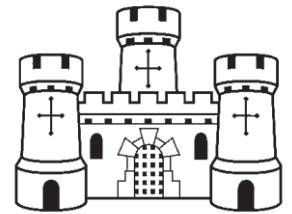


**Date of meeting** Monday, 28th November, 2022

**Time** 7.00 pm

**Venue** Queen Elizabeth II & Astley Rooms - Castle House, Barracks Road, Newcastle, Staffs. ST5 1BL

**Contact** Denise French - 742211



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

Castle House  
Barracks Road  
Newcastle-under-Lyme  
Staffordshire  
ST5 1BL

## **Health, Wellbeing & Environment Scrutiny Committee**

### **AGENDA**

#### **PART 1 – OPEN AGENDA**

**1 APOLOGIES**

**2 DECLARATIONS OF INTEREST**

**3 MINUTES OF PREVIOUS MEETING (Pages 5 - 10)**

To consider the Minutes of the last meeting of the Committee held on 5 September 2022.

**4 UPDATE FROM CABINET**

**5 USE OF GRAZING ANIMALS**

To consider a presentation.

**6 TRI-SERVICES**

To consider a presentation.

**7 TENNIS PROVISION IN THE BOROUGH (Pages 11 - 14)**

This item includes a supplementary report.

**8 WALLEYS QUARRY (Pages 15 - 36)**

**9 STAFFORDSHIRE HEALTH AND CARE OVERVIEW AND  
SCRUTINY COMMITTEE (Pages 37 - 38)**

To receive the latest digest and any feedback from members of this committee who attended recent meetings of the Staffordshire Health and Care Overview and Scrutiny Committee

**10 MEETING WITH THE INTEGRATED CARE BOARD (Pages 39 - 40)**

- 11 STAFFORDSHIRE POLICE, FIRE AND CRIME PANEL (Pages 41 - 50)**
- 12 WORK PROGRAMME (Pages 51 - 54)**
- 13 PUBLIC QUESTION TIME**

Any member of the public wishing to submit a question must serve two clear days' notice, in writing, of any such question to the Borough Council.

**14 URGENT BUSINESS**

To consider any business which is urgent within the meaning of Section 100B (4) of the Local Government Act 1972.

**15 DATE OF NEXT MEETING - 6 MARCH 2023**

**Members:** Councillors Adcock (Vice-Chair), Barker MBE, Brown, Crisp, Dymond, S Jones, Northcott, Reece, Richards, Wilkes (Chair) and Wright

**Members of the Council:** If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

**Meeting Quorum:** The meeting quorum for Scrutiny Committees is 4 of the 11 members.

**SUBSTITUTE MEMBER SCHEME** (Section B5 – Rule 2 of Constitution)

The Constitution provides for the appointment of Substitute members to attend Committees. The named Substitutes for this meeting are listed below:-

Substitute Members:	Beeston	D Jones
	Bryan	Moffat
	Burnett	Parker
	Edginton-Plunkett	J Tagg
	Fox-Hewitt	S White
	Holland	

*If you are unable to attend this meeting and wish to appoint a Substitute to attend in your place you need to:*

- Identify a Substitute member from the list above who is able to attend on your behalf
- Notify the Chairman of the Committee (at least 24 hours before the meeting is due to take place)

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

**NOTE:** THERE ARE NO FIRE DRILLS PLANNED FOR THIS EVENING SO IF THE FIRE ALARM DOES SOUND, PLEASE LEAVE THE BUILDING IMMEDIATELY THROUGH THE FIRE EXIT DOORS.

ON EXITING THE BUILDING, PLEASE ASSEMBLE AT THE FRONT OF THE BUILDING BY THE STATUE OF QUEEN VICTORIA. DO NOT RE-ENTER THE BUILDING UNTIL ADVISED TO DO SO.

## HEALTH, WELLBEING & ENVIRONMENT SCRUTINY COMMITTEE

Monday, 5th September, 2022  
Time of Commencement: 7.30 pm

[View the agenda here](#)

[Watch the meeting here](#)

**Present:** Councillor Ian Wilkes (Chair)

Councillors:	Adcock	Crisp	Reece
	Barker	Dymond	Richards
	Brown	Northcott	Wright

Apologies: Councillor(s) S Jones

Substitutes: Councillor Mark Holland (In place of Councillor Simon Jones)

Officers:	David Adams	Executive Director - Sustainable Environment
	Andrew Bird	Head of Sustainable Environment
	Denise French	Democratic Services Team Leader

Also in attendance:	Councillor Gill Heesom	Portfolio Holder - Community Safety and Wellbeing
	Councillor Trevor Johnson	Portfolio Holder - Environment and Recycling

### 13. **DECLARATIONS OF INTEREST**

There were no declarations of interest made.

### 14. **MINUTES OF PREVIOUS MEETING**

**Resolved:** that the minutes of the meeting held on 23 June 2022 be agreed as a correct record.

### 15. **UPDATE FROM CABINET**

There was no update from cabinet.

Members asked for a progress update on the Air Quality project and whether the committee would be given an opportunity to scrutinise this as raised at the Council meeting on 6 July 2022.

The Executive Director for Sustainability explained that the Outline Business Case had been prepared in 2020 and had been subject to consideration by the relevant scrutiny committee. The Final Business Case was now being prepared. This would come to this committee for scrutiny and a special meeting would be arranged if needed.

### 16. **NEW POLICING MODEL AND IMPACT ON THE BOROUGH**

The committee welcomed Commander and DCI John Owen to the meeting. Commander Owen outlined the new policing model that had been implemented in June 2022. The new model saw the introduction of 10 local policing teams including one that covered the borough of Newcastle under Lyme with dedicated response officers, neighbourhood officers (called problem solvers) and a harm reduction focus working in partnership with the borough council. The new model had seen positive indicators to date with quicker response times and strong partnership working, particularly focused on Newcastle town centre. The staff numbers had increased now the school holidays had finished. The grade 1 response times were improving, crime and anti-social behaviour (ASB) were both reducing, stop and searches were increasing.

Members raised queries and issues as follows:

- How would the model apply to rural areas? The committee was informed that there were now 60 response officers and 15 problems solvers and a harm reduction hub, dedicated to the borough and across different locations to give increased visibility and improved response times.
- Were there named officers for specific areas? There were not named officers for certain areas; the Commander explained that he had ownership of all policing both neighbourhood and response with 5 response teams and 3 neighbourhood teams. This allowed him to have an overview of the whole picture with resources being managed and allocated as appropriate. There was now 24/7 coverage. The aim was for councillors to link with the sergeant and PCSOs for their neighbourhood area and they would be the first point of contact.
- The 101 service for non-emergencies was seen as ineffective due to long wait times where callers were often kept in a queue. The committee was advised that the Chief Inspector was aware and was trying to resolve the issues with 101 in terms of speed of answering the phone and the speed of any response. There was also the option to report via social media which could be used for instant reporting.

