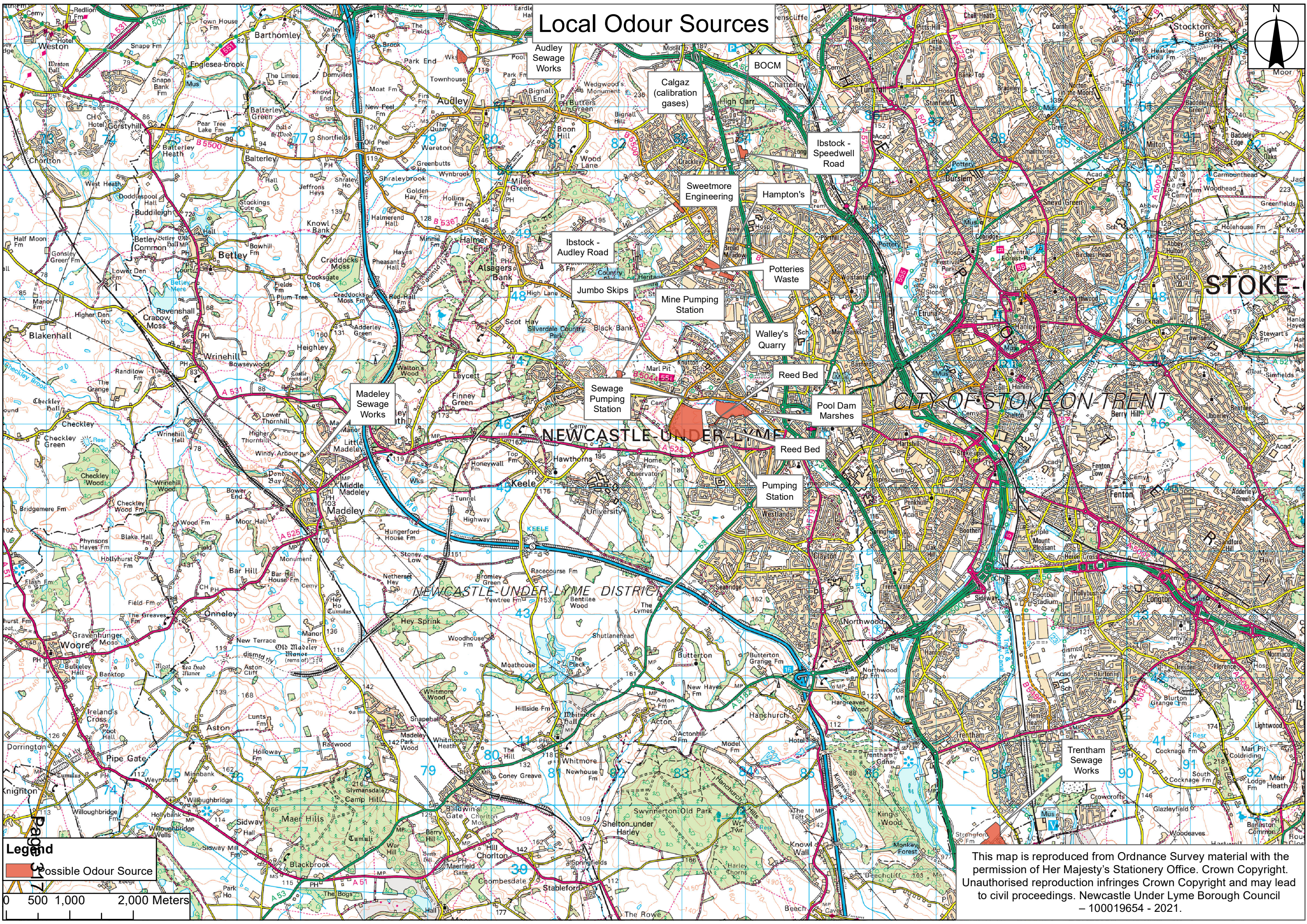
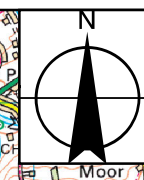
## **Questions?**

**Presentation by Environmental Health –  
Newcastle under Lyme Borough Council**

- Darren Walters (Environmental Protection Team Manager)
  - Nesta Barker (Head of Environmental Health)
-



# Local Odour Sources



**Legend**  
Possible Odour Source

0 500 1,000 2,000 Meters

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## Walley's Quarry Liaison Committee

### Background

The Liaison Committee (LC) was formed in 2007 following the start of landfill operations at Walley's Quarry.

One of the local County Councillors historically chairs the LC.

Its remit is set down in a legal condition of the planning application for the site, which requires the operator (currently RED industries) to:

- Arrange and service meetings, providing a venue and assuring the minutes are published.
- To hold meetings of the LC quarterly (but no less than twice a year) and;
- That meetings are not open to the public (though members of the public have been allowed to attend in the past by agreement of the operator).

The purpose of the LC, as again set out in the legal planning condition, is to provide a forum for an exchange of information and a method of communication with the local community via the local representatives.

The LC can make recommendations to the operator or the EA (and has done so in the past) but has no executive power to act or to request records or information that the operator deems commercially confidential.

### Who attends?

Again, attendance is stipulated in the planning condition and includes:

- Representatives from the operator.
- The two local County Councillors and the four local Newcastle Borough Councillors.

- Local Parish Council's, Resident Groups and up to three local residents appointed at the discretion of the operator.
- Any relevant officers from both Staffordshire County Council and Newcastle Borough Council - for example in Planning and Environmental Health (EHOs).
- Representatives of the Environment Agency (EA).

The Agenda and Minutes for each LC meeting are published on the operator's website (<https://www.redindustries.co.uk/walleys-landfill-community>) and involve a detailed site update from the operator, updates from EA, the Borough Council's Environmental Health and Staffordshire County Council's Planning.

There is also a forum for attendees on behalf of the community to ask questions of the operator and EA.

#### Recent history and recommendations from LC

Following major issues of odour in the area, particularly in 2013, 2015, resulted in action being taken by the previous operator of the site (Lafarge Aggregates Limited) including site layout changes, odour masking measures and latterly a large cash investment in leachate treatment plant onside - as opposed to it being stored and then transported off site.

Following the recent upsurge in odours since 2018, LC members pressed for air quality sensors to be installed and challenge the EA over their siting to have the best effect of picking up any odours.

The LC has encouraged the operator to engage with residents in the area, which led to Newsletters being published and delivered to households with details on how to complain about odours in the local area.

#### Since lockdown

The April meeting was cancelled at the start of lockdown.

Requests have been submitted on 2 occasion since for a virtual meeting but no response has yet been received from the operator.

The next meeting of the LC is due in September.

#### Public perception of the LC

Because of the clear constraints of the planning condition, the LC is often seen as a 'talking shop' and because it is not a public meeting it is sometimes claimed that 'things are being kept secret' when they are not.

I and other members of the LC can report that there is often heated debates and always robust challenges, particularly of the EA who ultimately have the powers to investigate and take action.

#### Highway issues associated to with Walleys Quarry

Many highway issues particularly around the entrance to the landfill in Cemetery Road are being looked into by Staffordshire County Council, and Cllr Jones and myself as the local County Councillors for the area, have asked highway offices to work on a solution to address the road safety issues caused by lorry movements and 'parking up'.

**Cllr Simon Tagg**

County Councillor for Westlands & Thistleberry

12<sup>th</sup> August 2020

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**SCRUTINY PANEL REVIEW OF WALLEY'S QUARRY LANDFILL SITE QUESTIONS TO LOCAL COMMUNITY GROUPS**

NAME **Henryk Adamczuk** REPRESENTING **Silverdale Parish Council**

- 1 How many people does your group represent?

**Silverdale Parish Council 5,000 residents living in 2,700 households and 100 businesses.**

- 2 What is the geographical area covered by your group?

**Silverdale Parish (coterminous with the Silverdale Ward Boundary).**

- 3 What topics would you like to speak to the Panel on?

**3.1 Red Industries' relationship with the Environment Agency in 2019 to allow the maximum tonnage to increase to 400,000 temporarily and whether this decision pre-empts the current variation application.**

**3.2 Red Industries Liaison Committee's role and applicability of additional scientific and Public Health expertise to help it work better.**

**3.3 Public Relations generally with Red Industries; 'believing' the complainants and their staff unwilling to attend public meetings.**

**3.4 Whether the Environment Agency has been complacent in the testing process: specific WHO limits for Odour and Particulates may have actually failed. The testing station was moved to a different position in February 2019 which raises questions about how WHO data was interpreted.**

**3.5 Whether the Environment Agency has been complacent in terms of Air Quality and Public Health in excluding HGV pollution from outside the site from comments in the tonnage variation consultation and how these factors must to be brought together as a public health issue locally.**

- 4 Are these issues better or worse at different times of the day/year or in different weather conditions?

**Yes; 2 published Air Quality Reports provided profiles for the 250,000 tonnes limit. Page 3 and 4 below are excerpts on the Hydrogen Sulphide Gas emission. We don't yet know how much addition pollution will result from the variation (as no modelling was done).**

- 5 Do you know how to raise issues about operations on site, and who to raise those issues with?

**Yes. I am a consultee on the Liaison Committee and hear residents' complaints.**

- 6 Have you raised any issues about operations on site, who with, and what was the outcome?

**Damage to the pavements and greens next to Silverdale Cemetery by HGV manoeuvres opposite the site entrance raised which is still outstanding. I questioned the interpretation of air pollution data from the air quality report and return to that in this submission. I**

recorded the Reg. Numbers of 6 HGV's parking in a line overnight in Silverdale Road near a care home then dispersing at dawn. I sent these details to the Managing Director of Red Industries and to Newcastle Police. The problem abated to some extent but HGV parking is very difficult to police and could be eliminated by a system of appointments for drivers.

7 What do you think RED Industries does well?

Red Industries has an efficient system for funding community activities. Examples are Miner's Wheel (Silverdale) and a skate area at Silverdale Park (Western Communities LAP).

Until February 2020 Walley's Quarry Liaison Committees functioned as a useful public forum for reviewing the site's management. Issues could be fed into other resident committee cycles. The Borough Council has been represented by both Planning and Environmental Health and councillors. It was important to have 'a big hitter' as Chair of the Liaison Committee. I was pleased when the current council leader took on that responsibility. Councillors also are present and Silverdale PC and Thistleberry but businesses and local residents are absent. See below.

There has been a regular presence on the Liaison Committee from the County Council.

8 What do you think the RED Industries could do better?

Public Relations. The company should re-boot the Liaison Committee using remote technology as a start to engage with its stakeholders. It should 'dip its toes' in to public meetings and listen to residents and trust their comments about pollution. It should consider how to introduce an HGV appointments system. These would be 'easy wins'.

It should engage in science by expanding the Liaison Committee into a more strategic forum. For example, assess the possibility for electronic noses for environmental odour (Laura Capelli, Licinia Dentoni, Selena Sironi and Renato Del Rosso 2014) in real time on site. It might consider HGV emission (diesel) controls by banning older, high emission vehicles travelling to the site. Those are harder goals to achieve but would make a longer term perceptual difference that the company were taking its social role further than the mere statutory level.

The tonnage application process from the onset raised uncomfortable questions about the relationship between the Environment Agency and the Company. The original application sought to increase the tonnage from 250,000 to 300,000 but a new application was made in May 2019 for an additional 100,000. The decision to boost tonnage by 60% rather than the original 20% meant some of the documentation was 'out of sync' and lead to confusion for Silverdale Parish as consultees, not knowing what figure to work on.

Then before the final outcome of the application, by giving a temporary permission to vary the tonnage to 400,000 tonnes per annum for 12 months, the Environment Agency gave the impression that matters were being discussed behind closed doors, with the company. This was communicated to the Liaison Committee on 19 November 2019.

9 What do you think the Environment Agency, the Borough Council or the County Council do well?

The Environment Agency website handled the mechanics of the Variation Application well so it was relatively easy for members of the public to comment-but there's a big caveat see 10. The Council and stakeholders have supported the Liaison Meetings. See 7.

10 What do you think the Environment Agency, the Borough Council or the County Council could do better?

The second Air Quality report contained systematic inconsistencies in analysis because the detection point was moved in mid-February 2019. This was a significant change and meant data could be interpreted differently for Hydrogen Sulphide as follows:

- (1) There were 76 occasions between 15 January 2019 and 12 February 2019 (28 days), on 12 separate days where the 30-minute mean value exceeded the WHO guide value of  $7\mu\text{g.m-3}$ . (Report 2 pp14-15)
- (2) There were 67 occasions between 28 February to 25 June, on 26 separate days, where a 30-minute mean value exceeded the WHO guide level of  $7\mu\text{g.m-3}$ . (Report 2 pp12-13)
- (3) (MY POINT) *Therefore there were 143 occasions between 15 January and 25 June 2019 where a 30-minute mean value exceeded the WHO guide level of  $7\mu\text{g.m-3}$ . As there were no records between 13 and 27 February, the estimate where a 30-minute mean value exceeded the WHO guide level of  $7\mu\text{g.m-3}$  including the missing data is...(a higher value)*

The change in the position of the direction point meant that the extrapolation of other findings relied on a specific interpretation and a choice in the data sequence. This interpretation may have worked for the benefit of the company.

The complaint system is not fit for purpose. Documentation and monitoring is very patchy. The timely reporting of the complaint and pinpointing the location are crucial. That system needs to function for the user including regular monitoring of complaints. Residents should be believed if they reported bad odours. My preference would be to change it for a system like Staffs County Council for reporting road defects; smartphone and website app with map info and automatic analysis.

The expertise of the Environment Agency is subject to considerable pressure round the country so their role on the Liaison Committee is crucial. The decision making has been obscure over the temporary variation. Health effects are an issue on the local population from diesel emissions during the transportation prior to delivery to the landfill. Standard Cost Benefit Analysis demonstrates this principle for public and private costs and benefits.

The Borough Council should not be complacent as the 2 Air Quality Reports ignored issues about vulnerable populations living close to the landfill, and Public Health England is the body that publishes health statistics down to Ward level. So medical expertise needs to be brought in to gauge the effects of the landfill operation on the populations of Cross Heath, Knutton, Silverdale and Thistlebery. Data from the last Census and subsequent PHE figures indicate deprivation and lower scores on health in some wards (cross Heath, Knutton and Silverdale) but more should be done to analyse health deficits because boundaries have changed; something for the Borough Council to implement with its partners.

**It intensely frustrating that analysis of health data at wards level near to the landfill are difficult to find, following from the decision to change the ward boundaries in Newcastle under Lyme. This raises the Health Inequalities angle on the landfill and experience with Covid19 is relevant in the importance of health monitoring at ward and smaller levels.**

**The policy of Staffordshire County Council should be clearly defined in its landfill responsibility.**

11 The Panel has been asked to specifically consider your thoughts on the proposal to increase the amount of waste that RED Industries is allowed to import to the site from 250,000 per year to 400,000 tonnes per year up until 2024. RED Industries made an application to the Environment Agency (EA) in 2019 to allow this increase under their Environmental Permit. The EA consulted on this application and more information is available here:-

<https://consult.environment-agency.gov.uk/psc/st5-6dh-red-industries-limited/>

10 Whilst the importation limits are a matter for the Environment Agency, please let us know if your answers to any of the questions above would be different under the varied Environmental Permit.

**If the regulator approves the Company variation request, NBC should commissioned a long term scientific study of air pollution from the landfill and impacts on the health conditions of the local population. Additional scientific members in the Liaison Group could support this initiative which would consider whether WHO Levels of emissions are safe in the context of a facility so close to large populations, including several primary schools and recreation grounds (such as Orme Road) and the special weather and topography applicable. An opportunity therefore arises to influence new Environmental Air Quality and Landfill legislation post Brexit.**

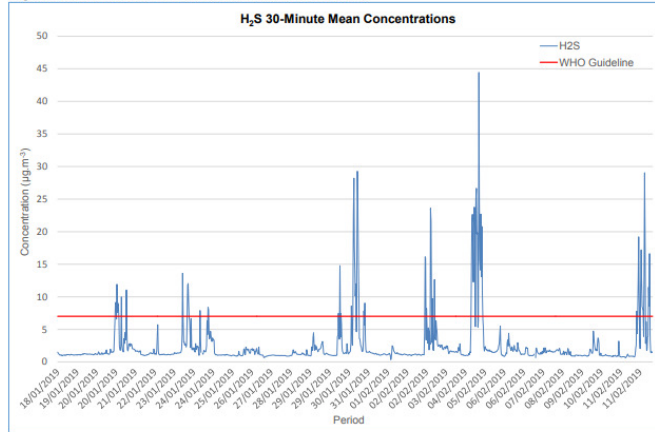
### **Two Excerpts from the 2019 Air Quality Report pp14 –15 and pp12-13**

A time series plot of 30-minute mean H2S concentrations measured between 15 January 2019 and 12 February 2019 (28 days) is shown in Figure 3.2.5. The highest recorded 30-minute mean between 15 January 2019 and 12 February 2019 (28 days) was 44.5µg.m-3 .

There were 76 occasions during this short monitoring period, on 12 separate days where the 30-minute mean value exceeded the WHO guide value of 7µg.m-3 .

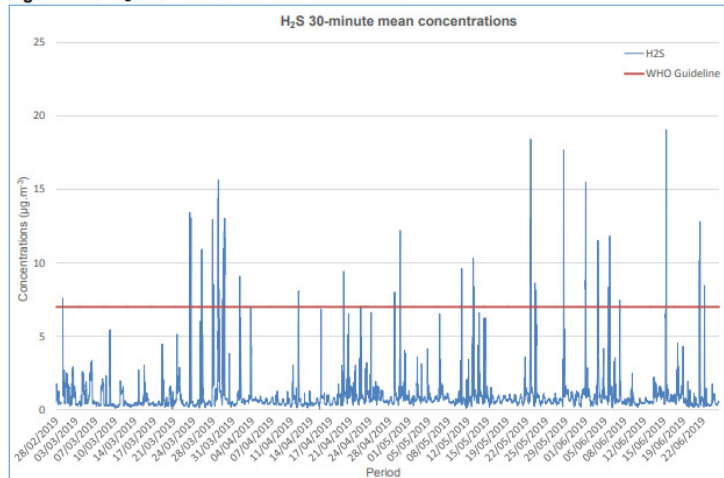
Study of Ambient Air Quality at Silverdale  
15 January 2019 – 25 June 19

Figure 3.2.5: H<sub>2</sub>S 30-minute mean concentrations



Study of Ambient Air Quality at Silverdale  
15 January 2019 – 25 June 19

Figure 3.2.3: H<sub>2</sub>S 30-minute mean concentrations



A time series plot of 30-minute mean H<sub>2</sub>S concentrations measured over the period is shown in Figure 3.2.3. The highest recorded 30-minute mean during the monitoring period was 19.1µg.m-3 .

There were 67 occasions between 28 February to 25 June, on 26 separate days, where a 30-minute mean value exceeded the WHO guide level of 7µg.m-3 .

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## Additional Material for Scrutiny Panel Task and Finish Group

1 The two studies of air quality at Silverdale made comparisons of findings with the WHO Air Quality Guidelines. The choice of multiple criteria across the range of pollutants; gases, particulates and other substances emitted are complicated. I found interpretation those results was inherently very difficult (practically impossible for observers without any scientific training).

There is a role for an independent scientific intermediary to advise the borough on the data collection and interpretation method and methodology taken during an Air Quality Monitoring episode particularly in a consultation over the variation to a landfill licence.

There is a role for public health education to enable residents to better understand the terminology of WHO Guidelines. Guides to the WHO Air Quality Guidance should be produced so that an air quality publication can be accessible to the non-specialist.

2 Furthermore, WHO guidelines are not absolute standards but depend on current scientific understanding. The review published in 2006 Further research may change the criteria for maximum toxicity levels.

I would suggest that the monitoring of scientific research takes place to ensure that any new risks from air pollution from the environment is quickly assessed and responded to expeditiously.