In conclusion the Commander reported that the grade 1 response times were improving under the new model – the target was to respond in 13 minutes from point of call – responses had increased from an average of 69% to an average response of 78% with 95% achieved on 4 September. There were also decreases in daily crime and ASB occurrences helped by speedier responses; stop and searches were increasing and this gave confidence to the public that issues were being dealt with.

**Resolved:** that the update be received.

[Click here to watch the debate](#)

## **17. UPDATE ON THE COUNCIL'S NEW RECYCLING COLLECTION SERVICE**

The Portfolio Holder for Environment and Recycling introduced the report on the operation and performance of the new recycling service introduced in 2020. The

borough was now the second highest performer in Staffordshire in regards to recycling and he thanked staff for their role in transforming the service.

The Head of Sustainable Environment presented the report. The new service had received positive feedback from residents; the streets looked tidier; tonnage volumes of recycling had increased and the overall volume of waste had decreased. The number of missed collections had reduced and the quality of recycled materials was high.

The aims for the future were, in the short term, to increase separate food waste collections, enhance provision of services for those residents living in flats and look at options for participation in recycling by commercial and business properties. In the longer term the implications of the Environment Act 2021 were outlined:

- The Office for Environmental Protection (OEP) would be set up whose role included holding the government to account on environmental issues.
- Producers would become responsible for the full net costs of their products after they had been used for their primary purpose.
- Introduction of a deposit return scheme for single use drink containers.
- Charges for single use plastics.
- Separation of waste requirements.

It was noted that the council's current recycling and food waste collection service met the requirements in the Act.

Members were informed that each cab had a Bartec system that monitored the route and a 20 minute audit was carried out on each collection vehicle every fortnight. This was mainly to ensure health and safety requirements were being adhered to but would also review quality of service. Feedback was provided to crews.

Members raised queries and points as follows:

- How would the council encourage residents to participate? The committee was informed that the service had invested in social media and had many followers on their page. This was a better way to engage with residents and more sustainable than printing leaflets. Experion was providing data on population profiles but this work was ongoing. There were also messages on the council's mobile advertising sources.
- Members noted that blue bags were sometimes taken without being replaced. It was explained that the system was that a replacement bag should always be provided; it could be due to use of agency staff who were less familiar with the process or that there were no replacement bags left on the bin wagon.
- The low numbers of take up of the food waste scheme (27%) could be due to some residents composting at home, lack of realisation of what could be included such as vegetable peelings or unwillingness to have a food waste caddy in their home. It was also noted that once food waste was separated it was clear how much was wasted and this could have a positive impact in reducing food waste.
- How had charging impacted the garden waste collection scheme? The scheme currently had 20,000 households subscribed to the service which represented just under half of households with gardens. The tonnage amount of garden waste was around 80% of the amount collected under the free service and the quality had greatly improved.

**Resolved:** that the update be noted.

[Click here to watch the debate](#)

**18. WALLEYS QUARRY ODOUR ISSUES**

The committee considered the latest update report on the odour issues at Walleys Quarry.

The operator had appealed against the Abatement Notice served by the council. The pre-trial review would take place on 20 September and the hearing was scheduled for 24 October and could last for 4 weeks.

Current complaint data to both the council and the Environment Agency was presented along with data from the four air quality monitoring stations. The data from the monitoring stations showed a consistently low percentage of occasions when the annoyance threshold was exceeded. It was vital to ascertain whether these reductions reflected the works on site to increase capping or the warmer weather or a combination of both.

Members raised issues as follows:

- What was the future use of the site? The committee was informed that the planning permission outlined the full detail of the future use which included capping once a certain level was reached followed by a restoration and landscaping programme. The current type of waste would not be accepted after 2025 after which only inert waste could be accepted.
- Would the information about weather conditions and their possible impact be part of the hearing evidence? In response, Members were told that the Environment Agency had carried out work regarding weather and the correlation with odours. If the Contain Capture Destroy strategy was effective then the odours should be reduced regardless of weather conditions.

**Resolved:** that the update be noted.

[Click here to watch the debate](#)

**19. MINUTES OF THE STAFFORDSHIRE HEALTH AND CARE OVERVIEW AND SCRUTINY COMMITTEE**

The committee considered the regular digests from Staffordshire County Council outlining the work of the Health and Care Overview and Scrutiny Committee held on 11 July and 1 August 2022.

**Resolved:** that the update be noted.

**20. MEETING WITH INTEGRATED CARE BOARD**

The committee considered the notes of a meeting held between the Chair and Vice Chair of the Committee and Tracey Shewan, Director of Communications and Corporate Services, Integrated Care Board.

The report updated on the latest position with Covid, including the current numbers of inpatients and the vaccination programme. The report outlined the position regarding recruitment to various roles in health and social care.

Members queried what was meant where it stated that there were challenges recruiting to social care as it was reported that there were no recruitment issues

regarding social workers for which there was a full complement of staff covering the borough. Members also asked for clarification on the “retire and return” scheme.

**Resolved:** that the update be noted.

[Click here to watch the debate](#)

**21. STAFFORDSHIRE POLICE FIRE AND CRIME PANEL**

The committee considered the report from the recent meeting of the Police, Fire and Crime Panel held on 27 June 2022.

**Resolved:** that the report be noted.

**22. WORK PROGRAMME**

The committee considered the work programme. A number of suggestions were made for future items.

**Resolved:** that the work programme be updated as follows:

- 28 November 2022 – Review of tennis provision in the Borough, Plans for Borough 850th Celebrations, Tri Services project for wellbeing.
- Special meeting in December (or when appropriate) to consider the Full Business Case for the Air Quality Project.
- 6 March 2023 - Use of grazing animals, Cycle routes/lane provision, Urban Tree Planting Programme.

[Click here to watch the debate](#)

**23. PUBLIC QUESTION TIME**

There were no members of the public present.

**24. URGENT BUSINESS**

There was no urgent business.

**25. DATE OF NEXT MEETING - 28 NOVEMBER 2022**

**Councillor Ian Wilkes  
Chair**

Meeting concluded at 8.12 pm

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## **NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

### **EXECUTIVE MANAGEMENT TEAM'S REPORT TO**

#### **Health Wellbeing and Partnerships Scrutiny Committee 28 November 2022**

**Report Title:** Tennis Provision Newcastle under Lyme

**Submitted by:** Executive Director - Development & Growth & Executive Director Sustainable Environment

**Portfolios:** Leisure, Culture and Heritage

**Ward(s) affected:** All

#### **Purpose of the Report**

To provide an update on tennis provision/investment in Newcastle under Lyme to The Health Wellbeing and Environment Scrutiny Committee.