## Reference

WHO Air quality guidelines for particulate matter, ozone, nitrogen dioxide and sulfur dioxide  
Global update 2005 Summary of risk assessment WHO\_SDE\_PHE\_OEH\_06.02\_eng.pdf

Henryk Adamczuk  
Chair  
Silverdale Parish Council

4 February 2020

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**SCRUTINY PANEL REVIEW OF WALLEY'S QUARRY LANDFILL SITE  
QUESTIONS TO LOCAL COMMUNITY GROUPS**

NAME **Henryk Adamczuk**

REPRESENTING **Western Communities (Cross Heath, Knutton and Silverdale) LAP**

- 1 How many people does your group represent?  
**The total population is about 13,000 in the three wards.**
- 2 What is the geographical area covered by your group?  
**Western Communities (Cross Heath, Knutton and Silverdale)**
- 3 What topics would you like to speak to the Panel on?  
**What it is like to live close to the landfill site.  
How the LAP responded to the Red Industries request to the Environment Agency for an increase in the tonnage.**

**Western Communities LAP unanimously agreed in October 2019 that the LAP opposes this request until confirmation that the increase will not adversely affect residents. The Chair had put forward in writing the argument from the LAP for not allowing an increase in the tonnage being removed.**

**The reasons given include HGV Pollution; Vehicle route goes past school and social needs. It is also recognised by residents that the smell is not good for health. The Quarry affects residents quality of life residents living close to the site cannot open windows or go into their gardens sometimes. Concerns were raised that the vehicles accessing and leaving site are not properly covered and therefore drop debris on the road which has to be cleaned up by NBC. The contractors need to comply with the Health and Safety regulations that are in place for the site.**

- 4 Are these issues better or worse at different times of the day/year or in different weather conditions? **Yes. It is well documented in the air quality reports.**
- 5 Do you know how to raise issues about operations on site, and who to raise those issues with? **Yes.**
- 6 Have you raised any issues about operations on site, who with, and what was the outcome? **Yes.**
- 7 What do you think RED Industries does well? **The funding of gym equipment at Ilkley Place and the future funding of the Skateboard area in Silverdale Park was made through Red Industries grant. At a local level the issues are**
  - **Odour**
  - **Dust**
  - **Debris from the vehicles**
  - **Seagulls**
  - **Visual appearance within the locality**

**The odour can be variable both within its strength and when it can appear and so is not always weather dependant. It can also be different as to where it appears in the locality. Dust is definitely more of a problem during dry weather and can be exacerbated by wind- symptoms of irritation to nose and**

throat that only appear when at home particularly during this recent dry spell. The seagulls are with us on a daily basis.

As the landfill has got higher it is now clearly more visible from the house and the road when driving past the site generally making the area unsightly and unpleasant to live in.

The effects on mental health having to put up with regular disturbances in the environment make living here difficult. Social activities within the home are less frequent as one cannot predict when it is either safe or pleasant to do so.

The effect is that especially with the odour that it is frequently difficult to enjoy one's home, not be able to sit out in the garden or even do the gardening. Often the smell enters the home during the night (sleeping with the window open) and does wake you up. Smell is subjective and affects people in different ways. The current way of defining the smell on reporting is flawed in this way and little notice appears to be taken of how the reporter feels about the situation at the time.

Contacting the environment agency is easy but I feel that feedback is poor and there is little communication.

Red Industries do have a fair record of social responsibility in respect of support to local initiatives within the community. However I think that they should communicate better with the local residents to the Landfill site about any concerns that anyone living in the area has and also future plans. I also think that the latter applies to the other agencies involved, namely the County and borough Councils and the Environment agency.

8 What do you think the RED Industries could do better? See **Silverdale PC response**

9 What do you think the Environment Agency, the Borough Council or the County Council do well? **See Silverdale PC response**

10 What do you think the Environment Agency, the Borough Council or the County Council could do better? **See Silverdale PC response**

The Panel has been asked to specifically consider your thoughts on the proposal to increase the amount of waste that RED Industries is allowed to import to the site from 250,000 per year to 400,000 tonnes per year up until 2024. RED Industries made an application to the Environment Agency (EA) in 2019 to allow this increase under their Environmental Permit. The EA consulted on this application and more information is available here:-

<https://consult.environment-agency.gov.uk/psc/st5-6dh-red-industries-limited/>

11 Whilst the importation limits are a matter for the Environment Agency, please let us know if your answers to any of the questions above would be different under the varied Environmental Permit.

In brief the effects of the increase from 250,000 to 400,000 tonnes of waste has not been assessed yet (August 2020) from a Public Health perspective and all data collected has related to the lower 250,000 tonne amount.

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## **THISTLEBERRY RESIDENTS ASSOCIATION**

### **RESPONSES TO QUESTIONS ASKED FOR OF CONTRIBUTORS**

1. There are about 2000 households who are part of the TRA. On the Executive we have three professions experts on waste management and air quality who have advised us on this issue. The Chair of the TRA sits on the Liaison Committee and has done since the beginning the TRA has worked with three different companies who have run the site. The Chair has visited the site on many occasions often unannounced and just after the infilling began the Chair walked on the waste to get some idea of what was involved.
2. Thistleberry
3. The issues that this Panel set itself up to address
4. If you mean the issue of odour, the answer is yes.
5. Yes to both parts of the question.
6. Yes to the first part of this question. The issues have been raised with he NBC the County council the EA and the company itself. We have not always been convinced that the TRA input has been taken sufficiently seriously for something to be done.

7. Apart from spikes in the occurrence of odour the TRA has found that all three companies who have run the site have managed it well. On the occasions that the Chair has visited unannounced it has been clean, lorries are logged in and out, their wheels washed, and no odour was detected coming from the leachate plant when the leachate was being transferred to the containers for removal. There have been times when there has been mud on the road or debris and this has been raised with the company. We understand that there is litter and parking control outside the site. If the company was not adhering to its permit and restrictions etc then it would risk losing its licence. It has always been the view of the TRA that it is the monitoring authority (ie the Environment Agency) who should be ensuring that this does not happen.
8. It was felt that the company could have reacted more swiftly to the odour issue not only to reduce it but also to put the minds of local people at rest. A thicker covering layer might have gone some way to reduce the intensity of the problem. This site is in the heart of an urban area. It might be that profits might have to take a back seat to making sure that the local residents in the immediate area were not unduly inconvenienced or adversely affected
9. In terms of the issue of odour. Its prevalence and sometimes intensity, the EA appears to have failed in its duty to properly monitor the site. That said there was nothing to prevent the company from resolving the issue without any direction from the EA. It should not take 48 hours for a complaint to reach a field officer when it is known that these odours can come and go by the hour or less. The monitoring equipment should have been placed on an optimum site to capture the most relevant data. The County council in its limited capacity to do anything also appeared slow to work with the EA to resolve the issue. The NBC has no authority other than to pass on information to the EA or the Company, so we are not sure what the NBC did at the time.

10. See Above

11. The TRA has supported the proposed increase in the volume of waste to the site, on the grounds that the site would be filled quicker and then capped so the current problem of odour would be resolved. That said the TRA attached several conditions to their submission and that had to do with increased management and monitoring of the site, which would probably be needed and more transparency and accountability from those involved. It was also out view that Closure of the site at this stage would be dangerous and irresponsible and would cause a much greater problem in the future. If the conditions the TRA had suggested could not be met then the TRA would withdraw its support for that application.

Our response to the questions above would not differ if the permit was changed to increase the amount of waste. This increase would not affect the capacity of the site, but it would mean that the void would be filled and capped at a much faster rate. Now that the waste is being deposited above ground then it might be necessary to change the type of waste being taken in. If there is a science of the type of waste and where it should be within the site then we would be guided by that. And we are not talking about political science but real science!

Dr A Drakakis-Smith

(Chair)

8 august 2020

- 12.

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The TRA made the following recommendations to the Task and finish Group at the recent Zoom meeting:

1. Given the intensity of the odour on some days, and at one time the persistence, it was suggested (and had been suggested on several occasions at the Liaison meetings) that the EA monitor the site more closely and respond more quickly to the reports of odour. The TRA was informed by the EA that the time between an issue of odour being reported and an EA officer visiting the site to investigate its source, was 48 hours. Given that the odour might last minutes or hours this meant that it was unlikely that the source would be found.

It was also suggested that a thicker covering was needed over the waste.

2. That no more houses be built next to the landfill site (even though permission has recently been granted by the NBC planning committee for 133 houses to be built less than 100 meters, on the former scrap yard site and adjacent field. Although The TRA opposed this development, permission was granted.

3. The TRA supported the Company's application to increase the amount of waste to be deposited in the site. This would mean that the site would fill up faster (in 4 rather than 7 years) so that it could be capped, which would end the odour issue. The waste is now at the surface and the dome formation has begun. Given the type of waste being deposited it might be increasingly difficult to control the incidents of odour. Thus the TRA suggested a change of waste type. An increase in waste will not mean more waste than has been permitted will be deposited ie the capacity of the site will remain the same. What the TRA did suggest was that an increased monitoring by the EA would be necessary to ensure that no violations occurred. It would also mean better data and more frequent data collection by both the Company and the EA, with testing equipment being placed in optimum testing positions. And that this data be available for public scrutiny.

4. If permission is granted for an increase to the volume of waste being deposited and given that the infill is now above the surface, attention should be drawn to the issue of dust. The size of the dust particles will be crucial. And again it is for the EA to monitor the air quality.

5. The TRA would object to, and would not support, any calls for the site to be closed. At this stage it is the TRA view that it would be both dangerous and irresponsible for the site to be closed at this time. It is understood that the NBC Task Group will meet several more times before any recommendations are made to the EA.

A Drakakis-Smith

Chair TRA 17 August 2020

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**SCRUTINY REVIEW WORKING PARTY – WALLEY’S QUARRY**

**QUESTIONS FOR STAFFORDSHIRE POLICE**

- 1 Are you aware of any highways safety issues arising from Walley’s Quarry landfill site eg queuing vehicles causing obstructions, parking on local roads. Are there any measures that can be introduced that could address any such issues.

We are aware of queuing vehicles waiting to get onto the site; queuing through the traffic lights and along cemetery road, however because this generally occurs early morning (between 0500-0700) there are very few commuters/residents that are affected by this.

- 2 Are there any issues caused by vehicles parked and waiting to enter the site such as littering etc ?

I am aware of a single police incident in May 2019 whereby a substantial amount of rubbish was dumped on Silverdale Road causing a hazard to road users. It was described as household rubbish however it is impossible to establish whether this was discarded by a vehicle on its way to Walleys Quarry or whether it was fly-tipping from another source.

- 3 Has the Police Service had any issues reported that relate to Walley’s Quarry specifically?

Whilst on patrol, local PCSO’s are often approached by residents about the smell that is produced by the quarry, especially in Silverdale village.

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**SCRUTINY PANEL REVIEW OF WALLEY'S QUARRY LANDFILL SITE  
QUESTIONS TO LOCAL COMMUNITY GROUPS**

NAME: Sarah Oliver  
REPRESENTING : Aspire Housing

- 1 How many people does your group represent?  
[Approx 40](#)
- 2 What is the geographical area covered by your group?  
[Travellers site situated on Cemetery Road](#)
- 3 What topics would you like to speak to the Panel on?  
[Infestations](#)
- 4 Are these issues better or worse at different times of the day/year or in different weather conditions?  
[Rats are continually present but more noticeable in spring/summer months](#)
- 5 Do you know how to raise issues about operations on site, and who to raise those issues with?  
[No](#)
- 6 Have you raised any issues about operations on site, who with, and what was the outcome?  
[Not that I am aware of](#)
- 7 What do you think RED Industries does well?  
[No comments](#)
- 8 What do you think the RED Industries could do better?  
[No comments](#)
- 9 What do you think the Environment Agency, the Borough Council or the County Council do well?  
[No comments](#)
- 10 What do you think the Environment Agency, the Borough Council or the County Council could do better?  
[No comments](#)

The Panel has been asked to specifically consider your thoughts on the proposal to increase the amount of waste that RED Industries is allowed to import to the site from 250,000 per year to 400,000 tonnes per year up until 2024. RED Industries made an application to the Environment Agency (EA) in 2019 to allow this increase under their Environmental Permit. The EA consulted on this application and more information is available here:-

<https://consult.environment-agency.gov.uk/psc/st5-6dh-red-industries-limited/>

- 11      Whilst the importation limits are a matter for the Environment Agency, please let us know if your answers to any of the questions above would be different under the varied Environmental Permit.

[No comments](#)

## **SCRUTINY PANEL REVIEW OF WALLEY'S QUARRY LANDFILL SITE - WRITTEN EVIDENCE SUBMISSION**

The issue of the landfill site was a major topic of conversation on the doorstep when I was campaigning for the general election in 2019, and I therefore made it a priority as a new MP to explore what more could be done to address the issue facing this group of constituents. It has been made clear to me by many constituents that this is a significant problem, and it has repeatedly been impressed upon me, not only by constituents contacting me directly, but also through conversations with Stop the Stink, how significant and widespread the concern is about the odour in particular.

I immediately, upon being elected, undertook to meet with the relevant parties to raise concerns and discuss a way forward. I met with representatives of the Environment Agency in January to discuss the site. I also had a meeting with representatives of RED industries upon being elected.

RED are legally compliant with the terms of their environmental permit, and I am grateful for their charitable endeavours in the local community, for example their support of the Donna Louise. However, clearly, reductions in odour from the site for those who live nearby would be welcome. I also feel that their communication with the local community suffers from a lack of empathy. I find it disappointing that when discussing the issue of odour, representatives of RED would not admit to me that the site smells. As the representative of thousands of local people, many of whom have come to me about the smell of the site, it is difficult for me to have a productive conversation with RED without a shared understanding of the basic facts. From the residents, there will always be a resultant lack of trust of RED if they do not engage on this point. There are also some issues with traffic management at the site, although I understand that a new unloading pad has been approved for the site, which will hopefully reduce the number of vehicles driving across the landfill site and ensure a quicker turnaround time for vehicles which will reduce waiting times for trucks entering the landfill.

I receive monthly community updates from the Environment Agency, which contain the relevant contact information for reporting issues, and updates on the site, which are welcome. I believe the Environment Agency needs to embrace a much more transparent approach to monitoring the site. The fact that it took nearly 6 months for the finding of the most recent monitoring exercise to be made public in my view damaged trust and led to suspicion from the local community, who felt that their concerns had not been taken seriously.

I find it disappointing that the Environment Agency did not in their monitoring report go so far as to say that the smell is coming from the landfill itself. To quote exactly they say "Directional analysis showed that there was a continuous source of CH<sub>4</sub> (methane) and H<sub>2</sub>S (hydrogen sulphide) from the direction of Walley's Quarry landfill site and that a build-up of these compounds was seen under conditions of low wind speed and temperature and high

pressure.” This has also undermined trust, as residents feel it is obvious where the smell must be coming from.

One useful way the Environment Agency could improve trust and demonstrate their commitment to transparency would be by establishing permanent monitoring sites, perhaps in the same locations as the Environment Agency had used during previous monitoring exercises, with the data from this monitoring made public on a live website. I believe this would be a more successful method of demonstrating that the public’s concerns were being treated with the appropriate seriousness, rather than a somewhat opaque and not particularly well-understood reporting system as it stands now. The current system relies on residents reporting how bad the odour is on a given day on a subjective scale of 1-6, which I think fails to appreciate that a resident taking the time to report the smell in the first place should be notable in itself.

Some form of classification of the level of odour-causing gas in the air, e.g. a ‘traffic light’ system of Red, Amber, Green or some comparison of the published live data against the levels taken the previous month would also be useful to aid understanding. I think evidence that scientific monitoring was taking place on an ongoing basis would go some way to reducing anxiety. It would also eliminate some of the delays in action being taken if the smell was to get notably worse, as there would be clear and valid evidence that levels were higher in the air at the time that the problem arose.

On the question of the merits of the proposal to increase the amount of waste that RED Industries is allowed to import to the site from 250,000 per year to 400,000 tonnes per year up until 2024, I know that different residents' groups have different positions about the merits of the proposal. I have certainly been presented with compelling arguments on both sides and can see the appeal of the capping off process being brought forward, but I know that the prospect of increased dust from lorries and existing problems with traffic management concern some residents.



**SCRUTINY PANEL REVIEW OF WALLEY'S QUARRY LANDFILL SITE**  
**QUESTIONS TO LOCAL COMMUNITY GROUPS**

NAME STEVE MEAKIN  
REPRESENTING STOP THE STINK CAMPAIGN GROUP

- 1 How many people does your group represent?  
2500 people signed the petition
- 2 What is the geographical area covered by your group?  
Poolfields and Knutton - the Residents Association joined together and the Group represents these areas
- 3 What topics would you like to speak to the Panel on?  
Odour from the site; nuisance caused by gulls especially worse when the 'bird scarer' is operated; issues with lorries waiting overnight to enter the site and causing issues for residents due to waste products left and issues with dangerous parking; mud on the roads causing highway safety concerns; the height of the mound
- 4 Are these issues better or worse at different times of the day/year or in different weather conditions?  
Issues are worse depending on the weather and time of day – frosty weather is worse and from late afternoon when the site closes and overnight.
- 5 Do you know how to raise issues about operations on site, and who to raise those issues with?  
Yes with Red Industries
- 6 Have you raised any issues about operations on site, who with, and what was the outcome?  
Yes, raised with Red and EA. Invited both to 2 public meetings which EA attended but Red did not. The Group were invited to a site visit but only allowed one attendee at a time.
- 7 What do you think RED Industries does well?
- 8 What do you think the RED Industries could do better?  
Control the odour and gull nuisance. Manage the waiting vehicles more effectively.
- 9 What do you think the Environment Agency, the Borough Council or the County Council do well?  
The Borough Council manages the situation well within its own area of responsibility.
- 10 What do you think the Environment Agency, the Borough Council or the County Council could do better?  
SCC could better manage the highways concerns in terms of dangerous parking and the state of the road surface – mud levels.  
The EA consistently state levels are within permitted levels yet odour levels have caused schools and other businesses to close on occasion due to concerns that there was a gas leak. There is a concern that a gas leak could be dismissed as odour from the site.

The Panel has been asked to specifically consider your thoughts on the proposal to increase the amount of waste that RED Industries is allowed to import to the site from 250,000 per year to 400,000 tonnes per year up until 2024. RED Industries made an application to the Environment Agency (EA) in 2019 to allow this increase under their Environmental Permit. The EA consulted on this application and more information is available here:-

<https://consult.environment-agency.gov.uk/psc/st5-6dh-red-industries-limited/>

- 11      Whilst the importation limits are a matter for the Environment Agency, please let us know if your answers to any of the questions above would be different under the varied Environmental Permit.

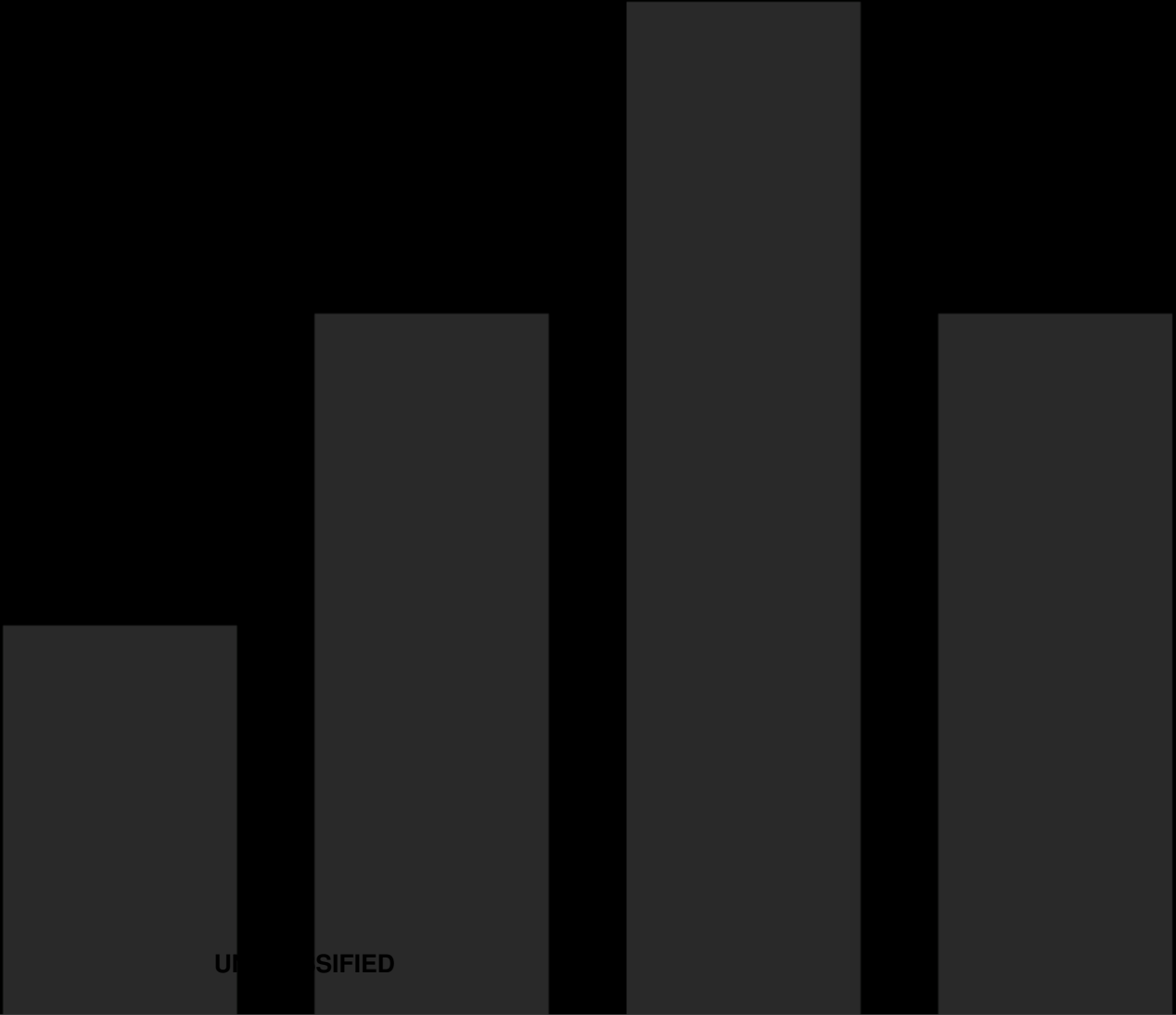
This is very concerning as the odours are intolerable now and it is felt will only get worse with greater tonnage. The controls are not thought to be effective now and will be less so with greater tonnage on site.