#### **Recommendation's**

1. That the contents of the report are noted by members of the Health, Wellbeing and Environment Scrutiny Committee.

#### **Reasons**

To ensure that Members of the Health, Wellbeing and Environment Scrutiny Committee will have an up to date knowledge of tennis provision in the Borough, and in particular the £100,000 investment being made by the LTA.

#### 1. **Background**

1.1 The Borough Council owns and operates a total of 18 tennis courts across the Borough at the following six sites:

- Westland's Sports Centre – 10 courts.
- Wolstanton Park – 4 courts
- Clough Hall Park – 2 Courts
- Silverdale Park -1 court
- Bardwell Lodge – 1 court

In addition to the above Courts there are also numerous tennis courts that are provided by schools, Higher and further education establishments so of which are available for general hire by the public

1.2 The LTA have identified the Borough as a priority area to increase tennis participation. This is an exciting opportunity for the Council, to develop a strong relationship with the LTA, develop innovative solutions for the development of recreational tennis, enhance the vibrancy of some of the Boroughs parks, and the support the sustainability of parks tennis in future yea

## 2. **Issues**

- 2.1 The Councils Playing Strategy identified that two facilities in the Borough required investment to enhance the tennis offer for the Boroughs residents, namely Westland's Tennis Centre and Wolstanton Park.
- 2.2 Over the past year officers of the Council have been working closely with the LTA to identify the best opportunities to a) support the correct level of investment in these two sites, b) identify the most beneficial operating model to increase participation in tennis and support the health and wellbeing of residents, and c) to identify the a tennis pathway to allow residents to excel in tennis should they chose to do so,
- 2.3 It has been identified that both sites would benefit hugely from the installation of a gate access system. This provides an opportunity for the Council to enable residents to find, book tennis court through the LTA's website/online booking platform and or mobile app. This would enable a clear customer journey for parks tennis initially at these two sites, take the headache out of managing bookings, breaks down barriers to access, as well as providing residents with high quality tennis facilities.
- 2.4 In order to support increased participation in tennis, there is also an essential need to make a capital investment at both the Westland's Sports Centre and Wolstanton Park in the form of replacing the tennis courts surface and or the painting of the surface. This will enhance the quality of the tennis offer, and have a greater appeal to the tennis fraternity in the Borough
- 2.5 Using their expert industry knowledge coupled with a schedule of rates from their preferred list of contractors, the LTA have provided an indicative cost to install the gate access system and enhance the courts at both sites at a cost in the region of £100,000 and in principle the LTA have agreed to fund this investment without any capital contribution from the Council. It is envisaged that work will start on the tennis courts at Westland's and Wolstanton early in 2023.
- 2.6 A key grant condition from the LTA is that the Council should provide adequate finance to resurface their courts at the end of their lifespan. Have considered this grant condition Officers are recommending that this provision should be made in the Council's capital programme in seven to ten years' time, supported by a sinking fund from any income being generated by a coaching company.
- 2.7 In conjunction with the LTA Officers have reviewed Sport England's Market Segmentation Tool. This has provided an analysis of the percentage of adults that would like to participate in tennis in the Borough but are not currently doing so. Through the use of this system it has been identified that there is a latent demand of 2,213 adults who live within the Borough. This suggests that there is a large body of players that would participate in tennis if barriers such as the quality of courts and booking systems being in place were addressed. To support increased participation the Cabinet have also agreed that participation in recreational tennis will continue to be provided to residents free of charge
- 2.8 This latent demand for tennis in the borough, provides the perfect opportunity for Officers from the Councils Leisure Services Team to work with the LTA to develop a comprehensive inclusive/affordable tennis programme at both sites focusing on:
- A Youth programme
  - An adult programme
  - Local tennis leagues,
  - Competition programmes
  - A tennis coaching programme,

- Tennis for free initiatives.

To support the above Officers are working closely with the LTA to identify suitably placed tennis coaching companies, who will have the capacity to deliver a robust tennis programme starting in the Spring of 2023. Following a competitive quotation process it is envisaged a licence will be granted to the most suitable tennis operator (registered with the LTA) for a period of up to five years.

### 3. **Proposal**

3.1 . That the contents of the report are noted by members of the Health, Wellbeing and Environment Scrutiny Committee.

### 4. **Reasons for Proposed Solution**

4.1 To ensure that Members of the Health, Wellbeing and Environment Scrutiny Committee will have an updated knowledge of tennis provision in the Borough.

### 5. **Options Considered**

5.1 Without this investment in these two sites, the quality of tennis court provision in the Borough will continue to decline, with a limited opportunity to increase participation in tennis to support the health and wellbeing of residents.

### 6. **Legal and Statutory Implications**

6.1 The works to refurbish the tennis courts will follow a compliant procurement procedure in line with the Public contract Regulations 2015 (PCR2015) and the Council's constitution. There will be need to ensure appropriate and timely legal input into the completion of any contract/agreements.

### 7. **Equality Impact Assessment**

7.1 Officers of the council will work closely with the LTA to develop a diverse tennis programme attract a wider range of users include those with protected characteristics.

### 8. **Financial and Resource Implications**

8.1 Initial estimates provided by LTA have indicated the project can be delivered within the broad cost envelop of £100,000.

8.2 It is proposed that the project is financed through the acceptance of a grant from the LTA.

8.3 The required maintenance regimes for the Westland's Sports Park Tennis Courts is met from existing revenue budgets and includes general maintenance, replacement of equipment, and remaking of courts etc.

8.4 A key grant condition from the LTA is that the Council provide adequate finances to resurface their courts at the end of their lifespan. Have considered this grant condition Officers are recommending that provision should therefore be made in the Council capital programme in seven to ten years' time, as opposed to creating a sinking fund that would be funded from potential revenue.

## 9. **Major Risks**

9.1 It is proposed that all risks will be proactively managed through a small working group of officers from Sport and Active Lifestyles, and Operational services to ensure that the delivery project meets the aspirations of the Council and the LTA.

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

10.1 The improvements to the tennis courts at the Westland's Sports Centre/Wolstanton Park contribute to the UNSG and Climate Change objectives in a number of ways. Principally, through partnership working, improving health and wellbeing and supporting, infrastructure and skills, the following UNSGs are supported.



## 11. **Key Decision Information**

11.1 The in principle acceptance of the LTA was a key Council decision and appeared on the forward plan.

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

12.1 Cabinet 8<sup>th</sup> December 2021

## 13. **List of Appendices**

13.1 None

## 14. **Background Papers**

14.1 None

## NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

### EXECUTIVE MANAGEMENT TEAM'S REPORT TO

Health Wellbeing and Environment Scrutiny Committee  
28 November 2022

**Report Title:** Walley's Quarry Odour Issues

**Submitted by:** Chief Executive

**Portfolios:** Environment & Recycling; One Council, People & Partnerships;

**Ward(s) affected:** All

#### Purpose of the Report

To update the committee on the latest position regarding the problematic odours in the Borough associated with Walley's Quarry.

#### Recommendation

That

1. The committee notes the report and the current position.

#### Reasons

To ensure the committee is kept updated on the ongoing work regarding the problem odours associated with Walleys Quarry.

#### 1. Background

- 1.1 The committee at its meeting on 13 September 2021 considered a report from the meeting of the County Health and Care Overview and Scrutiny Committee of 26 July 2021 regarding the health impacts from Walley's Quarry. The county council has the statutory power to undertake health scrutiny. This committee requested a regular update on the health impacts of Walley's Quarry. The committee's remit was recently amended to include environment issues. The latest report to Cabinet is attached.

#### 2. Issues

- 2.1 The issues at Walley's Quarry are ongoing. Cabinet receives a report to each meeting on the latest position. The report that went to Cabinet on 8 November 2022 is attached to enable this committee to be updated on the current position and raise any questions. Any verbal update will be made at the meeting.

#### 3. Proposal

- 3.1 That the committee notes the report and current position.

4. **Reasons for Proposed Solution**

4.1 . To ensure the committee is kept updated on the ongoing work regarding the problem odours associated with Walley's Quarry.

5. **Options Considered**

5.1 None

6. **Legal and Statutory Implications**

6.1 See attached report.

7. **Equality Impact Assessment**

7.1 See attached report.

8. **Financial and Resource Implications**

8.1 See attached report

9. **Major Risks**

9.1 See attached report.

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

10.1 See attached report

11. **Key Decision Information**

11.1 This is not a key decision.

12. **Earlier Cabinet/Committee Resolutions**

12.1 There have been update reports to this committee regarding Walley's Quarry Health Impacts on 13 September 2021, 29 November 2021, 7 March 2022, 23 June 2022 and 5 September 2022.

13. **List of Appendices**

13.1 None

14. **Background Papers**

14.1 N/A.

**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

**EXECUTIVE MANAGEMENT TEAM'S REPORT TO CABINET**

**8<sup>th</sup> November 2022**

**Report Title:** Walleys Quarry – Odour Issues

**Submitted by:** Chief Executive

**Portfolios:** Environment & Recycling; One Council, People & Partnerships

**Ward(s) affected:** All

**Purpose of the Report**

To update Cabinet on the latest position regarding the problematic odours in the Borough associated with Walleys Quarry including progress in relation to agreement reached following mediation with the operator.

**RECOMMENDATIONS**

**Cabinet is recommended to:**

- 1. Note the contents of this update report**

**Reasons**

To ensure Cabinet is kept updated on the ongoing work regarding the problem odours associated with Walleys Quarry landfill.

**1. Background**

- 1.1 For a number of years, parts of the borough have suffered from problematic foul odours from the Walleys Quarry Landfill Site in Silverdale operated by Walleys Quarry Ltd, part of the RED Industries group of companies. The Environment Agency is the lead regulator for such sites, testing and enforcing compliance with the permit under which the site operates. The Council also has a role in influencing the operation and performance of such sites, where an operator fails to comply with actions required under an abatement notice issued by the Council in relation to any statutory nuisance caused by the site.
- 1.2 In March 2021, Council held an extraordinary meeting to receive the report of the Economy, Environment and Place Scrutiny Committee review into the Walleys Quarry issues, and to debate a motion demanding the immediate suspension of operations and acceptance of waste at the Walleys Quarry Landfill site.
- 1.3 Cabinet has received monthly updates on the issues relating to the odours, and Council has also been regularly updated.

**2. Statutory Nuisance**

- 2.1 Following extensive work, officers determined that the odours from the Walleys Quarry site amount to a Statutory Nuisance and, on 13<sup>th</sup> August 2021, served an Abatement Notice on Walleys Quarry Ltd. (WQL)

- 2.2 The Abatement Notice afforded WQL a period of 5 months to abate the nuisance, with this timeframe being informed by discussion on the nature and extent of potential works required at the site with colleagues from the Environment Agency and with our own landfill and odour experts.
- 2.3 On 2 September 2021, WQL lodged an appeal against the Abatement Notice with the Magistrates Court. This has the effect of “stopping the clock” on the 5 month timeframe to abate the nuisance.
- 2.4 At the Cabinet meeting on 18 October 2022, Members received a report detailing the outcome of a mediation process that had been undertaken. The mediation process was guided by the former Supreme Court Judge and environmental law specialist the Right Honourable Lord Carnwath of Notting Hill. As a result of that process, the council and WQL were able to agree terms for a settlement which enabled WQL to withdraw their appeal against the notice
- 2.5 On 6 October 2022, His Honour District Judge Grego approved the settlement that the parties had reached, and issued a court order upholding the Abatement Notice and dismissing WQL’s appeal. HHJ Grego is the judge who was overseeing the court case and who would have decided the matter following the four-week trial had a settlement not been reached.
- 2.6 Key elements of the settlement agreement

Whilst details of discussions held during the mediation process remain confidential to the parties involved, the agreement reached at the end of the process is not confidential. The key elements of the agreement are as follows.

- **Walleys Quarry Ltd (WQL) have withdrawn their appeal.** This means that the council's objective of having a legally enforceable Abatement Notice in place has been achieved. This is the best enforcement outcome that would have been possible to achieve in court.
- **There has been one minor amendment to the Abatement Notice.** The map of the area covered by the abatement notice has been amended to exclude the site itself, however the effect of the original notice outside of the site remains unchanged. All land and property protected by the original notice remain covered in the amended notice. This change was made as WQL are only required to abate the nuisance off site.
- **The agreement recognises that various plans which WQL have in place (for example; Phasing and Capping Plan; Gas Management Plan) currently represent Best Practical Means (BPM).** BPM is a set of plans and processes that should, if followed, prevent unacceptable levels of odours occurring. The council has accepted this on the advice of its specialist advisors who have undertaken a considerable amount of detailed work in reviewing WQL’s plans including critical challenge to WQL’s experts. This agreement also reflects the significant reduction in odours in recent months.
- **The agreement recognises that what constitutes BPM changes over time,** and it is for WQL to maintain BPM and demonstrate to the council that they are meeting BPM requirements at all time.
- **The agreement commits the council and WQL to engage constructively and in good faith** with one another, and for WQL to share information with the council relating to BPM, and for council officers to have access to inspect the site from time to time. This will allow the council to maintain an understanding as to whether the policies, procedures and practices adopted the WQL remain consistent with BPM over time.