# Walley's Quarry

[View in Power BI](#) ↗

**Last data refresh:**  
10/03/2021 17:22:13 GMT Standard Time  
**Downloaded at:**  
10/03/2021 17:24:39 GMT Standard Time





# Walley's Quarry

2019

137

Submitted

2020

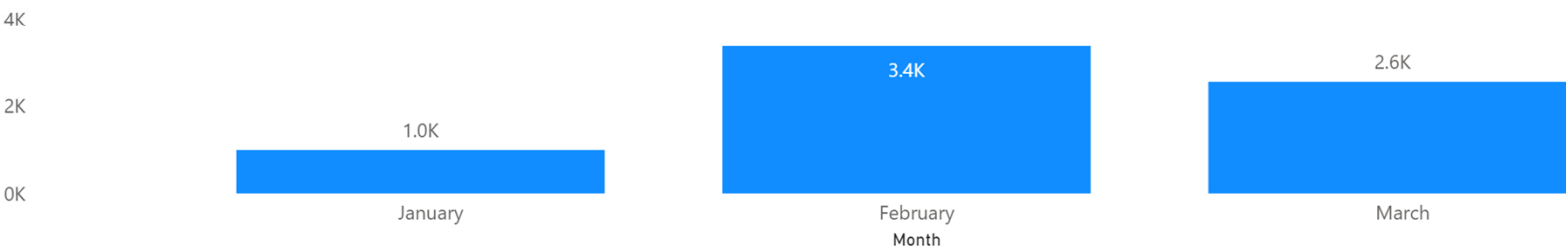
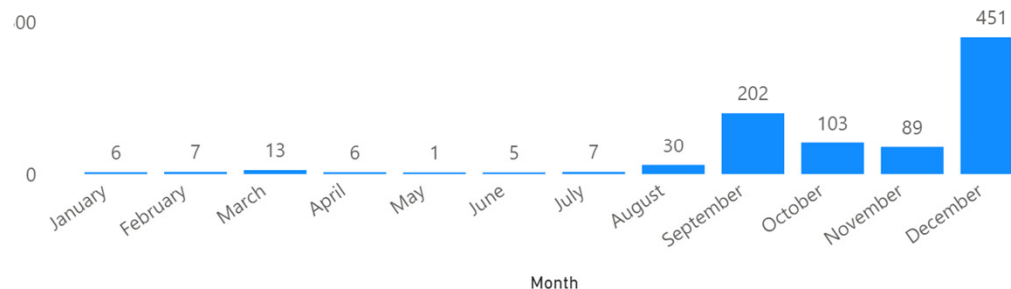
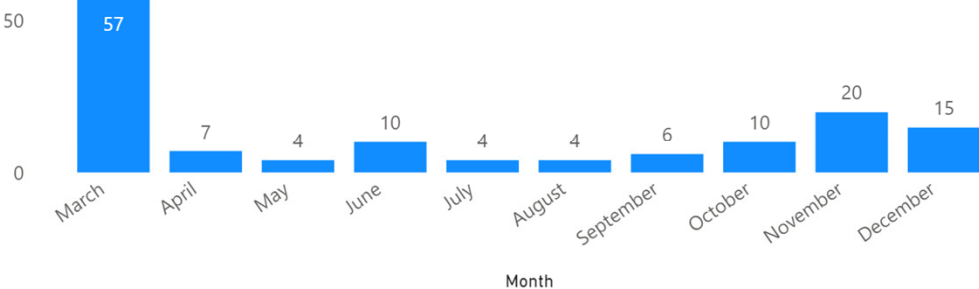
920

Submitted

2021

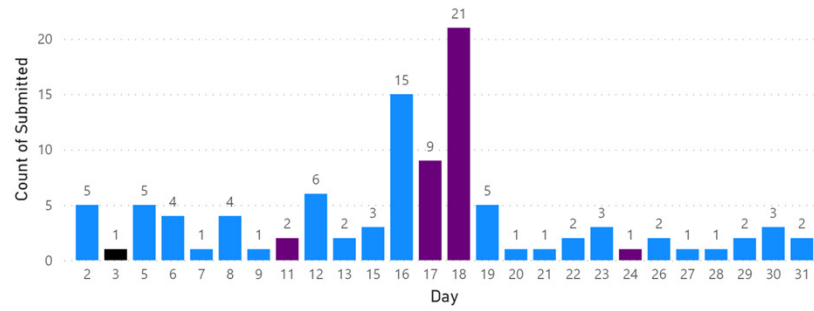
6916

Submitted

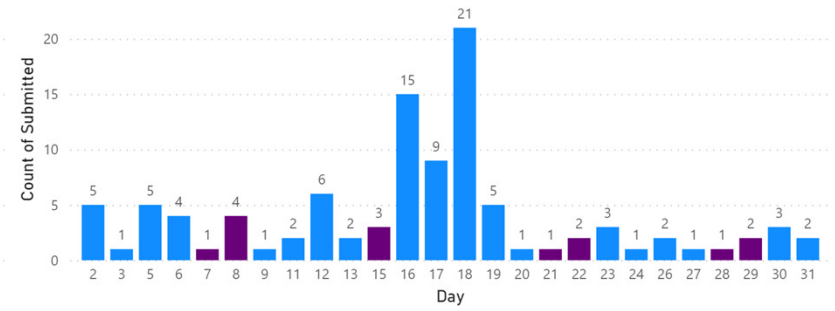


UNCLASSIFIED

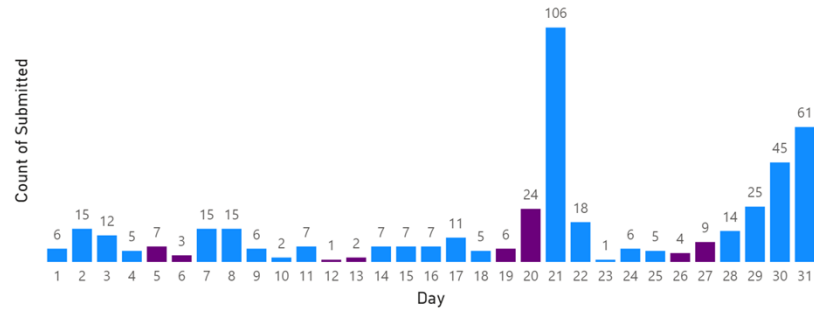
October 2020



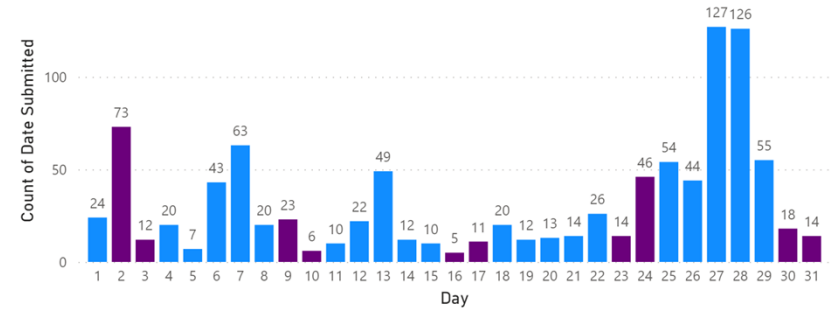
November 2020



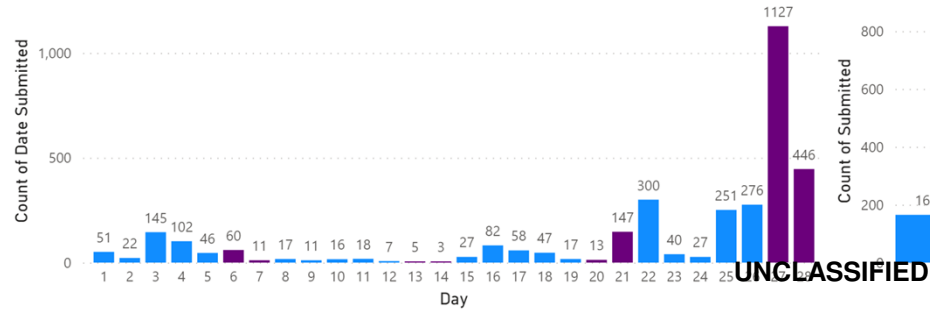
December 2020



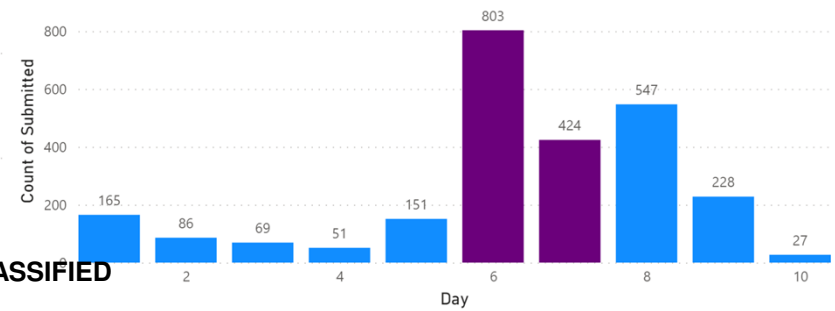
January 2021



February 2021



March 2021



# January 2021

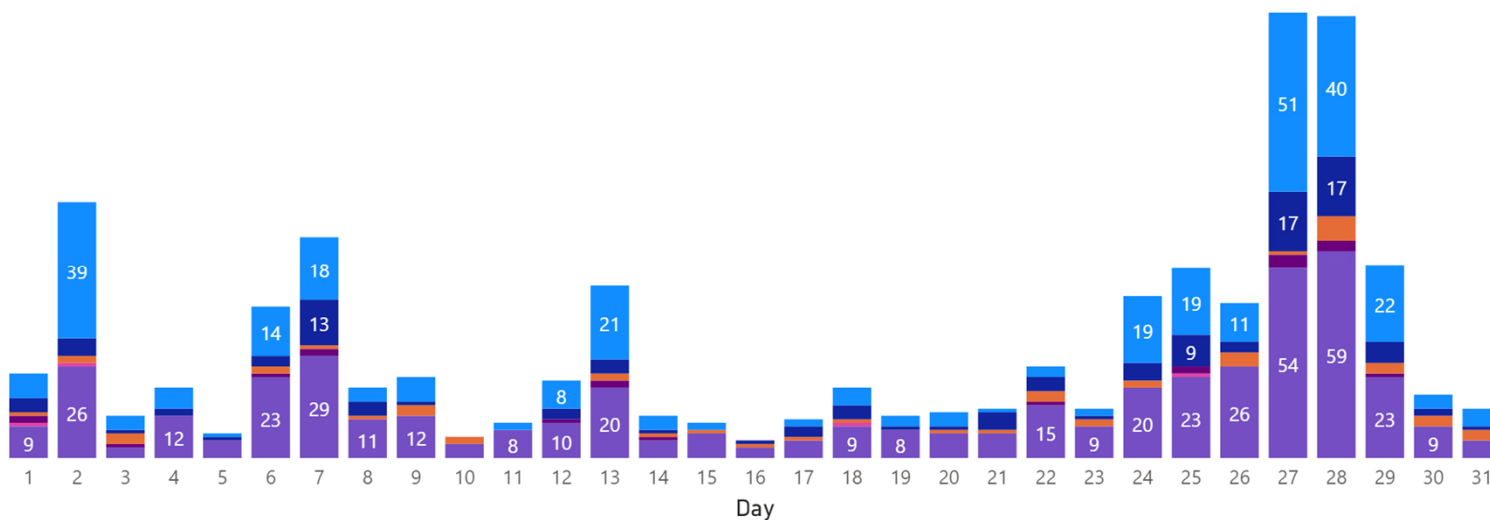
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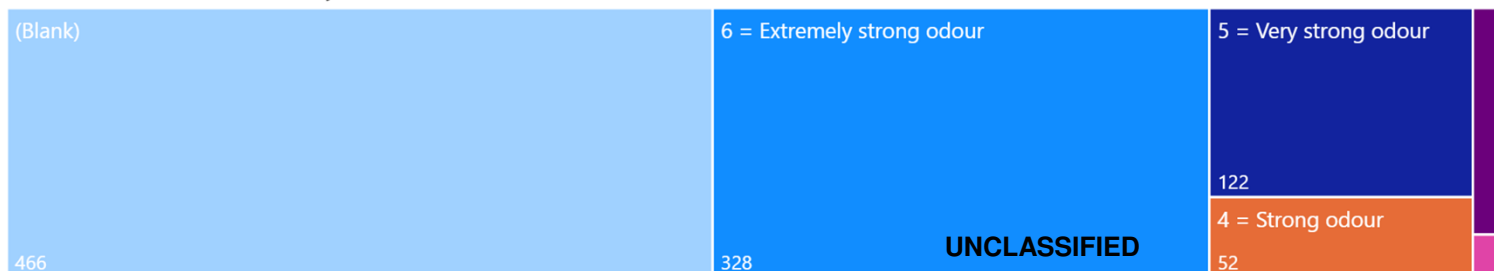
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08 January 2021	20
09 January 2021	23
10 January 2021	6
11 January 2021	10
12 January 2021	22
13 January 2021	49
14 January 2021	12
15 January 2021	10
16 January 2021	5
17 January 2021	11
18 January 2021	20
19 January 2021	12
20 January 2021	13
21 January 2021	14
22 January 2021	26
23 January 2021	14
24 January 2021	46
25 January 2021	54
26 January 2021	44
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28 January 2021	126
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January 2021

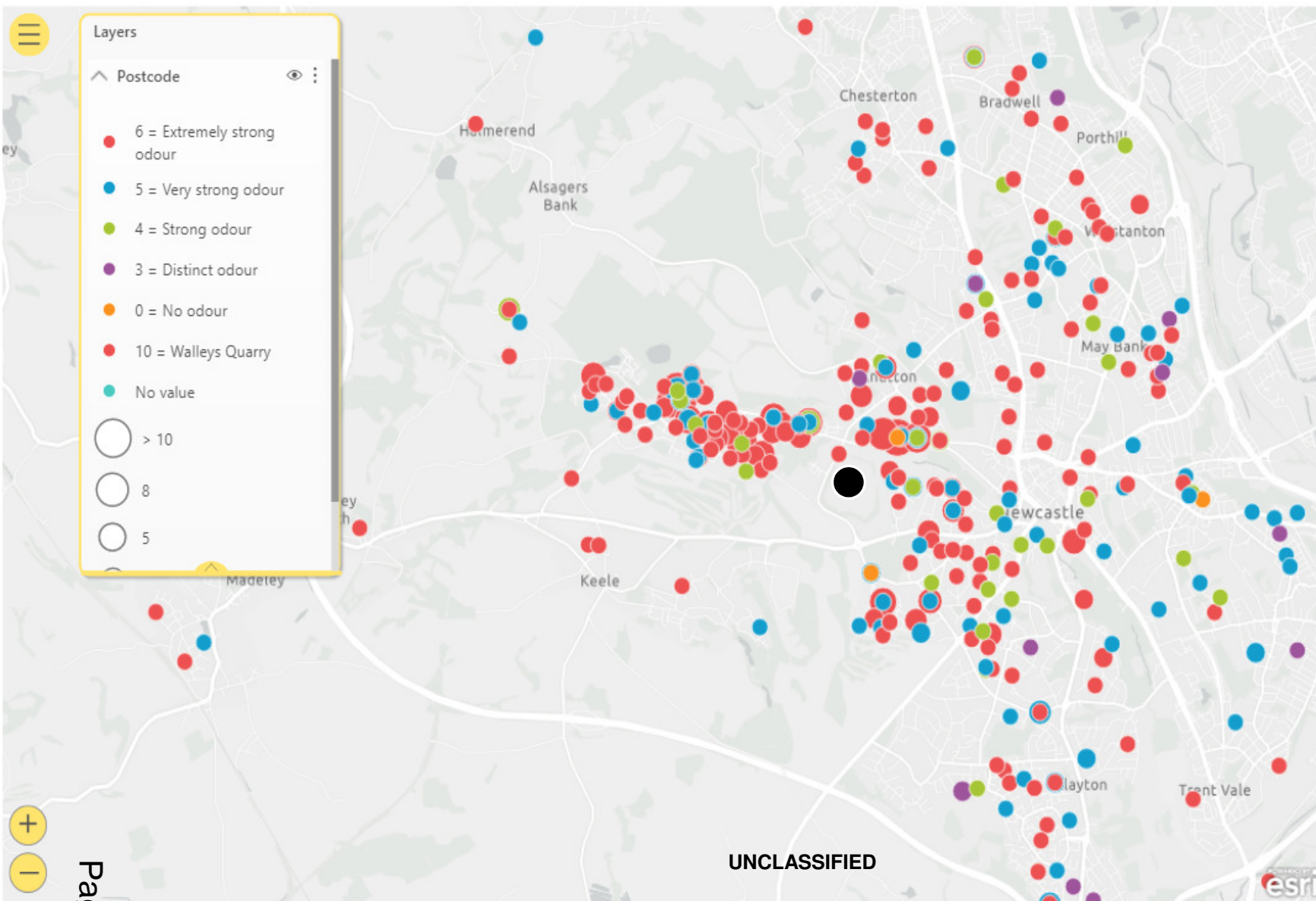
**Odour Scale** (Blank) 0 = No odour 3 = Distinct odour 4 = Strong odour 5 = Very strong odour 6 = Extremely strong odour



Count of Date Submitted by Odour Scale







993

Count of Date Submitted

January 2021

● Walley's Quarry



# February 2021

## 3372

Count of Date Submitted

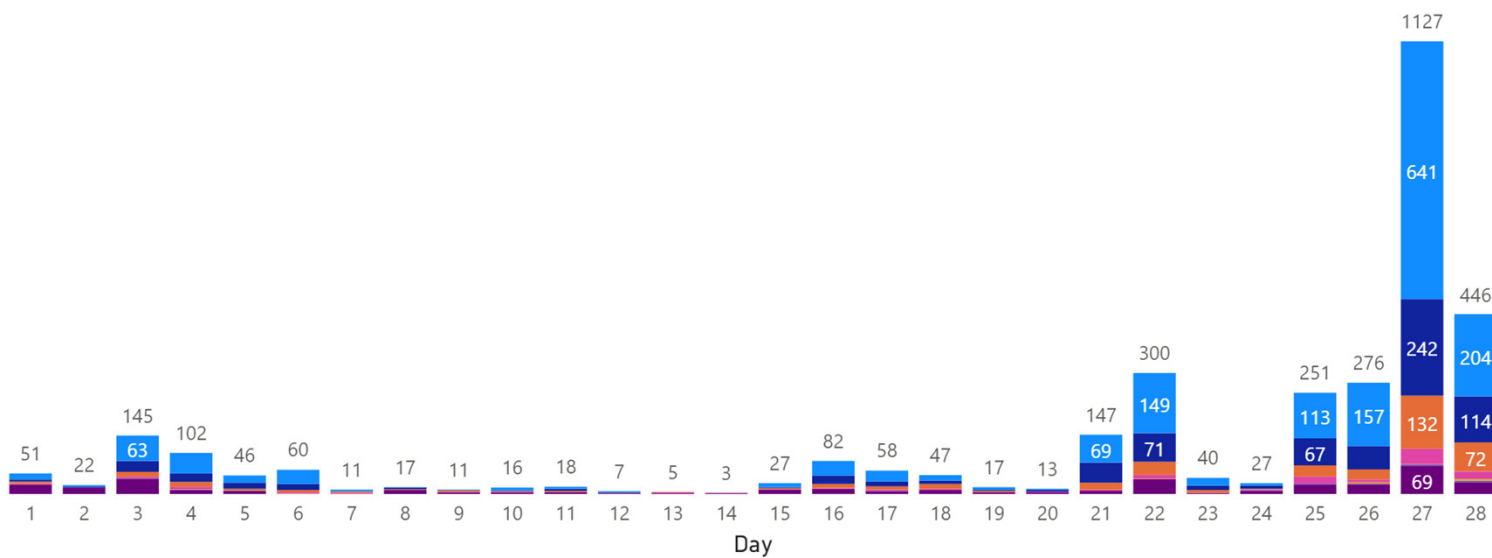
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04 February 2021	102
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06 February 2021	60
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08 February 2021	17
09 February 2021	11
10 February 2021	16
11 February 2021	18
12 February 2021	7
13 February 2021	5
14 February 2021	3
15 February 2021	27
16 February 2021	82
17 February 2021	58
18 February 2021	47
19 February 2021	17
20 February 2021	13
21 February 2021	147
22 February 2021	300
23 February 2021	40
24 February 2021	27
25 February 2021	251
26 February 2021	276
27 February 2021	1127
28 February 2021	446
<b>Total</b>	<b>3372</b>