- **The agreement commits WQL to specific measures relating to Community Engagement, including:**
  - publishing its operational plans,
  - providing advance notification of activities on site which might give rise to odours in the community,
  - refreshing the Liaison Committee,
  - and publishing recordings of its meetings online.
- **It reflects the council's intention to continue monitoring H2S levels in the community,** WQL have agreed to pay the council £60,000 towards this activity, in addition to £400,000 towards the council's costs incurred in responding to the appeal.

## 2.7 Benefits for the Community

The settlement agreed ratified by the court delivers more for the community than would have been achieved through a formal trial.

- An Abatement Notice is now in place requiring Walleys Quarry Limited (WQL) to abate the odour nuisance off site and prevent its reoccurrence. This provides a route to further action in the event of any future significant sustained problems.
- By WQL maintaining Best Practical Means (BPM), the community is afforded the best possibility of improved odour conditions off site.
- The council will be routinely working with WQL to understand how Best Practical Means (BPM) are being maintained.
- There is a structure to give the community access to information about activities on the site.
- Public funds expended on progressing the Abatement Notice have been significantly recouped.

These outcomes are more far reaching than what the council would have been able to achieve from simply defending an Abatement Notice at trial. A trial alone would not have delivered ongoing information to the community or the council which is reflected in the agreement

## 2.8 Progress and Next Steps

As part of the Agreement, Council officers, including the Chief Executive, with Walleys Quarry Limited (WQL) to ensure that all aspects of the agreement are implemented. The first of what will be regular meetings between senior officers and representatives of WQL has taken place. Both parties engaged constructively and in good faith with each other with the primary purpose of the initial meeting being to determine the working arrangements and information sharing. It was agreed to develop standard key information relating to the Councils complaint and investigation data along with WQL operational data, which will then be shared in future Cabinet reports.

## 3. Complaint Data

- 3.1 Below is a schedule of complaints received by the Council and by the Environment Agency during 2022, on a weekly basis over the last 2 months. Complaints rise and fall broadly in line with the H2S levels recorded at the four monitoring stations around the site, with higher levels of H2S generally causing more annoyance in the community. Historical complaints data is attached to this report as Appendix 1.

	Complaints to NuLBC	Complaints to Environment Agency

<b>September 2022</b> 5/9/22 – 11/9/22	9	64
12/9/22 – 18/9/22	13	83
19/9/22 – 25/9/22	14	79
26/9/22 – 2/10/22	13	58
<b>October 2022</b> 3/10 – 9/10	42	102
10/10 – 16/10	52	165

#### 4. Air Quality Monitoring Stations

- 4.1 The Council, Staffordshire County Council, and the Environment Agency are jointly funding a campaign of air quality monitoring which has been extended to run through 2022 utilising four static air monitoring stations. Data from these stations is reviewed to provide information in relation to two standards relating to Hydrogen Sulphide (H<sub>2</sub>S) – the WHO Health threshold and the WHO annoyance threshold, with this analysis published by stakeholders.
- 4.2 Over the last 2 months, Hydrogen sulphide concentrations were above the World Health Organization's odour annoyance guideline level (7 µg/m<sup>3</sup>, 30-minute average) for the following percentages of each week. Historical data is attached to this report in Appendix 2.

Location	MMF1 - Silverdale Cemetery (%)	MMF2 - Silverdale Road (%)	MMF6 - NuL Fire Station (%)	MMF9 - Galingale View (%)
29/8 – 4/9	0	0	0	0
5/9 – 11/9	0	0	0	4.2
12/9 – 18/9	0	0.3	0	2.9
19/9 – 25/9	0	0	0	1.8
26/9 – 2/10	0	0	0	4.2
3/10 - 9/10	0	0.4	0	3.7
10/10 – 16/10	0	1.9	0	0
17/10 – 23/10	0	0.6	0.3	1.5

- 4.3 The data continues to show that whilst the frequency of incidences when the WHO annoyance threshold with data for the last 2 months showing consistently low percentage exceedances above the annoyance threshold.

#### 4.4 Jerome Portable device air monitoring

Your officers have continued to deploy portable Jerome air monitoring equipment in various locations surrounding the landfill site in response to complaints from residents as well as proactively when potentially problematic climatic conditions are forecast. The result of the monitoring for the 3<sup>rd</sup> quarter of 2022 are appended to this report in Appendix. 3.

The data shows that there have been a few relatively short duration instances where the equipment has recorded H<sub>2</sub>S levels above the 5ppb threshold in a number of different locations. The equipment has also recorded significant periods where H<sub>2</sub>S is below 5ppb.

## Environment Agency Regulatory and Enforcement Action

- 4.4 The Environment Agency has continued to provide weekly updates on their regulatory activity on the Walleys Quarry Landfill Citizens Space website. These updates reflect regular EA officer presence at the site to review progress with the Contain Capture Destroy strategy. Extracts from the last 3 weekly updates are provided below:
- 4.5 News in brief – 13 October 2022 - Regulatory activity. On 5 October 2022 officers carried out a site inspection, which focussed on waste acceptance criteria and sampling, together with an off-site odour assessment. Officers carried out a further unannounced site inspection on 10 October 2022. They focussed on surface water management, the revised submitted capping and phasing plan proposals, and gas management. The average landfill gas collection rate remains steady.
- 4.6 News in brief – 20 October 2022 - Regulatory activity. We continue to actively regulate and assess Walleys Quarry Ltd.'s compliance with its environmental permit, including announced and unannounced inspections and remote audits. We have this week carried out an unannounced inspection and carried out an offsite odour assessment, as part of our plan to contain, capture and destroy landfill gas from the site. Following a review of Walleys Quarry Ltd.'s Capping and Phasing Plan, we have requested some further details and amendments.
- 4.7 News in brief - 27<sup>th</sup> October 2022 - Regulatory activity. We continue to actively regulate and assess Walleys Quarry Ltd.'s compliance with its environmental permit by reviewing data and conducting inspections. Our most recent announced inspection took place on 26 October 2022. Hydrogen sulphide levels within the bulk landfill gas continue to decline, and are at 1100ppm this week. The current landfill gas collection rate is approximately 3,050 m<sup>3</sup>/hr.

## 5. Proposal

**Cabinet is recommended to:**

- **Note the contents of this update report**

## 6. Reasons for Proposed Solution

- 6.1 To ensure Cabinet is kept updated of the ongoing work to address the issues associated with the odours from Walleys Quarry landfill and to keep under review opportunities to further action.