Date	Number Submitted
01 February 2021	51
02 February 2021	22
03 February 2021	145
04 February 2021	102
05 February 2021	46
06 February 2021	60
07 February 2021	11
08 February 2021	17
09 February 2021	11
10 February 2021	16
11 February 2021	18
12 February 2021	7
13 February 2021	5
14 February 2021	3
15 February 2021	27
16 February 2021	82
17 February 2021	58
18 February 2021	47
19 February 2021	17
20 February 2021	13
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25 February 2021	251
26 February 2021	276
27 February 2021	1127
28 February 2021	446

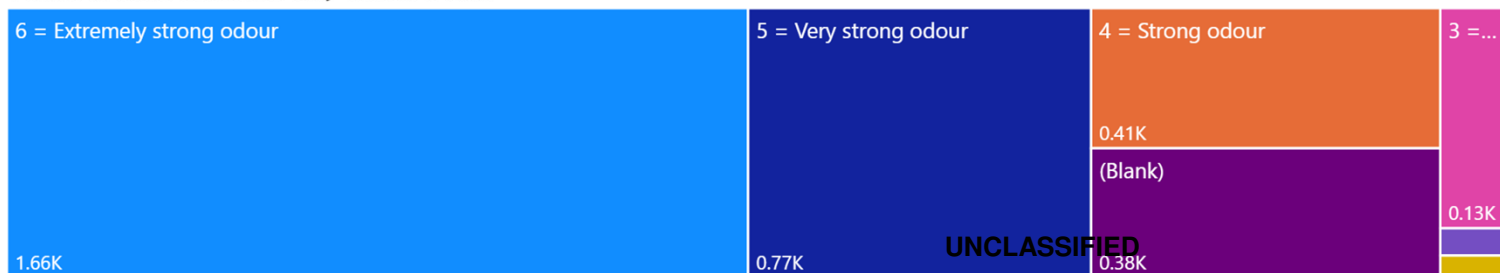
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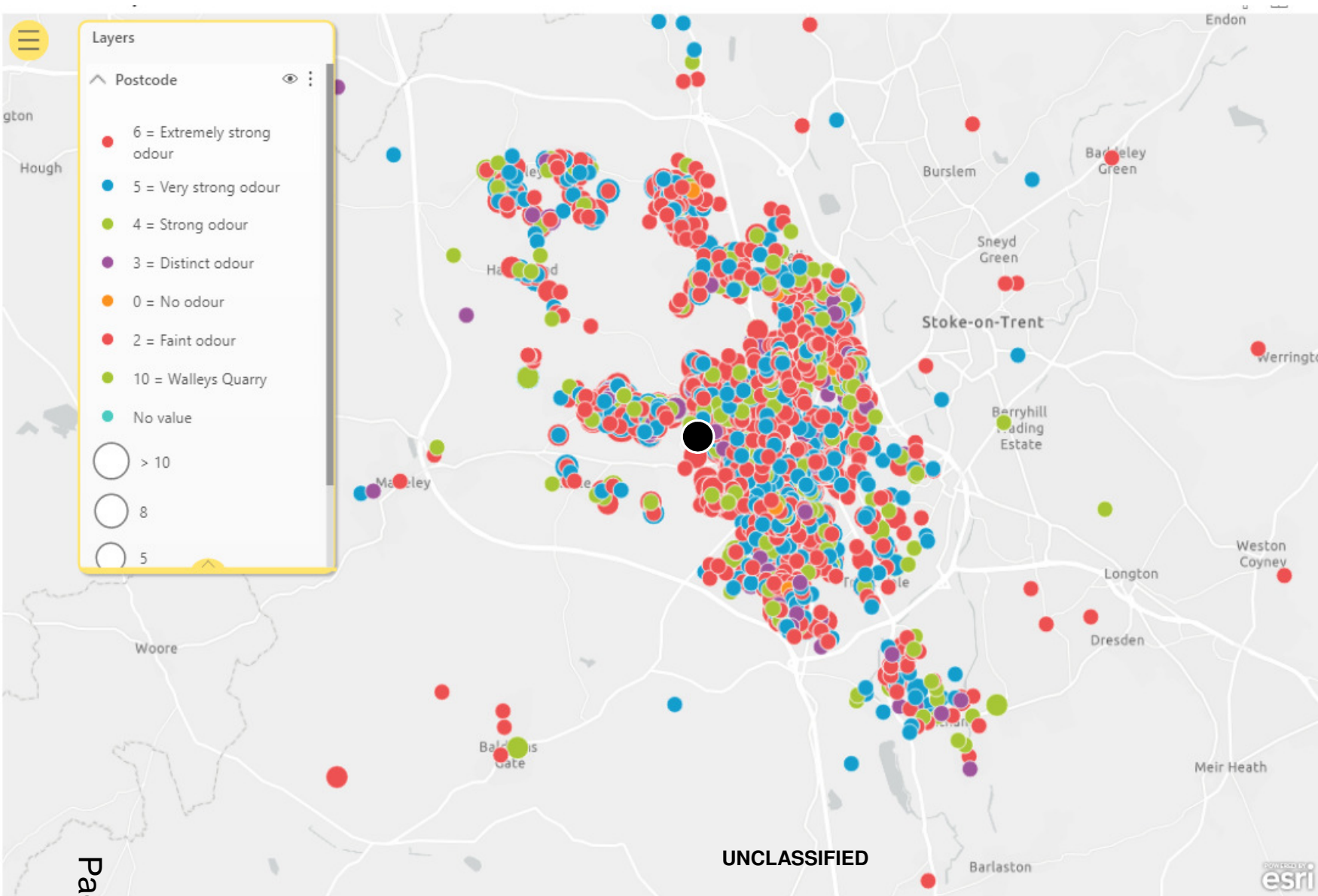
February 2021

**Odour Scale** (Blank) 0 = No odour 2 = Faint odour 3 = Distinct odour 4 = Strong odour 5 = Very strong odour 6 = Extremely strong odour



Count of Date Submitted by Odour Scale





3371

Count of Date Submitted

February 2021

● Walley's Quarry

# March 2021

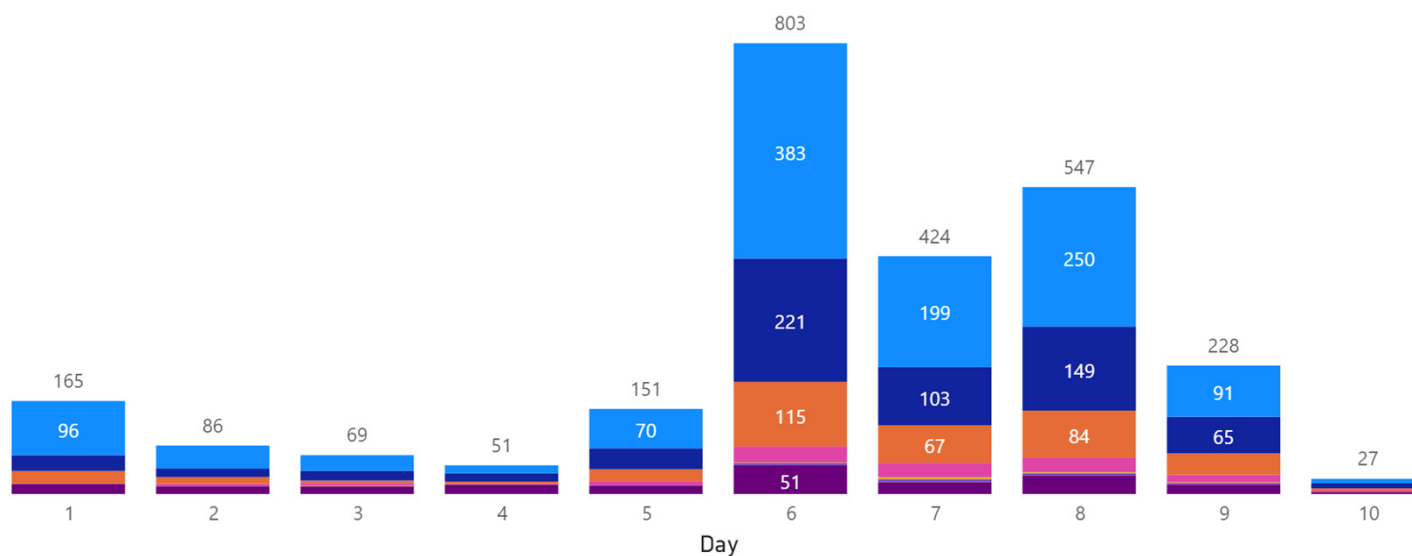
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Count of Submitted

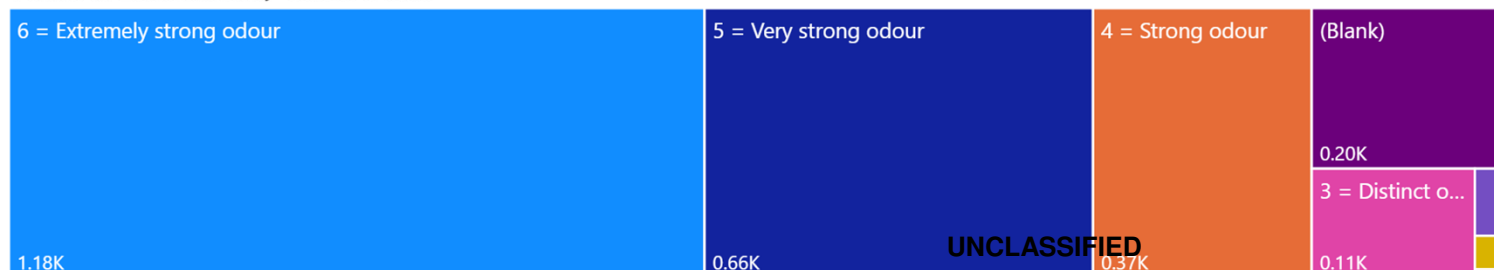
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09 March 2021	228
10 March 2021	27
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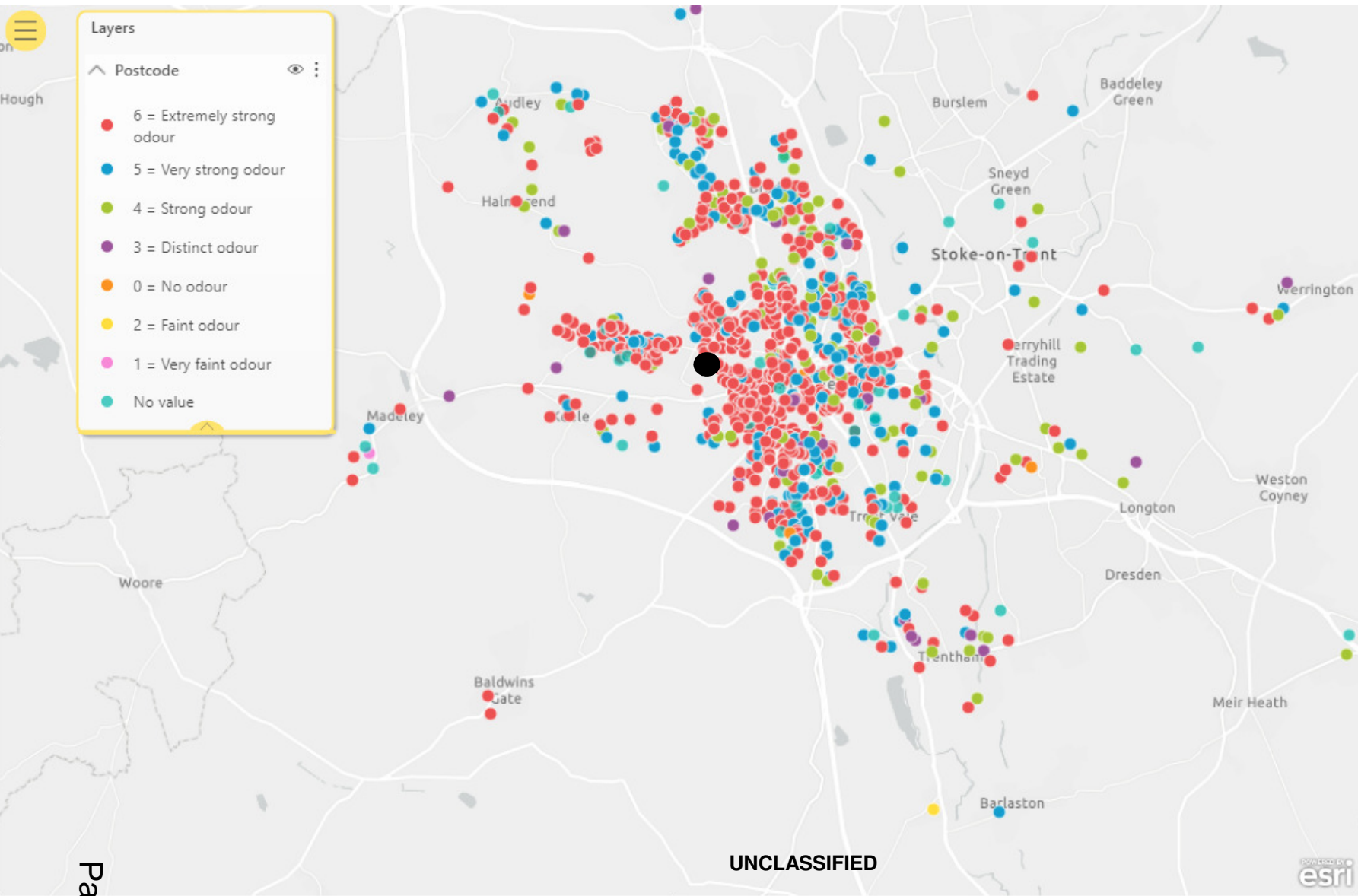
March 2021

**Odour Scale** (Blank) 0 = No odour 1 = Very faint odour 2 = Faint odour 3 = Distinct odour 4 = Strong odour 5 = Very strong odour 6 = Extremely strong odour



Count of Submitted by Odour Scale





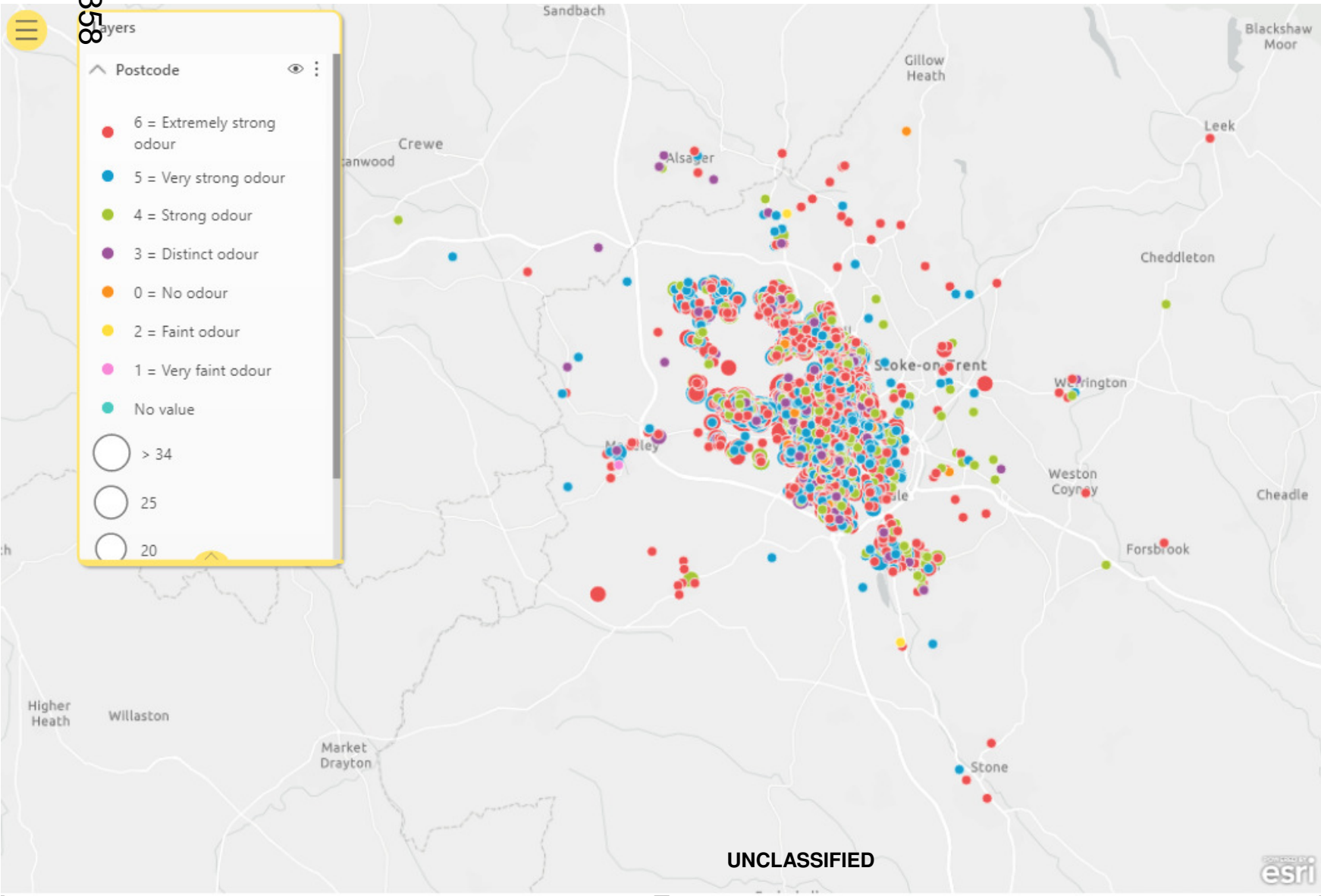
2551

Count of Submitted

March 2021

● Walley's Quarry





6916

Count of Submitted

2021 to-date





## **NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

### **EXECUTIVE MANAGEMENT TEAM'S REPORT TO**

**Council**  
**18 March 2021**

**Report Title:** Walleys Quarry - Officers Incident Report

**Submitted by:** Executive Director – Operational Services

**Portfolios:** Environment and Recycling

**Ward(s) affected:** Wards in south, central and north Newcastle.

#### **Purpose of the Report**

To report to Council the environmental incident that occurred over the weekend of 26<sup>th</sup> – 28<sup>th</sup> February 2021

#### **Recommendation**

**1. That Council receives the report.**

#### **Reasons**

To make Council aware of the significant incident that occurred over this period, the level of complaints that were received and the actions that were taken.

### **1. Background**

- 1.1** Over the weekend of 26<sup>th</sup> - 28<sup>th</sup> February the Council received around 2000 complaints about odours in the town, representing a very significant increase in the general level of public reporting of these issues. The majority of these were via the Council's online reporting route, although over 200 came in as telephone complaints.
- 1.2** The Council's online reporting facilitates immediate sharing of anonymised complaints with the Environment Agency and with RED industries who operate the quarry.
- 1.3** Subsequently, the Council has received communications from a range of organisations in the Borough raising concern about the odours and the impact of these on their operations.
- 1.4** To assist Members consideration of this report, the following odour scale is referred to in the following sections:

Odour Strength	Intensity Level	Comments
No odour/not perceptible	0	No odour when compared to the clean site.
<i>The Odour Detection Threshold (ODT) of <math>1 \text{ ou}_\text{m}^3</math> is somewhere between 0 and 1</i>		
Slight/very weak	1	There is probably some doubt as to whether the odour is actually present.
Slight/weak	2	The odour is present but cannot be described using precise words or terms.
Distinct	3	The odour character is barely recognisable.
<i>VDI 3940 says that the recognition threshold intensity is generally 3-10 times higher than the ODT (i.e. <math>3-10 \text{ ou}_\text{m}^3</math>)</i>		
Strong	4	The odour character is easily recognisable.
Very strong	5	The odour is offensive. Exposure to this level would be considered undesirable.
Extremely strong	6	The odour is offensive. An instinctive reaction would be to mitigate against further exposure.

## 2. Issues

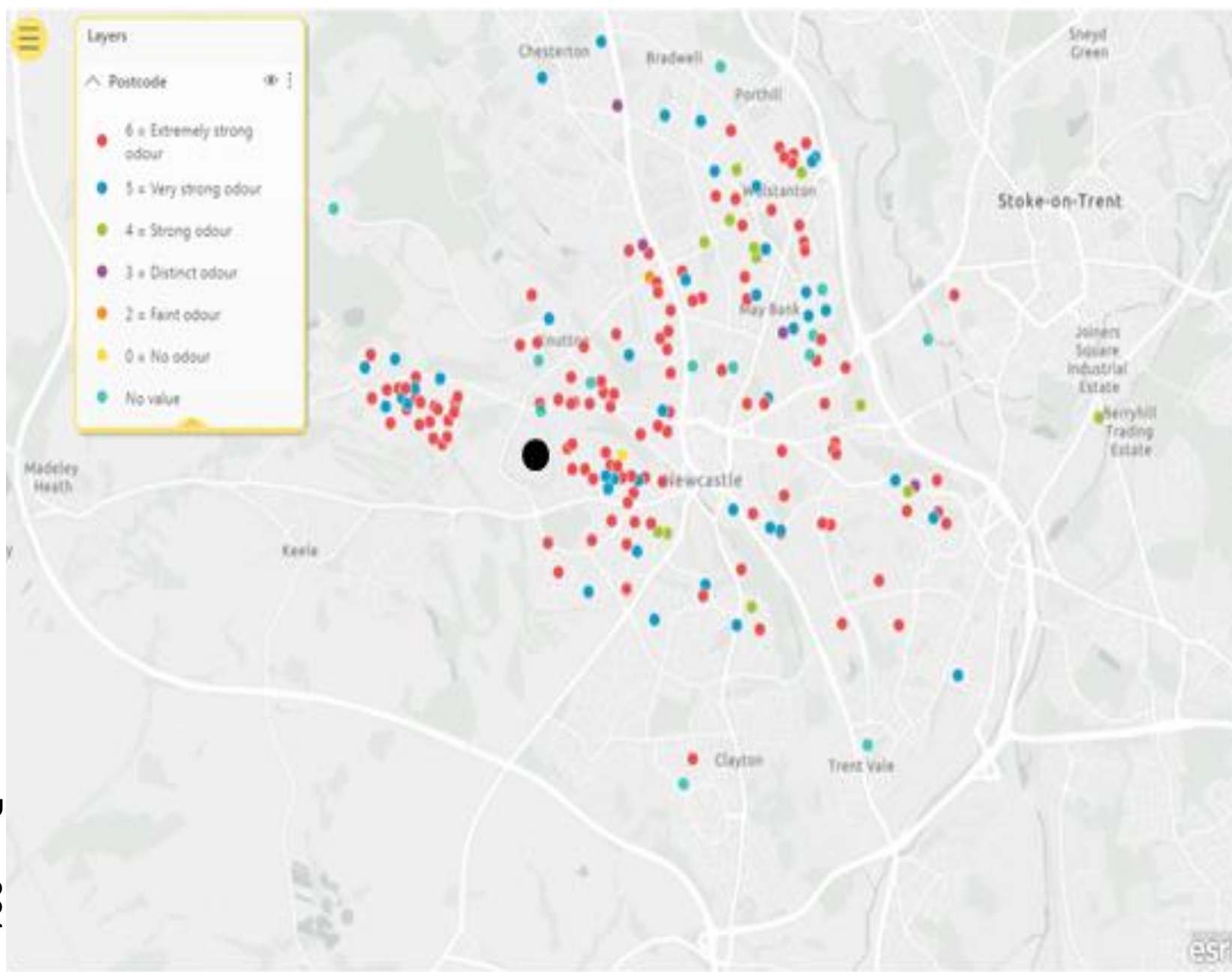
**2.1** On 27<sup>th</sup> February officers became aware of a large number of complaints (276) from across the borough and into Stoke on Trent which had come in overnight. Officers living in the borough liaised on the morning of 27<sup>th</sup> February to discuss the overnight reporting, compare local conditions and discuss required action.

Whilst the Council did not have any officers detailed to work in the community witnessing and assessing odours on this weekend, it was clear from the level of complaints overnight, and from complaints coming in on Saturday that an officer response would need to be put in place, and this was actioned. The response included:

- Contact with the Environment Agency to report the incident and to request a response. The Environment Agency did not deploy any officers to the borough or to the Walley's Quarry site on Saturday 27<sup>th</sup> or Sunday 28<sup>th</sup> February, but it is understood that they were in contact with RED Industries.
- Deployment of Staff on Saturday Night/Sunday Morning to conduct an "odour tour" to witness and assess the extent of the problem. This time was selected to coincide with weather conditions generally associated with the problematic odours in the town. Very strong landfill gas odour (Rating 5) was detected at the rear of Castle House at around 10.20. A landfill site boundary tour, which started at around 11.30pm revealed distinct to strong landfill gas odours (Rating 3 to 4) was observed in Barnacle Place, and later at 00.50am a strong (4) to very strong (5) hydrogen sulphide odour within the vicinity of Silverdale Road.

**2.2** During Saturday 27<sup>th</sup> February the Council's online reporting system captured over 1100 complaints the highest daily total since recording began. In addition, the Council was contacted by The University Hospital North Midlands regarding odours which were permeating their buildings, which was communicated to the Environment Agency. On Sunday 28<sup>th</sup> February the Council received 446 complaints via the online reporting facility.

**2.3** The maps below shows the spread of complaints on Friday 26<sup>th</sup> Saturday 27<sup>th</sup> and Sunday 28<sup>th</sup> February.



276

Count of Date  
Submitted

26<sup>th</sup> February

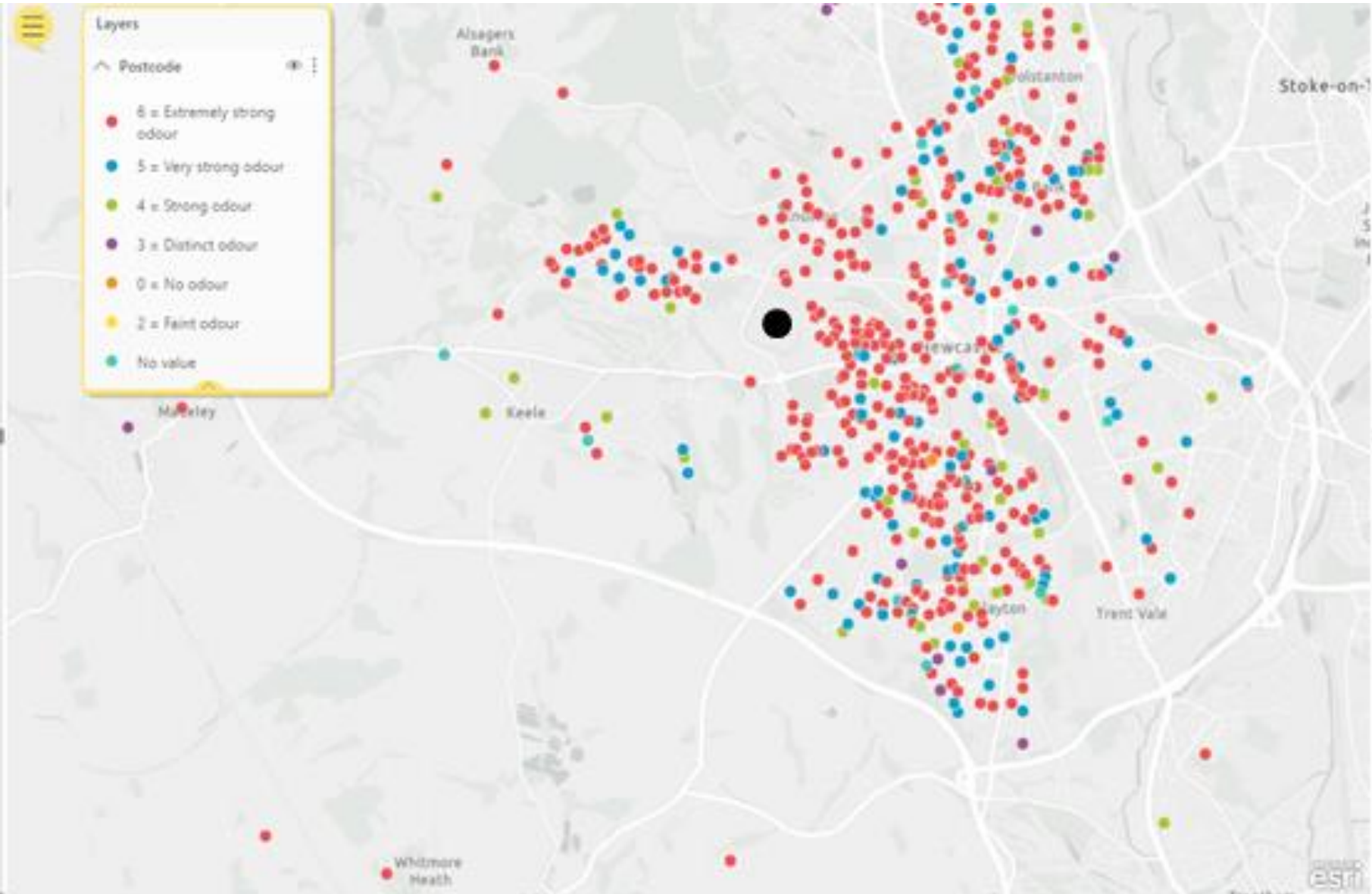
● Walley's Quarry

1127

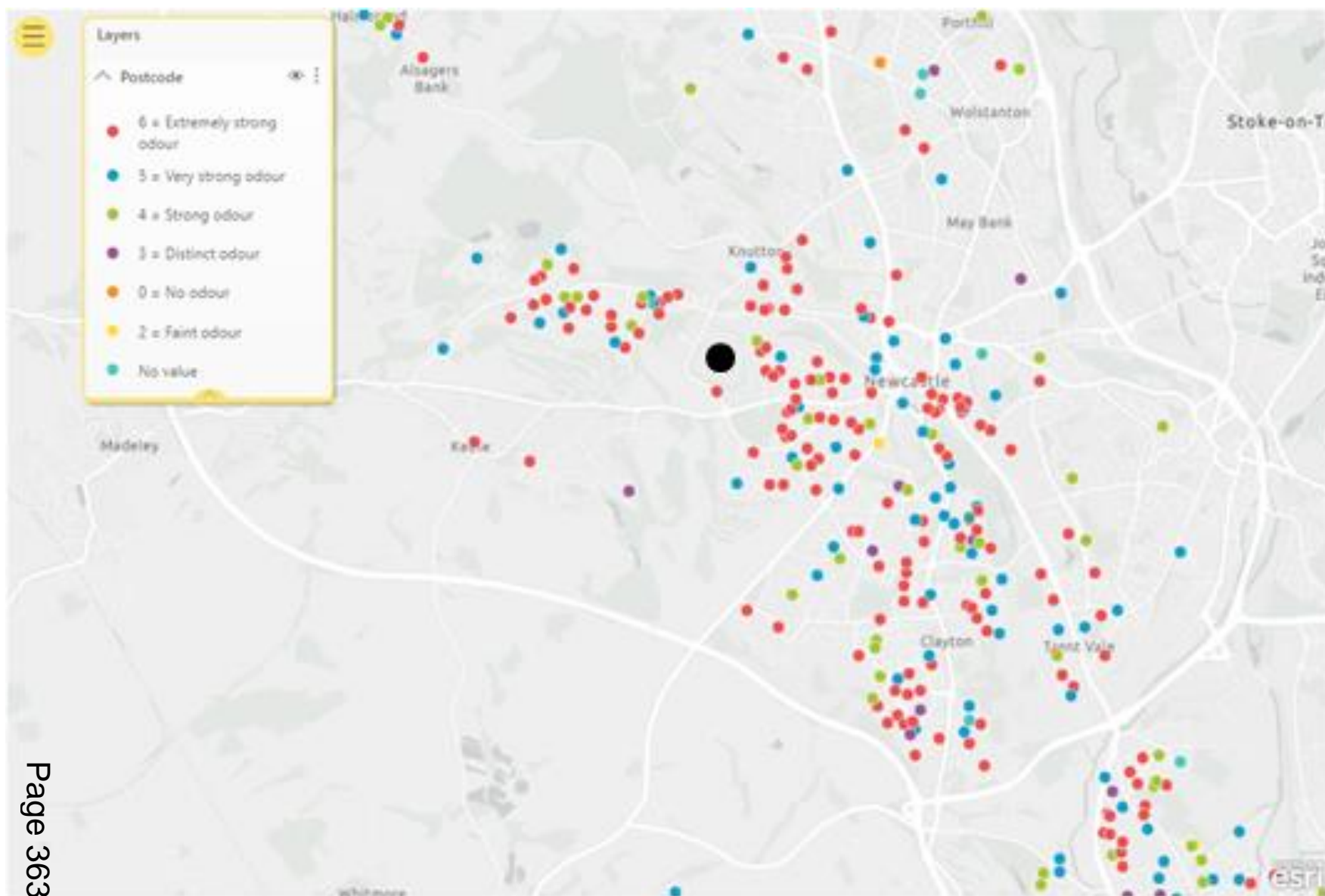
Count of Date  
Submitted

27<sup>th</sup> February

● Walley's Quarry







446

Count of Date Submitted

28<sup>th</sup> February

● Walley's Quarry

## 2.4 Environment Agency Response

From discussions with the Environment Agency following the weekend incident it has become apparent that in addition to not deploying staff to the site or borough to witness and assess the problem, the air monitoring unit which the Environment Agency had deployed on Gallingle View on 24<sup>th</sup> February did not have an electricity supply. As a consequence, the Environment Agency failed to collect any monitoring data during this incident.

In press statements, the Environment Agency has indicated that the incident “may be linked to work associated with new gas wells drilled by RED Industries to better manage landfill gas”, although RED have indicated that they were not drilling gas wells on the weekend in question. Subsequently, the Environment Agency reported that surface water which had drained from the landfilled waste, and not managed adequately, had the potential to cause odour and was deemed to be a breach of their permit.

## 2.5 Representations Following the Incident

Following the Incident the Council has received representations from a range of agencies concerned about the impact of the odours generally, or on this weekend in particular, on their operations. Representations, many of which are attached in Appendix 1, have been made by:

- Aaron Bell MP
- Newcastle BID
- Keele University
- Staffordshire Fire & Rescue Service
- Office of the Staffordshire Commissioner
- Local Businesses
- Local Schools

## 2.6 Conclusion

- a) The weekend of 26-28 February saw a record number of complaints raised about foul odours believed to be from the Walleys Quarry landfill site in Silverdale. The Environment Agency, which is the body responsible for regulating the site and ensuring operations are in compliance with its permit, collected no first hand evidence of the incident, having deployed no officers to the incident and not having the air monitoring equipment in operation.
- b) The Council continues to liaise with the Environment Agency and partners with a view to securing a solution to the problem of foul odours which impacts on residents and businesses in the borough.
- c) Complaints continue to be received in respect of ongoing odours being experienced. Whilst complaints subsided immediately following this incident, on the weekend of 6<sup>th</sup>-8<sup>th</sup> March the Council received almost 1800 reports of odours. Consequently, the Council consider this to be an ongoing incident.
- d) The Council is undertaking more detailed monitoring and assessment of the issues associated with this problem, and further updates will be prepared as information becomes available.



### **3. Proposal**

3.1 That the Council receives the report.

### **4. Reasons for Proposed Solution**

4.1 To make Council aware of the significant incident that occurred over this period, the level of complaints that were received and the actions that were taken.

### **5. Options Considered**

5.1 The options considered in this case are for the Council to receive the report, or if it chooses, not receive the report.

### **6. Legal and Statutory Implications**

6.1 There are no legal implications arising from this report.

### **7. Equality Impact Assessment**

7.1 There are no equalities implications arising from this report.

### **8. Financial and Resource Implications**

8.1 There are no direct financial implications arising from this report.

### **9. Major Risks**

9.1 There are no major risks associated with the proposed recommendation.

### **10. UN Sustainable Development Goals (UNSDG)**



### **11. Key Decision Information**

11.1 The recommendation attached this report is not a key decision

12. **Earlier Cabinet/Committee Resolutions**

13. **List of Appendices**

Appendix 1 – Agency Representations

14. **Background Papers**

Mr M Hamilton  
Chief Executive  
Newcastle-under-Lyme Borough Council  
Via email: [Martin.Hamilton@newcastle-staffs.gov.uk](mailto:Martin.Hamilton@newcastle-staffs.gov.uk)

1 March 2021

Dear Martin

**Re: Walleys Quarry Landfill, Cemetery Road, Newcastle under Lyme ST5 6SB**

For many years we have been aware of community concerns around Walleys Quarry and complaints about severe odours and smells.

Historically the impact on the University has been seldom and relatively minor, but since October 2020 we have experienced a step change increase in the severity of what is an extremely pungent smell and the frequency in which it is present on campus. Clearly as a University, which leads the way in environmental sustainability, we are disappointed about what seems to be a continued growth in waste being deposited in to the site, but we now wish to highlight serious concerns that the quarry is beginning to impact on the University's business.

As well as being a Campus University, delivering world leading research and teaching, we also operate, in partnership with the Borough Council (NuLBC), the County Council (SCC) and the Local Enterprise Partnership (LEP), the Science and Innovation Park which is designated as a University Enterprise Zone and is recognised as being the centre of high value employment in North Staffordshire.

Our concerns include:

**As a residential site:** with c 200 domestic residences on campus and over 2,800 student study bedrooms, these odours are now at a level where we are receiving complaints from both residents and students. This includes members of the University who have moved to campus in the last 6 months, had no prior knowledge of Walleys Quarry, and have already raised concern about an intolerable smell in and around their respective homes, which are at extreme ends of the campus.

**The Science and Innovation Park:** We continue to see significant inward investment, with the recent opening of a 150 bedroom Marriott Hotel, our new Business School and Incubation Space, and the commencement of the new Vet School and the Digital Institute. These and future developments, attracting over £30m of European investment sit at the heart of the recently relaunched Keele Deal, and should bring significant employment and wealth to the area. However, the continuation of the smell would put in jeopardy the strategic plan, which has been 15 years in the making and is a fundamental foundation stone within the LEP's plans for North Staffordshire.

**Vice-Chancellor's Office**  
T: +44(0)1782 733333  
E: [yc@keele.ac.uk](mailto:yc@keele.ac.uk)

Keele University  
Staffordshire  
ST5 5BG UK  
+ 44 (01782) 732000  
[www.keele.ac.uk](http://www.keele.ac.uk)

**Teaching:** As part of our regional business plan, Keele University is several years into a Strategic Growth Plan, which, despite a reducing demographic, has continued to grow our student population over the last 5 years, with 2019/20 being our largest student intake ever. Much of the growth is supported by a series of Open Days and Offer Holder Days, where prospective students (and their families) are able to visit the campus and to gain a real understanding of what Keele Campus and the surrounding area has to offer. We have a serious concern that any odour on campus would have an adverse effect on our visitors and hence the reputation of the university.

I am therefore writing, on behalf of Keele University, to formally raise and register our concerns about the impact the smells emanating from Walleys Quarry are beginning to have on our three core business themes, International Teaching and Research, Student Living and Study Spaces and the Regional Centre for business led R&D/employment.

I would ask that plans are developed to ensure that these smells are properly managed and controlled, in order remove any potential impact on the University.

Best wishes

A handwritten signature in blue ink, reading "Trevor McMillan". The signature is written in a cursive style, with the first name "Trevor" and the last name "McMillan" clearly legible.

**PROFESSOR TREVOR McMILLAN**  
**VICE-CHANCELLOR**

C.c. P Butters, Director of Estates and Development, Keele University



Cllr Simon Tagg  
Leader Newcastle Borough Council

Sent via email

**Please reply to:**

Staffordshire Fire and Rescue Service,  
Headquarters  
Pirehill  
Stone  
Staffordshire  
ST15 0BS

**Contact:** Rebecca Bryant

**Direct Line:** 01785 898542

**Switchboard:** 0300 330 1000

**Date:** 5<sup>th</sup> March 2021

**Subject:** Walley's Quarry – Odours

Dear Simon

I write today complaining about and highlighting the impact that the odours being released from Wally's Quarry Landfill site have had on Newcastle Community Fire Station located on Knutton Lane, in Newcastle.

As a result of the level of odours experienced on the station over the weekend of the 27<sup>th</sup> and 28<sup>th</sup> February a cause for concern was submitted into the Service's Health and Safety reporting system. With the station being less than ½ mile away from the site, there have been odours experienced over a number of years however nothing to the extent of the recent weekend.

The focus of this cause for concern over the dates highlighted relate to two specific matters: -

1. The quality of the air that was being introduced into the station through the ventilation system and the potential impact on the health and wellbeing of staff
2. The quality of the air that is used to fill our Breathing Apparatus equipment which is used for respiratory protection by operational staff during emergency incidents and the potential impact on the health and wellbeing of the staff that use this equipment.

As you would expect the Service has taken steps to assure ourselves that the impact of the odours are as mitigated as much as possible through our own mechanisms but clearly the outcome that we want is that there are no odours in the first place.



**Staffordshire**  
**Fire and Rescue Service**  
preventing • protecting • responding

I understand that steps have been taken to provide air monitoring across the local area and I hope that there will be information made publicly available as to the results of this monitoring within the next few weeks.

Yours sincerely

A handwritten signature in black ink, appearing to be "Rebecca Bryant", with a long horizontal line extending to the right.