## 7. Options Considered

- 7.1 To provide regular updates to Council

## 8. Legal and Statutory Implications

- 8.1 Part III of the Environmental Protection Act 1990 is the legislation concerned with statutory nuisances in law. This is the principal piece of legislation covering the Council's duties and responsibilities in respect of issues relating to odour nuisance:-
- The Environmental Protection Act 1990, section 79 sets out the law in relation to statutory nuisance. This is the principal piece of legislation covering the Council's duties and responsibilities in respect of issues relating to odour nuisance.

- The relevant part of Section 79 defines a statutory nuisance as any smell or other effluvia arising on industrial, trade or business premises which is prejudicial to health of a nuisance. The Council is responsible for undertaking inspections and responding to complaints to determine whether or not a statutory nuisance exists.
- Where a statutory nuisance is identified or considered likely to arise or recur, section 80 of the Act requires that an abatement notice is served on those responsible for the nuisance. The abatement notice can either prohibit or restrict the nuisance and may require works to be undertaken by a specified date(s).
- It is then a criminal offence to breach the terms of the abatement notice. Because the site is regulated by the Environment Agency under an Environmental Permit, the council would need to obtain the consent of the Secretary of State before it is able to prosecute any offence of breaching an abatement notice.

## 9. **Equality Impact Assessment**

- 9.1 The work of the Council in this regard recognises that the problematic odours in the area may impact on some groups more than others. The work is focussed on minimising this impact as soon as possible.

## 10. **Financial and Resource Implications**

- 10.1 There are none directly arising from this report.

## 11. **Major Risks**

- 11.1 There are no new risks beyond those explored in previous reports.

## 12. **Unsustainable Development Goals (UNSDG)**



## 13. **Key Decision Information**

- 13.1 As an update report, this is not a Key Decision.

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

- 14.1 This matter has been variously considered previously by Economy, Environment & Place Scrutiny Committee, Council and Cabinet on 21 April 2021, 9<sup>th</sup> June 2021, 7<sup>th</sup> July 2021, 21<sup>st</sup> July 2021, 8<sup>th</sup> September 2021, 13<sup>th</sup> October 2021, 3<sup>rd</sup> November 2021, 17<sup>th</sup> November, 1<sup>st</sup> December 2021, 12<sup>th</sup> January 2022, 2<sup>nd</sup> February 2022, 23<sup>rd</sup> February 2022, 23<sup>rd</sup> March 2022, 20<sup>th</sup> April 2022, 7<sup>th</sup> June 2022, 19<sup>th</sup> July 2022, 6<sup>th</sup> September 2022 and 18<sup>th</sup> October 2022.

## 15. List of Appendices

- 15.1 Appendix 1. Historical Complaint data
- 15.2 Appendix 2. Historical Monitoring Station data
- 15.3 Appendix 3. Jerome data for 3<sup>rd</sup> quarter 2022

### Appendix 1. Historical Complaint Data

	Complaints to NuLBC	Complaints to Environment Agency
<b>January 2022</b> 3/1/22- 9/1/22	73	352
10/1/22 -16/1/22	258	1045
17/1/22 -23/1/22	134	651
24/1/22 – 30/1/22	25	139
<b>February 2022</b> 31/1/2 – 6/2/22	16	64
7/2/22 – 13/2/22	31	120
14/2/22 – 20/2/22	49	166
21/2/22 – 27/2/22	40	264
<b>March 2022</b> 28/2/22 – 6/3/22	118	571
7/3/22 – 13/3/22	72	285
14/3/22 – 20/3/22	224	1126
21/3/22 – 27/3/22	412	1848
28/3/22 – 3/4/22	243	1072
<b>April 2022</b> 4/4/22 -10/4/22	132	895
11/4/22 – 17/4/22	156	752
18/4/22 – 24/4/22	65	310
25/4/22 – 1/5/22	49	213
<b>May 2022</b> 2/5/22 – 8/5/22	39	193
9/5/22 – 15/5/22	35	160
15/5/22 – 21/5/22	43	134
22/5/22 – 29/5/22	20	81

<b>June 2022</b> 30/5/22 – 5/6/22	27	169
6/6/22 – 12/6/22	42	234
13/6/22 – 19/6/22	25	263
20/6/22 – 26/6/22	28	208
26/6/22 – 2/7/22	9	54
<b>July 2022</b> 3/7/22 – 9/7/22	4	34
10/7/22 – 16/7/22	14	72
17/7/22 – 23/7/22	21	52
24/7/22 – 30/7/22	12	93
<b>August 2022</b> 31/7/22 – 6/8/22	22	124
7/8/22 – 13/8/22	32	133
14/8/22 – 21/8/22	11	79
22/8/22 – 28/8/22	12	89
29/8/22 – 4/9/22	10	30
<b>September 2022</b> 5/9/22 – 11/9/22	9	64
12/9/22 – 18/9/22	13	83
19/9/22 – 25/9/22	14	79
26/9/22 – 2/10/22	13	58
<b>October 2022</b> 3/10 – 9/10	42	102
10/10 – 16/10	52	165
17/10 – 23/10		186
24/10 – 30/10		

Location	MMF1 - Silverdale Cemetery (%)	MMF2 - Silverdale Road (%)	MMF6 - NuL Fire Station (%)	MMF9 - Galingale View (%)
19/4/21 – 25/4	18	8	4	21
26/4 – 2/5	4	10	13	35
3/5 – 9/5	6	21	6	48
10/5 – 16/5	15	20	1	10
17/5 – 23/5	1	9	10	53
24/5 – 30/5	7	15	16	47
31/5 – 6/6	30	1	6	18
7/6 – 13/6	1	10	10	19
14/6 – 20/6	11	7	9	13
21/6 – 27/6	2	1	4	12
28/6 – 4/7	1	8	8	10
5/7 – 11/7	5	18	3	17
12/7 – 18/7	0.4	2.4	2.1	23
19/7 – 26/7	3.6	0	3.6	16
27/7 – 1/8	1.8	1.5	11	26
2/8 – 8/8	1	4	5	10
9/8 – 15/8	0.3	7	3	6
16/8 – 22/8	1	1	4	6
23/8 – 29/8	0	0	1.5	17
30/8-5/9	0	0	0.3	2.1
6/9 -12/9	0	1	13	18
13/9 – 19/9	0	0.6	7.3	11.7
20/9- 26/9	3	2	6	11
27/9-3/10	0	0	0	0.3
4/10 – 10/10	0	0	0.3	5
11/10 – 17/10	0	0.5	1.5	9
18/10-24/10	0	0	0	1.5
25/10-31/10	0	0	0	0
1/11 – 7/11	2.9	0	3.3	13.5
8/11 – 14/11	0	0	1	10
15/11 – 21/11	0	0	0	1.2
22/11-28/11	0	0	0	11
29/11-5/12	0.6	0.9	0	9
6/12 – 12/12	0.6	0	0.9	2.4
13/12-19/12	0.9	0	3	18.5
20/12-26/12	0	0	0	3
27/12-2/1/22	0	0	0	2.4
3/1-9/1	1.2	0	2.1	16.2
10/1-16/1	14.9	11.9	21.4	53.3
17/1-23/1	6	7	10	41
24/1 – 30/1	0	0	0	5.1
31/1-6/2	0	0	0	0
7/2 – 13/2	0	0	0.9	2.4
14/2 – 20/2	0	3.6	0.3	2.4
21/2 – 27/2	0	4.8	0.6	8.0