Rebecca Bryant  
**Chief Fire Officer QFSM**





Monday 8<sup>th</sup> March 2021

**ISSUES AT WALLYS QUARRY LANDFILL SITE – NEWCASTLE UDNER LYME**

Dear Cllr Simon Tagg,

I am wiring to you in my capacity as the Chairman of the Business Improvement District in Newcastle under Lyme.

I understand that there have been a record number of complaints made about Walleys Quarry Landfill site over the past week or so and this is having a serious effect on both the local and business communities.

I also need to bring to your attention that the BID is being approached and contacted by many businesses who are finding the constant presence of the foul odours emanating from the site to be having serious detrimental effects on their businesses both in the town centre and outside the ring road. Some of the issues being highlighted relate to premises ventilation, staff welfare and wellbeing as well as serious complaints and concerns from customers.

Given that the Government have now set out the roadmap to recovery, the BID will be welcoming back our non-essential retail businesses and close contact services in April. The BID has serious concerns that reopening businesses and services will be adversely affected by the odours in terms of lack of custom and staff related issues. For maybe obvious reasons, this is something that needs to be addressed urgently to give fragile businesses the opportunity to bounce back and rebuild their business who have already had an extremely tough 12 months during the pandemic.

The BID is actively working with partners to support the safe re-opening of the High Street and feel that the issues at the landfill will undoubtedly have an adverse influence on these plans.

The BID commends and supports the actions that are being taken by you and the local authority to address the issues at Walleys Quarry Landfill site as soon as possible.

Yours sincerely,

Eddie Leligdowicz

BID Chairman

Newcastle-under-Lyme BID Ltd  
The Guildhall, High Street  
Newcastle, Staffs, ST5 1PW. Co. No. 9745670  
manager@nulbid.co.uk  
01782 922712

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## MATTHEW ELLIS

Councillor Simon Tagg

Leader Newcastle Borough Council

Via email:

[simon.tagg@newcastle-staffs.gov.uk](mailto:simon.tagg@newcastle-staffs.gov.uk)

09 March 2021

Dear Simon,

**Subject: Concern over odours from Walleys Quarry**

I understand Staffordshire's Chief Fire Officer, Becci Bryant has already raised concerns with you about the impact odours emitting from Walleys Quarry landfill site are having on Newcastle Community Fire Station. Staffordshire Police has made me aware of similar concerns from its officers and staff who work in the area.

I am concerned about this escalating situation, where for whatever reason, there seems to have been a marked increase in odours being released from the site, in particular over the weekend of February 27 and 28.

The fire station is less than half a mile from the site and it has led to a formal cause for concern being raised internally through the fire service's health and safety reporting system.

I believe Becci has provided details of this concern and how it is affecting the health and wellbeing of her staff.

I would like to know what is being done to address this situation and would be grateful if you could make me aware of proposed action to resolve it without delay.

Yours sincerely



**Matthew Ellis**

Staffordshire Commissioner for Police, Fire and Rescue, Crime

Staffordshire Commissioners Office, Ground Floor, Block 9, Weston Road, Stafford ST18 0YY

**Contact us:** 01785 232385 **Twitter:** @StaffsPFCC

[www.staffordshire-pfcc.gov.uk](http://www.staffordshire-pfcc.gov.uk)

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HOUSE OF COMMONS

LONDON SW1A 0AA

Mr Martin Hamilton  
Newcastle-under-Lyme Borough Council  
Castle House  
Barracks Rd  
Newcastle-under-Lyme  
ST5 1BL

16<sup>th</sup> March 2021

Dear Martin

**Re: Walley's Quarry Landfill**

Prior to the Council's EGM on Thursday, I am writing to provide further detail as to how the foul odours from Walley's Quarry landfill are impacting my residents, businesses, schools and other institutions. This is further to the evidence I gave to your Council's Scrutiny Review Committee last August, since when the situation has deteriorated markedly, culminating in Red Industries' decision to stop accepting waste last week.

Odour has been an issue for years, but complaints picked up notably in September and accelerated rapidly in the New Year. In the last three weeks the odour has become intolerable, as I have smelt for myself when on odour tours. The odour has been noticed by residents across the whole Borough as well as further afield; all three Stoke-on-Trent MPs have discussed the issue with me and raised it with the Environment Agency. Many businesses, organisations, schools and residents have been in contact with me about it.

For example, I have received correspondence from the Business Improvement District (BID). They have informed me that many businesses are finding the constant presence of the odour to be having serious detrimental effects on their businesses both in the town centre and outside the ring road. Some of the issues being highlighted relate to the need to invest in air conditioning solutions, concerns for their staff welfare and wellbeing, as well as serious complaints from customers.

I share many businesses' concerns that as they come out of lockdown and start to reopen, it will be very difficult to encourage people back to the town centre because of the smell, particularly with respect to our hospitality offering.

On 8<sup>th</sup> March I visited St Giles' & St George's Academy and spoke to some of the children who had written to me about the impact the smell has on their ability to focus during lessons. The Headteacher, Mrs Pointon, told me about the numerous occasions she has arrived at school to overwhelming odour in the building. I have had similar reports from St Wulstan's, St Luke's, Silverdale Primary Academy, Knutton St Mary's, St John Fisher, Merryfields, and Friarswood, as well as other pre-schools and nurseries in the area. I will append their correspondence to this letter.

Walley's Quarry is comfortably the biggest issue that I receive correspondence about in my mailbox. Since my election in 2019 I have had over 700 recorded emails about the odour. Many of these people have suggested that the odour is causing them and their family health issues. I have advised them to contact their GP with these concerns. Further to this, I met with GPs at Silverdale Village Surgery last Friday where they

reported patients presenting with:

- exacerbations of asthma
- hay-fever-type symptoms
- nausea
- depression
- insomnia

I understand that the surgery will be submitting their own evidence to you as well.

Since Christmas, Walley's has dominated my inbox to an overwhelming degree, such is the strength of feeling and number of incidents. Over the past few weeks, when the smell has got particularly bad, 54% of contacts have been about the landfill. I currently have around 500 individual, currently unresolved cases relating to the landfill. My postings on social media about the issue usually attract about 10 times the regular amount of engagement, with the meeting I had with the Prime Minister reaching approximately 35,000 people via Facebook. This illustrates the importance of the issue to my constituents – aside from the Covid pandemic, it is the single issue that is having by far the most dramatic effect on people's day-to-day lives.

The odour is adversely affecting constituents' lives in many ways: house sales have fallen through; others have had to cut their asking price. Residents in social housing have turned down the opportunity to move into more easily accessible living, as they did not want to move closer to the epicentre of the stink. It has curtailed day-to-day activities, broken residents' sleep and clearly impacted many people's mental health. I have reproduced a few examples of what has been said to me to show the seriousness of the odour on their lives:

*"It's affecting my health, I have MS and it's triggering migraines. My 13 year old son who has asthma can't stop coughing and has vomited."*

*"My twin 1 year old grandchildren stayed and they have been coughing all night, we are all shattered and it is sending us crazy. I would like to escape my own home and area."*

*"the smell from the landfill is bad this morning at half 3...Not happy at all. something needs doing and fast."*

*"I deserve fresh air!!!! My son deserve fresh air! Not worth living! We cant sleep!!! We cant breathe!!! I feel sick all the time!!!"*

*"On Friday we buried my mum at Silverdale cemetery and I've visited every day since. Today I've had to wear a mask as the smell is so strong and enough to make you sick! Its heart-breaking that we can't spend as much time as we want with our loved ones at the cemetery due to the horrendous smell."*

*"We have over £40,000 worth of stock... somehow the smell is now within (the store) and will no doubt settle on to the clothing range which then in essence makes our stock unsellable and worthless."*

*"When we hopefully emerge in to a world with less COVID restrictions, I would anticipate that this will become a significant issue in attracting businesses and investment into the town. Who on earth would want to bring their business here suffer the stench out of choice?"*



My team of staff is small and issues related to the odour have recently been taking up the majority of their time. In addition to responding to constituents, my staff and I have been in meetings with and visited several organisations, participated in media interviews, drafted press releases, written speeches, presented a 10 Minute Rule Bill in the House of Commons, and generated multiple social media posts, all on this one topic of odour emanating from the landfill. In recent weeks I have had to hire a temporary additional member staff to help with the workload.

I have been very glad to serve my constituents in this way: this is fundamental to the role of an MP, and improving the lives of local people is one of the reasons I wanted to enter politics. However the nature of this situation is not sustainable in the long term –not for me nor, more importantly, for them. I very much hope that the Council, working with the Environment Agency, the operator, and Public Health England, will be able to find a way forward that eliminates Newcastle’s startling odour problem.

The smell emanating from Walley’s Quarry Landfill is my top local concern. I will continue to push for action on it. I hope my submission helps provide a clear picture of the impact the odour is having on everyone’s lives.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Aaron Bell', written in a cursive style.

**Aaron Bell MP**

Member of Parliament for Newcastle-under-Lyme

Enc.: correspondence from local schools

cc: Cllr Simon Tagg, Leader of the Council

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2<sup>nd</sup> March 2021

Dear Mr Bell and the Environment Agency,

I am writing on behalf of the school community regarding the environmental hazard which is Walley's Quarry run by Red Industries in Newcastle under Lyme. Our school is situated 1.2 km away from the quarry along a valley and suffers from odour problems on multiple occasions each week.

The smell is often most prevalent on arrival in the morning after the building has absorbed it over the previous evening and night. We have had children complaining of the smell, being unable to concentrate, not wanting to play outside and on at least five occasions members of staff at the school have had to investigate as we have suspected a gas leak only to realise that it was the smell from the quarry.

On arrival at the school, we have also had complaints from parents regarding the smell and on one occasion a parent has returned home with their child as they were not happy to leave them with us!

The smell hit its worst levels this Monday 1<sup>st</sup> March. On arrival at school at 7:30 am I entered the building and was nearly physically sick myself at the smell and found it very difficult to breathe. I had to make the decision not to allow any children into the school premises until we had allowed a period of time for ventilation. Thankfully we had enough time for ventilation before the beginning of the school day at 8:50, if this had not been the case, I may well have had to shut the school to children on this day. I am aware that the weekend of the 27<sup>th</sup> and 28<sup>th</sup> February saw a huge number of complaints from many residents and I can totally understand why.

As I am sure you can understand the children feel very passionately about this topic and I have included some of their concerns here as well, these letters and posters were driven by the children themselves with no input from staff.

When the environmental pollution of the quarry's activities impacts the education of local children something must be done. The children and I are looking forward to your response together with your suggestions for what you feel I could do should the school building again be uninhabitable for the children.

Yours sincerely

Catherine Pointon

Headteacher

St. Giles' & St. George's Church of England Academy is a company limited by guarantee  
Registered in England and Wales with Company Number: 8863406

Dear Sir/Madam

I'm writing to tell you about my worries for the Walley's Quarry. We are supposed to keep the windows open for ventilation but we can't, because of the smell. Also I suffer from asthma so the stink triggers this sometimes. Sometimes you can even smell it from Fenton, which is quite far away from the Quarry. When I went on a bike ride I could smell it then and it was disgusting. Somebody even chained themselves to the gate to stop the lorries from getting in because the smell is so bad. Since then, there has been many more complaints and still nothing has been done.

I hope you can help in some way.

Yours Sincerely

Saint George Bennett

2nd March 2021

Dear Mr Bell,

I am writing to complain about the smell and pollution coming from Walley's Quarry Landfill in Newcastle- under- Lyme.

I live a quarter of a mile away from the landfill and attend St Giles & St Georges Academy.

Myself and my family wake up every morning with the odour in our house. We have been in lockdown and it has harder for us as we dont want to play in our garden and we cant even enjoy walking our dog. We have been told not to travel for exercise but we cannot enjoy a family walk with that odour. I live across the road from silverdale cemetery and the roads are very dirty, with lots of rubbish too. When we go for a walk , if a lorry drives past us, my mum has to shout at us to close our eyes as the dust blows into them and it hurts.

I hope you can help us and other residents and stop the stink.

Yours sincerely,

St Giles' & St George's Year 6 Pupil

# STOP THE STINK

copy  
of text  
1144-455

Newcastle  
Under  
Lyme

Poster tip!



Dear Sir/Madam, I am writing to you  
to complain about the smell from  
Whalley's Landfill in Newcastle  
under Lyme. First of all when I am  
well away from the landfill I can  
still always smell it, also when I  
am sleeping I sometimes wake up  
and can smell it. Even when I am  
sitting down I can smell it. It's  
just not a nice thing to smell  
at all.

Yours sincerely  
Miss Rebecca Beesley.



ST Giles and  
ST Georges  
Primary School  
Orme Road  
ST5 2NB

Newcastle - Under - Lyme  
Council

Dear Sir/madam

I am writing a letter in response to Silverdale's landfill and how disgusted local residents are and how it affects their day to day lives. Did you know that residents are suffering with headaches and sickness due to the eggy smell caused by carbon dioxide, the smell ventures out for miles around Silverdale reaching Fenton, Bradwell and Newcastle in the space of 3 days over 200 people complained. It is also affecting my playtime at school and can most days be smelt inside my classroom, my entire school, surrounding areas, children and adults kindly ask that you take it away to a non-residential area and make life and home life better for locals.

Yours sincerely Cain Hirst of ST. Giles and ST. Georges Primary School.

# STOP THE STINK

The landfill smells everyday, it smells really bad.  
Every morning I wake up it makes me really mad.  
We need help to get rid of the smell  
cause it's making people feel unwell  
shut your window and your door  
it make you stay in not want you explore  
This gets worse day by day  
making people stay away  
close the gates and shut it down  
Let's make Newcastle a brand new town.

# STOP THE SMELL !!!

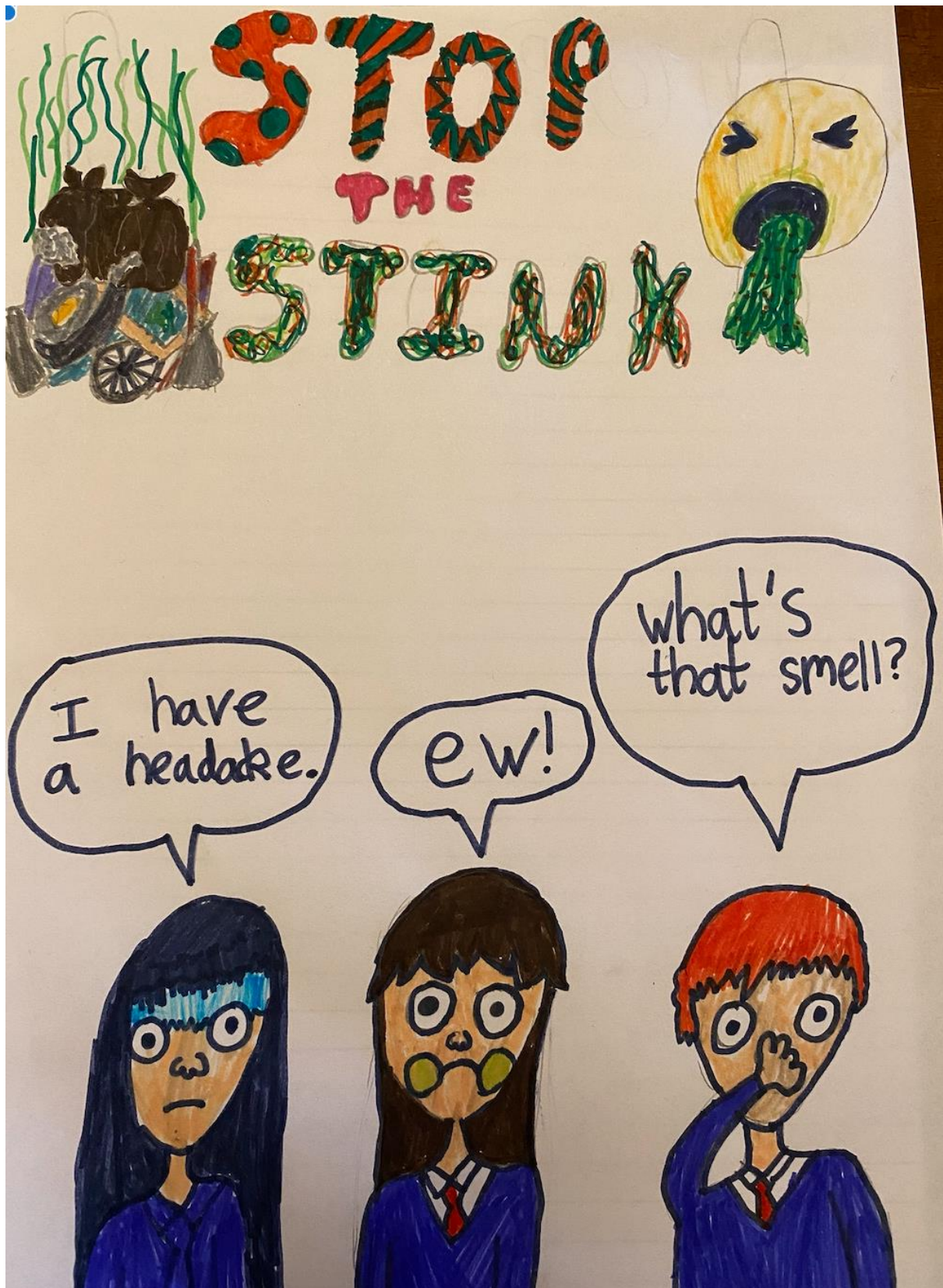
More fresh Air!!!

More bike  
rides

More nature  
walks







Tuesday 2nd March

Dear Mr A Bell,

I am writing to complain about the smell and pollution coming from Walleys Quarry Landfill in Newcastle-under-Lyme.

First of all, this landfill is close to a lot of schools and homes, so when someone opens their window they will smell it. And at these times we are supposed to keep the windows open. Also, when someone goes outside for a walk or when children walk to school they will smell this no matter what time it is.

Secondly, most people find it weird for the landfill to be in the middle of Newcastle-under-Lyme for being close to a lot of houses. In my opinion, I agree that it should be moved to somewhere else where people can't smell it.

I hope that people will get what they want soon enough.

Yours sincerely,  
Eerh nas Karaphar

St Giles and St George's Year 5/6 Pupil



# STOP THE STINK!

Stop the smell!

It damages the environment!

!!! Stop the smell

It damages are ~~hott~~ health, animals and ENVIRONMENT.

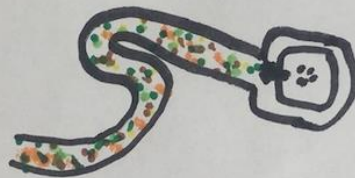
Help now before it's too late!



The smell will get into our lungs and cause breathing problems and ~~hott~~ health risks.



The sthing in there will blend in with the water and go inside us and will hurt us inside are stomuch.



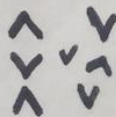
It damages plants which we need for breathing.



The Landfill makes traffic because of ALL the ~~hott~~ lorries bringing the rubbish



The animals will be hurt because of the rubbish and the smell.





Tuesday 2nd March 2021

Dear Mr A. Bell,

I am writing to complain about the smell and pollution coming from Walley's Quarry in Newcastle-under-Lyme.

The first concern I have is of the smell that the site creates. Breathing the smell in constantly can cause serious Health risks and damage to the lungs. It also can affect water pollution, which is the water you drink!

I also want the smell gone because it can affect wildlife and animals that could get #harmed. I feel sorry for people who smell it every day because they and their family could get very ill.

Yours sincerely Ava Fowler

#harmed

Tuesday 2<sup>nd</sup> March 2021

Dear Mr. Aaron Bell,

I am writing to complain about pollution and stench originating from the Walley's Quarry Landfill in Newcastle-under-Lyme. It is very disturbing for people who live near or a few miles away from the landfill, so I deeply urge you to take action immediately. This letter of complaint will inform you of what has been happening in the local community.

The local citizens are fighting to 'Stop the Stink' and are hoping the Environmental Agency will do something about this. Firstly, the odour coming from the landfill is absolutely horrendous. If possible, I would like you to experience this, so you will know what we could smell in our everyday lives and will take this matter more seriously. Furthermore, in this universal crisis everyone becomes highly aware of their hygiene. I am certain that you will agree that with a landfill nearby houses is definitely not hygienic at all.

Finally, I would like to suggest a possible solution. You might want to consult with the Environmental Agency for ideas to block the stench. Last but not least, I think the quicker this problem could be sorted out, the better it will be for the local residents. I plead you once more to 'Stop the Stink'. Thank you very much for your time.

Yours sincerely,

Jamie Kwong

St Giles' & St George's Year 5/6 Pupil

# St Luke's CE Primary School

Pepper St, Silverdale, Newcastle, Staffordshire, ST5 6QJ

Tel: 01782 973865

Email: [office@st-lukes-silverdale.staffs.sch.uk](mailto:office@st-lukes-silverdale.staffs.sch.uk)

Website: [www.st-lukes-silverdale.staffs.sch.uk](http://www.st-lukes-silverdale.staffs.sch.uk)

RECEIVED

17 FEB 2021

BY: \_\_\_\_\_



Dear Aaron Bell,

Please find enclosed letters from some of the children in my school. I have also sent them to Boris Johnson, George Eustice and the Environment Agency.

The children in my school and the schools in the surrounding area are increasingly being plagued by the foul smell that is coming from Walley's Landfill Quarry in Newcastle under Lyme. I know that Aaron Bell has mentioned this previously in the Houses of Parliament but the smell is becoming often unbearable and is increasing in occurrences. It is affecting the children in many ways, such as preventing them from playing and exercising outdoors.

Ventilation is key with regards to safeguarding the children against Covid in my school and we have been very fortunate in only having to close one bubble since September 2020. However, keeping windows open at my school is causing children to feel sick and have headaches due to the smell. Staff are complaining that the inside of their noses hurt and often you can taste the smell too. I am very concerned about the long-term effects of what our children, my staff and the community of Silverdale and Newcastle are breathing in. This is clearly not proven. However it isn't just physical health that is being affected as families are unable to take part in their daily outdoor exercise and as such it is affecting people's mental health.

The smell from this Quarry is often horrendous and I would describe it as a gassy and eggy smell that we are unable to escape from. It is there in all types of weather.

This is an important Health and Safety concern in Newcastle-under-Lyme and I feel that more investigations need to be done. I understand that Newcastle Borough Council are going to be spending £50,000 on the investigation but something needs to happen quickly.

I look forward to hearing a response from you for the children and families in my school.

With my very best wishes and support,

Sam Ray

Executive Headteacher

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St Lukes Primary School  
Pepper Street  
Silverdale  
Newcastle  
ST5 6QJ

Environmental Agency  
Ingersmead House  
Orthrup Lane  
Wresbury  
L20 8JG

28<sup>th</sup> January 2021

Dear Environment Agency,

I am writing to you to persuade you to move Walley's quarry landfill because it stinks. I know you make extremely good choices. I respect your hard work. What would you do if our beloved Silverdale lost its reputation? What would you do if people started leaving Silverdale? We don't want Walley's Quarry to run out of money do you? Well if you don't want it to run out of money, then read this letter and you will see all the bad things that could happen if you don't move it. Hopefully, you will agree with me and move the landfill.

The smell of the landfill affects thousands of things. Some people live quite close to Walley's Quarry and smell it every day. It is dangerous to because it affects some people's health. It might smell so bad for some people that they might find it hard to breathe. Some children might not be able to go outside to play or to even have a bit of fresh air.

Something terrible might happen like if a bird is flying and a smell hits them they could lose their concentration.



of flying and fall down on the ground. They could be in serious danger. It isn't just birds that could be in danger but other animals could be too. You don't want animals hurt do you? I'm sure you don't! Please help!

The smell could possibly make the water all dirty and smelly. People might not want to drink it. If you don't drink water in 3 days you could possibly die. Do you have health problems? If you do you could get very ill. Also, there is a graveyard by Walley's Quarry and it wouldn't be very nice with the smell.

So if you want to help (which I'm sure you do) then please, please please move the landfill! Be our hero!

Yours faithfully Lauren Melvin



St Luke's Primary School  
Pepper Street  
Silverdale  
Newcastle  
ST5 6QT

28<sup>th</sup> January 2021

Environment Agency  
iversmeet House  
forthway Lane  
ewkesbury  
GL20 8 JG

Dear Member of Environmental Agency,

I am writing to you because of the stinky smell coming from Walley's Quarry landfill on Cemetery Road in Newcastle-Under-Lyme. The smell can cause something very bad to happen. However, if you don't want anything bad to happen then please move Walley's Quarry landfill to a different place.

In fact, let me tell you what could happen if this smell gets worse a number of people who are already ill can get even more sicker, it is close to Cemetery what means no peace, people would come for a job and then quit, children and teachers won't be able to concentrate when they are working. There could be more problems in this smelly situation.

As well as keeping safe we need to keep animals safe. Speaking about animals little horses and big horses are very close to it even cows. Please do your job and keep everything safe.

To end with, Please grant my wishes so Silverdale could be happier.

Sam Casey Wales



St Luke's Primary School  
Peppert Street  
Silverdale  
Newcastle  
ST5 6QJ

Environmental Agency  
Box 544  
Osterham  
L268 JG

28<sup>th</sup> January 2021

Dear Environmental Agency I am writing to you because I want to persuade you to remove Walley's Quarry Cemetery road Newcastle under Lyme.

Since Walley's Quarry was opened it has been a whole disaster for animals, air and people alone. To make it better you can just remove this dumping, smelly landfill. Although it didn't kill anyone cause of the air, present civilians want to replace it somewhere or elsewhere.

Do you know how much pain people are going through because of this air? If you want a good result you have to remove this landfill. Obviously in summary you a good company but there's one mistake of having this landfill.

It's clear that everyone's nose have a



away against this smelly landfill. In  
act its almost like titants clashing  
for days and days. Soon if the landfill  
is still doing its evil people will  
move houses until Silverdale is abandoned.  
Because of this stench businesses will  
be running out of money and people will be exp.

ually everyone knows that you can  
get sick cause of this horrific smell.  
Animals are rapidly getting low long  
apacity and unfortunately dieing. It's  
the same thing for flowers that they  
are dieing, not growing and getting dramatically.

This can also produce global warming  
so it can be hot later a long time  
and can start to be a problem with  
waters.

In conclusion please get rid  
of this stench of a landfill (Valley's  
Quarry).

To: Environmental Agency

From: Martin

St Lukes  
Primary  
School  
Pepper Street  
Silverdale.  
ST5 6QJ

To whom it may concern,

I would like to bring to your attention that the landfill in Silverdale is horrible. I am a student that lives and goes to school in Silverdale and I am sick of this stench. Every-time I go outside, I feel like I have put my head in a rubbish bin.

Me and my family can not even open one window without the stink coming in. I have never smelt something worse than this. During this current state with the pandemic, people that are working from home are advised to have a window open. However, they can't open a window without letting the stench in. The smell is so bad you can smell it from the top of Silverdale.

Please listen to all of the complaints and take this seriously.

Yours Faithfully  
hily Year 6.



To who, it may concern,

St Lukes

I would like to bring to your attention the awful rotting Landfill. Everytime I come to school, I can just smell that disgusting Landfill. You have probably had so many complaints by now. Why aren't you listening? Sadly, due to corona there's only a few of us and whilst we are in school we have to have the windows open so when we do open them it stinks of the Landfill.

I live 2 miles away from school and I can still smell it. All those people that live in Silverdale, can smell the Landfill. They can't help it can they? The point I'm trying to make is make a difference!

So please consider fixing this whole mess up.

Yours faithfully, Lexi Williams.



ST Luke's Primary  
School  
Pepper Street  
Silverdale  
ST5 6QJ

To Who it may concern,

I wanted to bring to your attention that these horrible landfills are destroying Silverdale and it's even spreading to far away towns.

I think we should start recycling more. It's come to me that we were told from covid rules to open our windows. But from the landfills smell we can't. The people that are burying our waste might be putting something else in with it... are you waking up with a horrible smell?

Yours Faithfully,

Sophie from year six.

ST Luke's  
p Primary School  
Pepper Street  
Silverdale  
ST5 6QJ

To whom it may concern,

I would like to bring your attention the handill in Silverdale is very disgusting. I feel like I can't keep the windows or doors open. The smell is that strong that it is spreading all over town.

I think we should start recycling more as it is getting way out of hand. Some people say that you can't even breathe without smelling it or if it is really bad you can taste it. Please stop!

Yours Faithfully,  
Macie

St Luke's  
Primary School  
Pepper street  
Silverdale  
BT5 6QJ

To who it may concern,

I am writing to you today because I would like to complain about this horrible smell that's in Silverdale. I go to a school to smell in the summer when it's hot I mean obviously we would open the windows. Would you like to wake up in this horrible smell? I don't think you do!

Maybe at some point, the smell will spread out and there would be even more complaining. I mean I'm pretty sure you don't want that happening. I mean now that it's covid you would probably not go to work and you wouldn't have a good smell would you? I think that we should start recycling more as it is getting way out of hand.

Please stop this!

Yours Faithfully Julia and the year 6



St Luke's  
Primary School  
Pepper Street  
Silverdale  
ST5 6QJ

To whom it may concern,

I'm writing to you today to warn you about the horrible stench that's been going around in Silverdale and how bad it is and could get.

For a first, people are worrying about opening their windows and that's bad because at the moment with the disease going around people are working at home, no windows, no fresh air. Also, it's making people feel ill if that's not enough to stop you I don't know what will. When people go jogging, they're supposed to enjoy the fresh air but they can't with this horrible stench.

I really advise you dear that council so please listen for the people, for Silverdale. I have some ideas, why not recycle or use paper cups. So please clear it out.

Yours faithfully, Ollie Poole (R6)



St Luke's Primary School  
Pepper Street  
Silverdale  
Newcastle  
ST56QJ

Environment Agency  
River Smeat House  
Lothway Lane  
Newkesbury  
GL20 8JG

28<sup>th</sup> January 2021

Dear Environment Agency,

I am writing to you today to talk about Walley's Quarry landfill site. It is clear to see that, it is putting many people's mental health at risk. This could be very dangerous in the coming years. That is why you need to act fast.

Surely Walley's Quarry landfill site must move as it is making the streets of Silverdale stink. Unfortunately, little children are not being able to play in the fresh air because of the smell. Did you know that? The elderly's health is not very good with this smell. This is causing them to die earlier. For instance how would you like to live just metres away from this horrid stench. Poor animals that have done no harm to you have to suffer this smell. It can make people really sick. Everybody's taste buds are getting worse causing them not to taste their yummy food.



lots of small businesses are going bankrupt because  
dads don't want to take their kids to somewhere so  
melly. That means they are not making money. Also  
having a landfill next to a cemetery is very disrespectful  
5 it is where people go and see their family when  
they pass away. The plants that live next to you  
are dying and then nobody can buy them. Don't you  
want that?

know you will make the right decision and move  
alley's Quarry landfill site because you are  
a good person. Thank you for your time.

Yours faithfully hexi Poole.



Monday 8<sup>th</sup> March 2021

Dear Councillor Simon Tagg and Mr Aaron Bell MP,

I am writing to you on behalf of the school community of St Mary's Catholic Primary School to express our concerns regarding the impact of Whalley's Quarry Landfill, located at Cemetery Road, Silverdale within our school community.

The landfill site is situated a mere one mile away from our school grounds. Each day, our children are subjected to working in an environment which is extremely unpleasant and unhealthy. The effects of the landfill site can be detected long before the children enter the school building. As someone who commutes into Newcastle-under-Lyme each day, it is of great concern that the strong smell can clearly be identified on exiting the A500 at Cliff Vale. Therefore, can you imagine the conditions which our children, staff and parents experience when arriving at school? In short, it is appalling.

Once inside the school, the smell within our main entrance area, main office, corridors, classrooms and inside store cupboards is overwhelmingly repellent. Part of our daily routine each morning is to open all of our windows so that we are operating in line with our Covid 19 Risk Assessment. When we open the windows, to create air flow around the building to assist in mitigating the spread of Covid 19, we are ventilating our school with the foul smelling air which is outside the building. This simply adds to the pungent, stale air that is already circulating our school.

The children have been very excited about the full opening of the school this week. The greatest excitement being around reuniting with their friends in playing outdoors at break and lunchtime. Unfortunately, playing outside is not a pleasant experience for them as they are unable to play in 'fresh air'. Following a national lockdown, when children haven't had the ability to play and socialise with their friends, it is yet another disappointment for them as well as an obvious health risk.

The main role of us as educators is to form the next generation of citizens who will sustain our environment and who will make well informed decisions when doing so. Our children are already questioning the impact of the landfill site on their local environment and on their own health. Covid has made our children acutely aware of their own health and that of their families. To subject them to such unhealthy conditions is indefensible. Our children have had enough worry in their young lives over the last 12 months to last them into adulthood. Their families have had to



contend with a significant amount of stress and anxiety, which has been beyond their control, without subjecting them to any further stress. We are also working to develop our children as citizens with strong moral values. Again, our children are questioning how the site is allowed to continue to cause such disruption. I am sure that they are not alone in asking these questions.

I am sure that the site owners have, no doubt, made changes to the site in order to reduce the impact on the local community. Unfortunately, any measures that they have put in place have not been successful.

Please share the views of our school community with the organisations and individuals who can effect positive change for our local area and particularly our children.

Your Sincerely,  
Mrs Denise Mellor  
Headteacher at St Mary's Catholic Primary School



St John Fisher Catholic College:

Dear Mr Bell

I am writing on behalf of the St John Fisher Catholic College community regarding the odour from Walley's Quarry run by Red Industries in Newcastle under Lyme.

Concern has been raised by parents and children regarding the smell with some children unable to eat lunch due to feeling nauseous. Coupled with the need for ventilation at present in our school due to the current pandemic, I ask you to take into consideration the concerns raised by members of the school community.

Yours sincerely,

Mr Garrett Murray  
Head of School

Thanks

Garrett

[cid:image001.jpg@01D715AC.DD2D2300]"The LORD is my strength and my defence; he has become my salvation." Psalm 118:14

Mr G Murray - Head of School  
St John Fisher Catholic College, Ashfields New Road, Newcastle under Lyme. Staffordshire. ST5 2SJ  
[www.saintjohnfishercc.co.uk](http://www.saintjohnfishercc.co.uk)<http://www.saintjohnfishercc.co.uk/> | 01782 307551

Friarswood Academy:

Dear Mr Bell,

I am emailing to you today regarding the awful smell that is reportedly coming from Whalley's Landfill site. Many parents are commenting on this situation along with staff and children therefore I feel it is only right that I share their concerns as well as my own.

Everyday we have to open windows in school due to the Covid situation but the smell is so terrible that children and staff are complaining constantly. When the children are outside playing, some children struggle with the smell. Our early years children are outside a lot of the time, which causes even more concern. This obvious issue with the air quality is a real concern. At a time when we are being asked to educate children outside as much as possible and let them have fresh air, along with the staff going outside for fresh air, this simply just isn't happening because of these issues.

On a personal note, I live near to this site and it isn't just the awful stench that is a problem, it's the amount of debris that litters the roads, grass verges and the cemetery. I'm always horrified at the state of this area especially when loved ones visit the cemetery. How can people mourn their loved ones whilst litter is being blown around them and the stench is so overpowering at times.

Thank you in anticipation of you reading and acknowledging this concern.

Kind regards

Mrs Lindsey Wilmer

Headteacher

Merryfields School:

Good Afternoon Mr Bell

I hope both you and your family are well during these strange and difficult times.

I am writing to discuss briefly a concern we have within school and were hoping you would be able to raise it with the appropriate people.

As you know, Merryfields School have remained open to pupils since last March and continue to offer placements to a very high number of our pupils on a daily basis. As is the case with other schools, we will be welcoming all pupils back to school on Monday 8th March, which we are thrilled about and awaiting with great anticipation.

Our concern arises, as there is a certain 'stench' for want of a better word, which is currently spreading around not only our school, but also Wolstanton. We have been informed that this is coming from a nearby tip, or refuge site and whilst we understand that this is not something that would generally be an issue, the severity of the smell is having a very negative impact on our learners within school.

The smell is not constant and seems to be heightened during certain days and times of the day.

Due to Covid-19, we are required to have our windows open for ventilation, as part of our control measures. However, when we do open windows, the resultant smell enters the building is very difficult to get rid of. Our more cognitively able pupils are being understandably distracted by this whilst in the classroom. However, what is equally concerning for ourselves, is the impact this smell is having on our more sensory learners and those with behavioural needs.

As you are aware a high number of pupils in Merryfields have sensory processing disorder. The impact of this smell on their ability to concentrate is very damaging and the distracting nature is often too much for pupils to deal with. We are therefore seeing an increase in negative behaviours in pupils, as they struggle to deal with such an overwhelming scent.

Finally, our pupils require a very high level of access to focused outdoor provision. Our staff are not overly happy about leaving the classroom to stand outdoors in such a stench as well as exposing the learners to it on a regular basis.

I am aware that you are extremely busy, and please be assured my intention is not to add to your workload. However, I have concerns that if this smell does not clear soon, we will experience significant issues with our pupils, especially as we are due to welcome all of our pupils back to school this Monday.

I hope you can find the time to respond as I would be interested to know if we are the only school raising this issue and whether something was currently being actioned to investigate this smell.

Thank you very much for your time.  
Neil Brannigan

Coppice Academy:

The Coppice academy is a special school located on Abbotts Way. We are very lucky to have lots of outside spaces within and around our school grounds. These outside spaces are essential to the delivery of our vocational curriculum that allow students to receive education in an holistic environment. When we returned to school after the Christmas holiday the rancid smell from the landfill site at Walley's Quarry seemed to have increased so much so students are asking to stay indoors and keep windows shut as the smell is making them feel quite ill. Unfortunately due to Covid and the need for additional ventilation throughout the school we have an big issue that is difficult to balance. My fears going forward into spring/summer is that if the smell will increase and will worsen as temperatures rise. The result to us as a school will mean that will not be able to use our open spaces hence failing to teach our children vital life and employability skills which will hinder future pathways.

Diane Ahearn  
Principal

Langdale Primary:

Thank you for your email. As a resident of the local area, I have also submitted a complaint this weekend as the smell was unbearable. I worked from home on the Wednesday and felt nauseous and had a very bad headache.  
My school, Langdale Primary School, is roughly 1.8 miles from the Quarry site and generally, we do not suffer with the smell unless the air is very cool in the morning or at extreme temperatures in the summer. However, this last week has seen a marked difference as we noted the smell in and around the school from Wednesday through to this last weekend.

Some evidence I can use to support the weekend and 3 days prior is that the smell was in my school, we called out a plumber as we often get drains blocked, who said that they were all clear and it may be due to the landfill site. I had 2 members of staff be violently sick for no apparent reason, but both had reported the smell, a very strong headache and then violent sickness.  
3 members of staff are currently off with migraine symptoms and this is becoming more prevalent with staff over the last 6 months - coincidentally, these staff live within the surrounding area.

I have done a brief survey with the children we have in school today - our normal numbers would be 422, but we only have 139 in due to COVID. Out of the 139, I asked the older children for more accuracy - 84 in total.

Of the 84 asked, 65 agreed that at some point they had smelt the landfill whilst at home and school. Of the 84 asked, 52 agreed that they were put off from playing by the smell, mainly at home, but 12 reported not wanting to play outside last Thursday due to the smell.

I could do a more comprehensive research for you when all schools return. I have huge concerns for the children on their return as we are expected to keep all windows open in school to allow for air circulation and unfortunately, last week, we were forced to close the windows due to the children complaining about the smell.



**From:** MURPHY, Ella A <[ellaa.murphy@parliament.uk](mailto:ellaa.murphy@parliament.uk)>  
**Sent:** 16 March 2021 13:09  
**To:** BURRELL, Taylor <[taylor.burrell@parliament.uk](mailto:taylor.burrell@parliament.uk)>  
**Subject:** RE: Evidence to NBC

This has now been edited on the case. Can you double check what attachments are going with it, send them over to me, and then I will send.

**From:** BURRELL, Taylor <[taylor.burrell@parliament.uk](mailto:taylor.burrell@parliament.uk)>  
**Sent:** 15 March 2021 20:50  
**To:** MURPHY, Ella A <[ellaa.murphy@parliament.uk](mailto:ellaa.murphy@parliament.uk)>  
**Subject:** RE: Evidence to NBC

I am writing to provide a submission of how the odours from Walley's Quarry landfill is impacting my constituents as well as my role as an MP.

As you all know, the stink has been very bad since Christmas but in the last month it has become intolerable and this has been noticed by those all around Newcastle-under-Lyme as well as further afield. Many businesses, organisations, schools and residents have been in contact with me about it.

I have received correspondence from the Business Improvement District (BID). They have informed me that many businesses are finding the constant presence of the odour to be having serious detrimental effects on their businesses both in the town centre and outside the ring road. Some of the issues being highlighted relate to premises ventilation, staff welfare and wellbeing as well as serious complaints and concerns from customers. An example of how great an impact the odour is having can be summarised by one business, who wrote to me saying "we have over £40,000 worth of stock... somehow the smell is now within (the store) and will no doubt settle on to the clothing range which then in essence makes our stock unsellable and worthless."

I share many businesses' concerns that as they come out of lockdown and start to reopen, it will be very difficult to encourage people back to the town centre because of the smell.

On 8th March I visited St Giles' & St George's Academy and spoke to some of the children who had written to me about the impact the smell has on their ability to focus during lessons. The Headteacher, Mrs Pointon, told me about the numerous occasions she has arrived at school to overwhelming odour in the building. I have had similar reports from St Wulstans, St Lukes, Silverdale, Knutton St Mary's, St John Fisher Secondary, Merryfields, Friarswood as well as other pre-schools and nurseries in the area too. I will append their letters into my correspondence.