28/2 – 6/3	2.4	0	0.3	15
7/3 – 13/3	0.3	3.3	4.2	6.0
14/3-20/3	3.3	8.1	10.8	21.2
21/3-27/3	6.8	10.1	21.1	43.2
28/3 – 3/4	1.9	9.3	18.8	25.2
4/4-10/4	1.8	2.5	6.1	26.0
11/4 – 17/4	11.9	6.6	9.6	19.7
18/4 - 24/4	7.1	1.8	2.7	10.4
25/4 -1/5	5.1	0	1.5	9.0
2/5 – 8/5	2.7	4.8	n/a	n/a
9/5 – 15/5	0.9	1.2	0	1.8
15/5 – 21/5	0.6	2.1	0	2.7
22/5 – 29/5	0.3	0	0	0.9
30/5 – 5/6	0.3	0	1.2	7.4
6/6 – 12/6	0.3	0.6	2.1	3.6
13/6 – 19/6	0	0.6	0.6	11
20/6 – 26/6	0	0.9	0.3	15.5
26/6 – 2/7	0	0	0	0
3/7 – 9/7	0	0	0	0
10/7 – 16/7	0	0	0	0.9
17/7 – 23/7	0	0	0.3	1.5
24/7 – 30/7	0	0	0.3	1.2
31/7 – 6/8	0	0	0	1.5
7/8 – 13/8	0	0	0	1.8
14/8 – 21/8	0	0	0	0.6
22/8 – 28/8	0	0.3	0	0
29/8 – 4/9	0	0	0	0
5/9 – 11/9	0	0	0	4.2
12/9 – 18/9	0	0.3	0	2.9
19/9 – 25/9	0	0	0	1.8
26/9 – 2/10	0	0	0	4.2
3/10 - 9/10	0	0.4	0	3.7
10/10 – 16/10	0	1.9	0	0
17/10 – 23/10	0	0.6	0.3	1.5
24/10 – 30/10				



## **Graphical Summary of Jerome Measurements for Quarter Three 2022.**

### **Introduction.**

This report covers the period:

- Quarter 3 – July, August and September 2022
- And an additional deployment made in June 2022 which was not reported within the previous report

Each graph shows concentration (ppb) plotted against time.

The Jeromes were deployed at selected properties, where they were left to continuously monitor ambient concentrations of hydrogen sulphide, taking a measurement every 15 minutes. Additionally, in order to obtain an assessment of any impacts that occur between samples, occupants of the deployment location are asked to activate the monitoring instrument manually whenever they are experiencing a health effect related to the emissions from the landfill or where they observe an odour. The occupier is also asked to keep a log of odour events and health effects.

The instruments were deployed at properties where there was a recent history of regular complaints, or which would be downwind of Walleys Quarry during the deployment period, or were in close proximity of the site. Reporting Period – equipment updates

- The two analysers have been subject to performance checks, service and calibration in accordance with manufacturers' instructions.
- A suitable weather proof enclosure has been purchased to enable the monitors to also be located externally for monitoring over a period of time.
- The analyser is set to monitor and record ambient concentrations of hydrogen sulphide every 15 minutes instead of 10 minutes following advice from the manufacturer

### **Assessment Criteria**

With regards to health impacts, there is no statutory limit which relates to environmental exposure to hydrogen sulphide. However, the World Health Organisation has produced an air quality guideline for the avoidance of annoyance at  $7 \mu\text{g}/\text{m}^3$  averaged over 30mins, which approximates to 5 parts per billion (ppb) averaged over 30 minutes. This is equates to a distinct odour (perceived intensity score of 3) and is the threshold of recognition of hydrogen sulphide (i.e. the concentration at which 50% of the population would recognise the odour as  $\text{H}_2\text{S}$ ).

The World Health Organisation has also produced an air quality guideline for the protection of health -  $150 \mu\text{g}/\text{m}^3$  averaged over 24 hours, which equates to 100ppb averaged over 24 hours. This is 100<sup>th</sup> of the concentration identified as resulting in the onset of health impacts, namely eye irritation, which begin to occur at 10 ppm (i.e. 10,000 ppb).

As described within the DEFRA publication 'Odour Guidance for Local Authorities March 2010', the characteristics of an odour affects the impact. Fairly regular exposure to some strong odours, even for short periods, can be both objectionable and offensive, such as in the case of hydrogen sulphide. Also, the concentration at which these odours become a statutory nuisance could be relatively low if they are persistent and frequent.

With regards to odour, by applying the Weber-Fechner Law, the perceived odour intensity (scored from 0 to 6) for hydrogen sulphide can be estimated from the measured concentration as described within the table below:

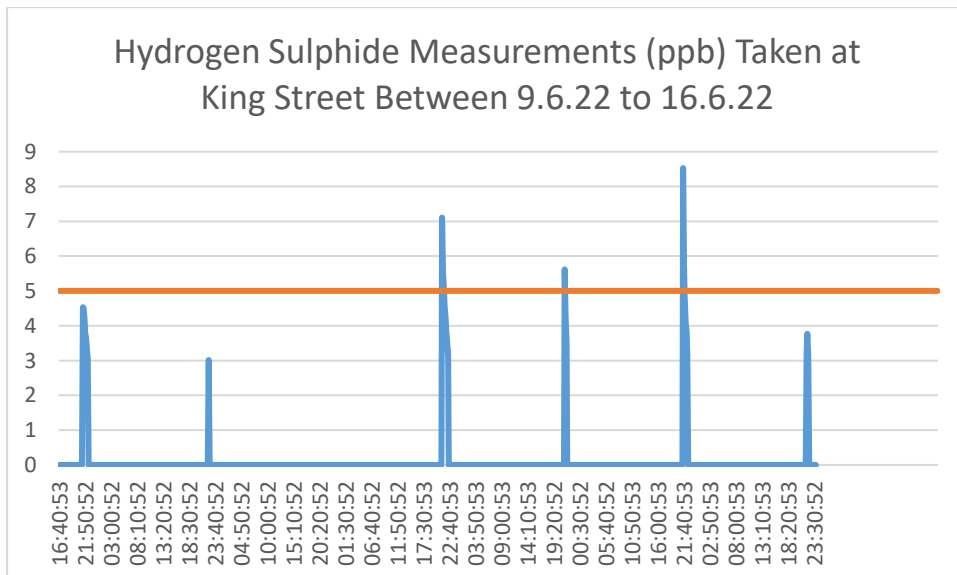
Odour Strength	Perceived Intensity	Approximate Concentration ( $\mu\text{g}/\text{m}^3$ )	Approximate Concentration (ppb)
Extremely strong	6	148	99
Very strong	5	57	38
Strong	4	22	14
Distinct	3	7	5
Weak/faint	2	3	2
Very weak/very faint	1	0.7	0.5
Not perceptible/no odour	0	0	0