It is comfortably the biggest issue that I receive correspondence about in my mailbox. Since my election in 2019 I have had over 700 recorded emails about the odour. Around 1 in every 5 constituents contact me about the odour. Many of these people have suggested that the odour is causing them and their family health issues. As I am not a doctor, I have advised them to contact their GP with these concerns. On 12<sup>th</sup> March I visited Silverdale and Ryecroft GP and spoke with Dr Scott. We discussed the impact that the foul odours in the air are having, both on the community but also the strain it is putting on the surgery.

Dr Scott described the health impact that they are seeing, with local patients presenting with asthma exacerbations, severe hay-fever type symptoms, nausea, depression and insomnia. I understand that local GPs will be submitting their own evidence of the impact on their services.

Since Christmas it is the most written about topic by a significant proportion, such is the strength of feeling and number of incidents. Currently this has meant that I have around 500 unresolved cases on the topic. Over the past month, when the smell has got particularly worse, 54% of all constituents who contacted me, did so about the topic. I have had 10 times the average amount of social media engagements with the public on Walley's, with an increase to 34,464 people interacting with my page about the issue.

This is adversely affecting constituent's lives in many ways such as cutting their asking price on houses, not moving into more easily accessible living, doing day-to-day activities as well as impacting their mental health. I have reproduced a few examples of what has been said to me to show the seriousness of the odour of their lives:

"It's affecting my health, I have MS and it's triggering migraines. My 13 year old son who has asthma can't stop coughing and has vomited."

"My twin 1 year old grandchildren stayed and they have been coughing all night, we are all shattered and it is sending us crazy. I would like to escape my own home and area."

"the smell from the landfill is bad this morning at half 3...Not happy at all. something needs doing and fast."

"I deserve fresh air!!!! My son deserve fresh air! Not worth living! We cant sleep!!! We cant breathe!!! I feel sick all the time!!!"

"On Friday we buried my mum at Silverdale cemetery and I've visited every day since. Today I've had to wear a mask as the smell is so strong and enough to make you sick! Its heart-breaking that we can't spend as much time as we want with our loved ones at the cemetery due to the horrendous smell."

"When we hopefully emerge in to a world with less COVID restrictions, I would anticipate that this will become a significant issue in attracting businesses and investment into the town. Who on earth would want to bring their business here suffer the stench out of choice?"

My team of staff is small and dealing with issues related to the smell takes up the majority of their time. In addition to responding to constituents, my staff and I have been in meetings with and visited several organisations, participated in interviews, gave press releases, written speeches, drafted Bills and generated social media posts all on the one topic of odour emanating from the landfill. This detracts from other issues which an MP may be able to provide help with. In recent weeks I have also had to hire more staff to help with the workload.

The smell emanating from Walley's Quarry Landfill is my top local concern. I will continue to push for action on it. I hope this submission helps provide a clear picture of the impact the odour is having on everyone's lives.

**From:** MURPHY, Ella A <[ellaa.murphy@parliament.uk](mailto:ellaa.murphy@parliament.uk)>

**Sent:** 15 March 2021 18:46

**To:** BURRELL, Taylor <[taylor.burrell@parliament.uk](mailto:taylor.burrell@parliament.uk)>

**Subject:** RE: Evidence to NBC

Aaron will need to look at this again, but can you add to the point about the health issues the conversation AB had on Friday and Dr Scott's list of common symptoms that present themselves.

Instead of the highlighted 2 weeks, I would say month.

Also can you add the testimony from that Baby shop who were worried about their merch being unsellable to the BID paragraph.

The highlighted bit further down I think can be sharpened too.

**From:** BURRELL, Taylor <[taylor.burrell@parliament.uk](mailto:taylor.burrell@parliament.uk)>

**Sent:** 15 March 2021 16:48

**To:** MURPHY, Ella A <[ellaa.murphy@parliament.uk](mailto:ellaa.murphy@parliament.uk)>

**Subject:** Evidence to NBC

Updated letter to Council:

I am writing to provide a submission of how the odours from Walley's Quarry landfill is impacting my constituents as well as my role as an MP.

As you all know, the stink has been very bad in the past few months but in **the last two weeks** it has become intolerable and this has been noticed by those all around Newcastle-under-Lyme as well as further afield. Many businesses, organisations, schools and residents have been in contact with me about it.

I have received correspondence from the Business Improvement District (BID). They have informed me that many businesses are finding the constant presence of the odour to be having serious detrimental effects on their businesses both in the town centre and outside the ring road. Some of the issues being highlighted relate to premises ventilation, staff welfare and wellbeing as well as serious complaints and concerns from customers.

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This is adversely affecting constituent's lives in many ways such as cutting their asking price on houses, not moving into more easily accessible living, doing day-to-day activities as well as impacting their mental health. I have reproduced a few examples of what has been said to me to show the seriousness of the odour of their lives:

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The smell emanating from Walley's Quarry Landfill is my top local concern. I will continue to push for action on it. I hope this submission helps provide a clear picture of the impact the odour is having on everyone's lives.

Emails and letters from schools:

Dear Mr Bell

I am writing on behalf of the St John Fisher Catholic College community regarding the odour Lyme from Walley's Quarry run by Red Industries in Newcastle under Lyme.

Concern has been raised by parents and children regarding the smell with some children unable to eat lunch due to feeling nauseous. Coupled with the need for ventilation at present in our school due to the current pandemic, I ask you to take into consideration the concerns raised by members of the school community.

Yours sincerely,

Mr Garrett Murray  
Head of School

Thanks

Garrett

[cid:image001.jpg@01D715AC.DD2D2300]"The LORD is my strength and my defence; he has become my salvation." Psalm 118:14

Mr G Murray - Head of School  
St John Fisher Catholic College, Ashfields New Road, Newcastle under Lyme. Staffordshire. ST5 2SJ  
[www.saintjohnfishercc.co.uk](http://www.saintjohnfishercc.co.uk)<http://www.saintjohnfishercc.co.uk> | 01782 307551

Dear Mr Bell,

I am emailing to you today regarding the awful smell that is reportedly coming from Whalley's Landfill site. Many parents are commenting on this situation along with staff and children therefore I feel it is only right that I share their concerns as well as my own.

Everyday we have to open windows in school due to the Covid situation but the smell is so terrible that children and staff are complaining constantly. When the children are outside playing, some children struggle with the smell. Our early years children are outside a lot of the time, which causes even more concern. This obvious issue with the air quality is a real concern. At a time when we are being asked to educate children outside as much as possible and let them have fresh air, along with the staff going outside for fresh air, this simply just isn't happening because of these issues.

On a personal note, I live near to this site and it isn't just the awful stench that is a problem, it's the amount of debris that litters the roads, grass verges and the cemetery. I'm always horrified at the state of this area especially when loved ones visit the cemetery. How can people mourn their loved ones whilst litter is being blown around them and the stench is so overpowering at times.

Thank you in anticipation of you reading and acknowledging this concern.

Kind regards

Mrs Lindsey Wilmer

Headteacher (Friarswood)

Good Afternoon Mr Bell

I hope both you and your family are well during these strange and difficult times.

I am writing to discuss briefly a concern we have within school and were hoping you would be able to raise it with the appropriate people.

As you know, Merryfields School have remained open to pupils since last March and continue to offer placements to a very high number of our pupils on a daily basis. As is the case with other schools, we will be welcoming all pupils back to school on Monday 8th March, which we are thrilled about and awaiting with great anticipation.

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The smell is not constant and seems to be heightened during certain days and times of the day.

Due to Covid-19, we are required to have our windows open for ventilation, as part of our control measures. However, when we do open windows, the resultant smell enters the building is very difficult to get rid of. Our more cognitively able pupils are being understandably distracted by this whilst in the classroom. However, what is equally concerning for ourselves, is the impact this smell is having on our more sensory learners and those with behavioural needs.

As you are aware a high number of pupils in Merryfields have sensory processing disorder. The impact of this smell on their ability to concentrate is very damaging and the distracting nature is often too much for pupils to deal with. We are therefore seeing an increase in negative behaviours in pupils, as they struggle to deal with such an overwhelming scent.

Finally, our pupils require a very high level of access to focused outdoor provision. Our staff are not overly happy about leaving the classroom to stand outdoors in such a stench as well as exposing the learners to it on a regular basis.

I am aware that you are extremely busy, and please be assured my intention is not to add to your workload. However, I have concerns that if this smell does not clear soon, we will experience significant issues with our pupils, especially as we are due to welcome all of our pupils back to school this Monday.

I hope you can find the time to respond as I would be interested to know if we are the only school raising this issue and whether something was currently being actioned to investigate this smell.

Thank you very much for your time.  
Neil Brannigan (Merryfields)

The Coppice academy is a special school located on Abbots Way. We are very lucky to have lots of outside spaces within and around our school grounds. These outside spaces are essential to the delivery of our vocational curriculum that allow students to receive education in an holistic environment. When we returned to school after the Christmas holiday the rancid smell from the



landfill site at Walley's Quarry seemed to have increased so much so students are asking to stay indoors and keep windows shut as the smell is making them feel quite ill. Unfortunately due to Covid and the need for additional ventilation throughout the school we have a big issue that is difficult to balance. My fears going forward into spring/summer is that if the smell will increase and will worsen as temperatures rise. The result to us as a school will mean that we will not be able to use our open spaces hence failing to teach our children vital life and employability skills which will hinder future pathways.

Diane Ahearn  
Principal

Thank you for your email. As a resident of the local area, I have also submitted a complaint this weekend as the smell was unbearable. I worked from home on the Wednesday and felt nauseous and had a very bad headache.

My school, Langdale Primary School, is roughly 1.8 miles from the Quarry site and generally, we do not suffer with the smell unless the air is very cool in the morning or at extreme temperatures in the summer. However, this last week has seen a marked difference as we noted the smell in and around the school from Wednesday through to this last weekend.

Some evidence I can use to support the weekend and 3 days prior is that the smell was in my school, we called out a plumber as we often get drains blocked, who said that they were all clear and it may be due to the landfill site. I had 2 members of staff be violently sick for no apparent reason, but both had reported the smell, a very strong headache and then violent sickness.

3 members of staff are currently off with migraine symptoms and this is becoming more prevalent with staff over the last 6 months - coincidentally, these staff live within the surrounding area.

I have done a brief survey with the children we have in school today - our normal numbers would be 422, but we only have 139 in due to COVID. Out of the 139, I asked the older children for more accuracy - 84 in total.

Of the 84 asked, 65 agreed that at some point they had smelt the landfill whilst at home and school. Of the 84 asked, 52 agreed that they were put off from playing by the smell, mainly at home, but 12 reported not wanting to play outside last Thursday due to the smell.

I could do a more comprehensive research for you when all schools return. I have huge concerns for the children on their return as we are expected to keep all windows open in school to allow for air circulation and unfortunately, last week, we were forced to close the windows due to the children complaining about the smell.



Martin Hamilton  
Chief Executive  
Newcastle-under-Lyme Borough Council  
Castle House  
Newcastle-under-Lyme  
Staffordshire ST5 1 BL

Sent via email: [martin.hamilton@newcastle-staffs.gov.uk](mailto:martin.hamilton@newcastle-staffs.gov.uk)

17 March 2021

Dear Martin,

**Walleys Quarry Landfill Site, Cemetery Road, Silverdale**

Aspire Housing provides social housing accommodation to approximately 8,000 households within the Borough of Newcastle-under-Lyme. I write to present the recent feedback that we have received from our customers regarding the above landfill site.

While we have not received any formal complaints, a number of customers have raised concerns during telephone calls with our Contact Centre colleagues and with our Locality Teams during site visits, a summary of which is below:

**Contact Centre update**

- A customer mentioned that they would not open the windows in the property due to the smell when an operative attended.
- A customer said that the smell was making her feel really sick, she was struggling to cope with it and had reported the issue to the council.
- A few customers have recently mentioned during telephone conversations that they could smell the quarry.

**Locality team update**

We manage a Travelling Community site located next to Walleys Quarry. We consulted with the residents in the summer of 2020 to gain an understanding of the issues that they experience. At this time our customers main concerns were:

- The number of rats present on the site which were being attracted to the Landfill Site. This information was reported into a Scrutiny Panel Review of the Landfill Site hosted by Newcastle Borough Council.
- The odour from the site was also mentioned with many residents reporting that they found it unpleasant, but they had grown used to it.

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In February 2021 we were contacted by Newcastle-under-Lyme's Borough Council's Environmental Health Team asking if we could help to engage with our Travelling Community to explore if they had any further issues or concerns regarding the quarry. A consultation exercise was therefore carried out by phone, with residents reporting:

- The odour from the site was getting worse and was affecting residents breathing.
- There was still an issue with rats.
- A couple of residents stated that they could not discuss it because of a 'pay off'. This has been fed back to Environmental Health.

#### **Latest enquiries**

We are directing new customer enquiries to the council's web page so that they are able to obtain the most up to date information regarding the site and report any further concerns or complaints.

Yours sincerely,



**Sinéad Butters**  
**Group Chief Executive**

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**From:** Enquiries <enquiries@redindustries.co.uk>  
**Sent:** 16 March 2021 17:39  
**To:** Dickinson, Daniel <Daniel.Dickinson@newcastle-staffs.gov.uk>  
**Subject:** FW: Walley's Quarry Scrutiny Review

This email has been received from an address outside the Council, please be very cautious when opening any attachments or clicking on any links herein.

Dear Daniel

Thank you for your email.

We can confirm that, as per our numerous email exchanges with Councillor Fear, we made our submission to the scrutiny committee on 15<sup>th</sup> March 2021. We attach our response to the recommendations for "Red" included in the report.

Kind regards,

**For Red Industries**



**Sneyd Hill Waste Facility:** Sneyd Hill, Burslem, Stoke-on-Trent, ST6 2DZ

**Walleys Landfill:** Cemetery Road, Silverdale, Newcastle-under-Lyme, ST5 6SB

**Brownhills Office & Facility:** Collier Close, Coppice Side Industrial Park, Brownhills, WS8 7EU

**Head office:** Borough House, Berkeley Court, Borough Road, Newcastle-under-Lyme, ST5 1TT

**W** [www.redindustries.co.uk](http://www.redindustries.co.uk)



On 1st September 2020, the name of our company's legal entities changed. Click here for more details: <https://bit.ly/3kvNvuy>  
Our terms & conditions and other documentation can be downloaded from: [www.redindustries.co.uk/customer-portal/](http://www.redindustries.co.uk/customer-portal/)

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### **Red Industries Scrutiny committee reply**

#### **A – Publicly acknowledge the extent of public concern relating to the impact on the community from the operation of the landfill.**

*It is clear that there is public concern in the local area, and we are happy to work with partner groups and agencies to address these concerns. Indeed, this acknowledgement of local concern is the reason why we took the decision to voluntarily curtail some activities at the facility for a temporary period whilst we accelerate our engineering program. We were already focussed on driving through the engineering program but realise that the wider community wanted to see our commitment, hence the decision.*

*We welcome sensible dialogue with partner agencies as to how effective communication is achieved with local residents as the sharing of information via the liaison group (required by the planning permission) is not as effective as it should be as too few members share information and those that do can be criticised for doing so. Notwithstanding this we will explore other avenues of communication away from this forum.*

#### **B – Proactively manage the matters of concern, rather than awaiting enforcement action to remedy public concerns**

*We cannot accept that there is any complacency on our part in addressing matters relating to the site. This is simply not substantiated by any previous regulatory or enforcement history. Indeed, the facility, was one of the first to successfully transition to the new international ISO45001 health and safety system standard. Rather from our point of view, the key is effective communication of the activities, monitoring and operation of the facility.*

*As above we welcome sensible dialogue with partner agencies as to how effective communication is achieved with the local community and will explore other avenues of communication.*

#### **C – Investigate and Implement operational procedures to emulate best practice to mitigate odour rather than statutory minimum**

*It is not correct that we work to statutory minimum standards. The site is permitted under a regime which requires all environmental controls and operational standards to comply with Best Available Technique ('BAT'). This framework extends throughout the UK and across Europe and constitutes an amalgamation of the best practice operated to by EU member states.*

*We are confused by the council's recommendation that we should emulate best practice to minimise odour. Our permit requires us to adopt best practice as a matter of course and include conditions relating to odour control.*

*Furthermore, this is not borne out by the regulatory and enforcement history at the facility. We pay for external auditing of the facility through BSI (British Standards Institute) and employ specialist environmental consultants to advise on various operational measures and procedures and in retaining our accreditation we implement a programme of continual improvement.*

*Notwithstanding this we regularly engage third party consultants and specialist suppliers to advise us on a broad range of subjects including operational and environmental control systems at the landfill.*



**D – Provide real-time on-site air pollution on a publicly accessible forum**

*It has been widely acknowledged that there are challenges in locating equipment that will provide reliable meaningful data on such matters. We understand that this could provide increased confidence in the wider area along with protecting us. We are consulting with specialists on this matter and will report such outcomes at future liaison group meetings so we can assess and make recommendations. Such research and development work aligns completely with the key objectives of the liaison group, to review information, make recommendations and communicate effectively with local communities.*

**E – Regularly and routinely provide community engagement and liaison outside of the liaison committee. Providing updates to the surrounding community in relation to activities on site.**

*Unfortunately, the sharing of information via the liaison group has not proven to be as effective as it should be. Too few members choose to share the information provided and others may be criticized for doing so. We are happy to take advice from partner agencies and communications experts in how to achieve communication objectives. Having reviewed work at other environmental facilities we would think that a good place to start is a dedicated FAQs section on the facility as there are a number of questions that are consistently asked such as opening hours, types of waste received, height of the waste etc.... that could be visually addressed on such a web page.*

**F – Appoint independent community representatives for odour assessment, rather than using on-site staff who are more familiar and potentially desensitised to the odour. Emulate best practice as per previous operator Lafarge.**

*As you will appreciate at the time of acquisition, we had an extensive hand-over with the previous owner and there are no records of the utilisation of independent community representatives for odour assessment, if the council wishes to provide them to us, we will happily review and comment accordingly.*

**G – Liaison committee to be extended beyond the prescribed minimum to include community liaison groups and public health representatives. A public questions section to be added to the standard agenda and for all meetings to be webcast**

*The liaison group already makes invitations to a membership beyond that set out in the planning permission and it is disappointing that many of those invited have chosen either not to attend at all, or to attend infrequently. The key to success of the liaison group is the invitation of local stakeholders that are prepared to attend the meetings, attend the facility to understand operations, engage respectfully and factually and share information effectively.*

*Again, we would take advice from partner agencies on who these persons may be, certainly we would need to reach out to residents' representatives, some of whom are already invited to see how this may be achieved. Certainly, the submission of questions and webcasting are worth considering provided the engagement is respectful, factual, and objective.*



**H – Publish Red’s environmental management plan, including complaints received, investigation reports and findings**

*We are happy to work with partner agencies to discuss the best way of taking this forward and to engage with local stakeholders to better enable them to understand how the facility is operated, and the extensive measures taken to ensure the highest environmental standards.*

**I – Enhance the quality and extent of daily cover to prevent and improve odour, wind-blown litter, and gull control**

*We are not aware that daily cover has been described as requiring improvement by the experienced regulator and this issue was not raised by them (the EA) during the course of the meetings held as part of the Scrutiny Committee. We import large quantities of soil and other suitable material for daily cover which is used extensively at the site.*

*As a precaution we are already installing secondary litter netting and bunding at the facility.*

**J – Undertake proactive litter picking off-site, when necessary**

*Litter picking is already undertaken by Red in the local area, albeit of late on the advice of the police we have been advised not to wear Red Industries branded workwear. We would appreciate the council and MP making it clear, as they have chosen to do for other people carrying out their job in the area, that employees of Red Industries are in this area carrying out their work and should be able to do so visibly. We would appreciate your support and acknowledgement that there are several sources of litter in the area, including from non-landfill traffic, and that Red Industries does not differentiate between such sources when we litter pick. We would also appreciate the cooperation of the relevant areas of the council/county council so that our teams can safely pick the car thrown rubbish in the hedgerows on the un-paved side of Silverdale Road. We would further propose that a dedicated email address, such as [litterpick@redindustries.co.uk](mailto:litterpick@redindustries.co.uk) is created for residents to report matters relating to landfill generated litter. This would enable Red to be informed without the need to scour social media and ensures that the information arrives with us so we can take prompt action.*

**K – Communicate to all customers requirements relating to no overnight parking on Cemetery Road**

*This has been done on many occasions previously, and we are totally comfortable to continue to do this. We would also propose introducing a dedicated email address to report discourteous drivers to, perhaps [HGV@redindustries.co.uk](mailto:HGV@redindustries.co.uk). This way we can take prompt targeted action without the need to scour social media to find such information.*

*We reiterate our offer to fund road marking and associated signage to make Cemetery Road a clear-way, making it an offence for vehicles to stop on this road. We are happy to go further and provide signage and planting that makes it clear the layby is primarily for those visiting the cemetery.*

**L – Accelerate the program of temporary capping and permanent capping on site**

*As already stated, this is underway and is being applied to areas where it is currently feasible to do so.*

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