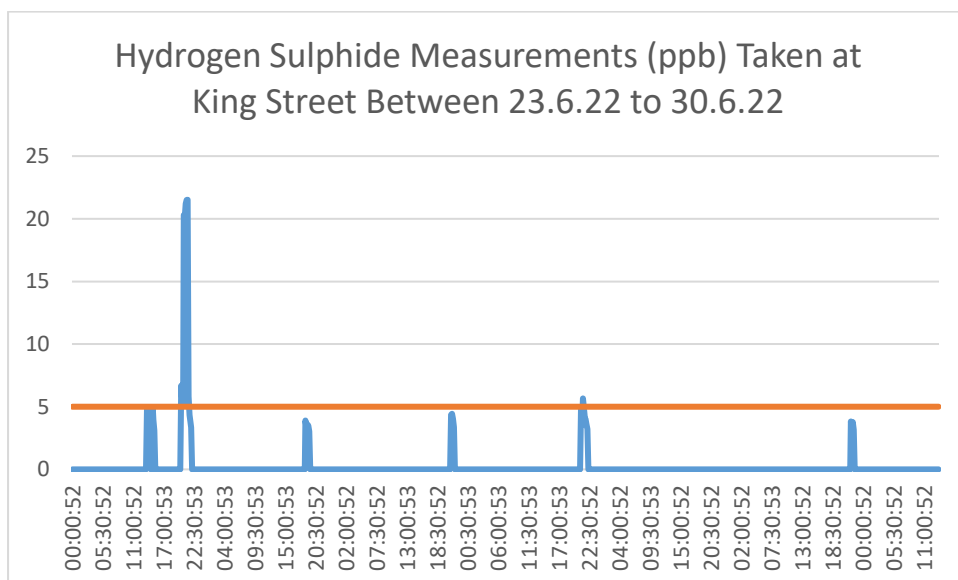
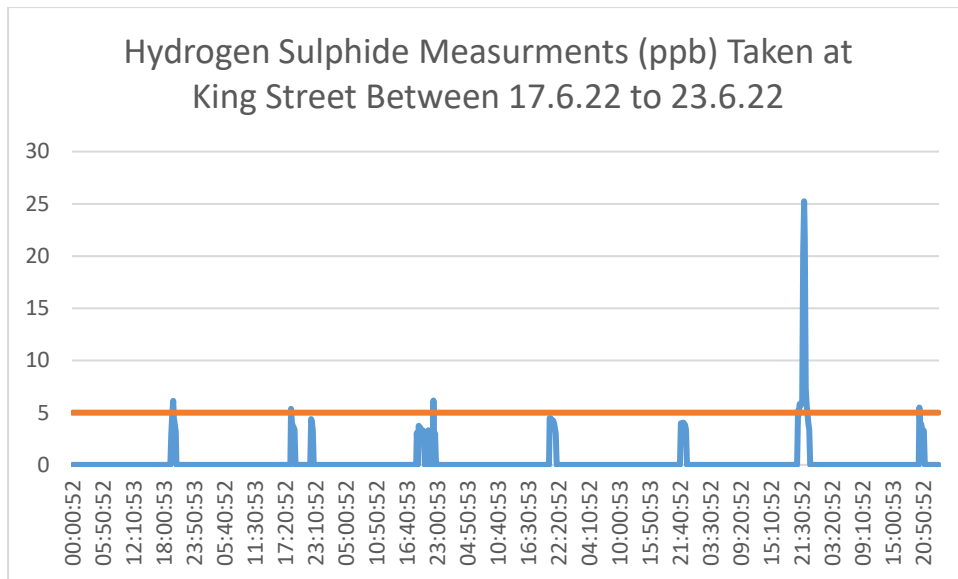
**Note:** The exact conversion between ppm and  $\mu\text{g}/\text{m}^3$  is proportional to temperature and atmospheric pressure.

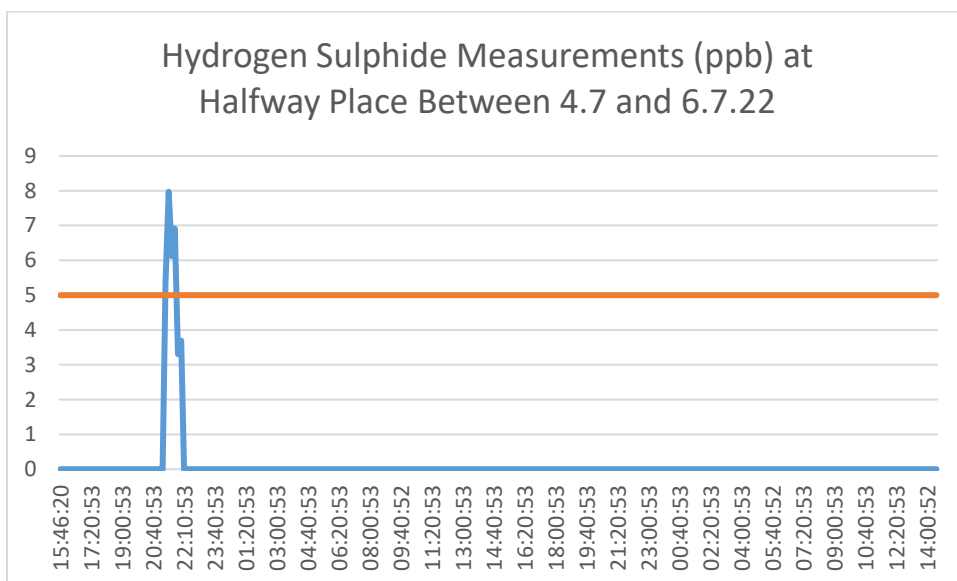
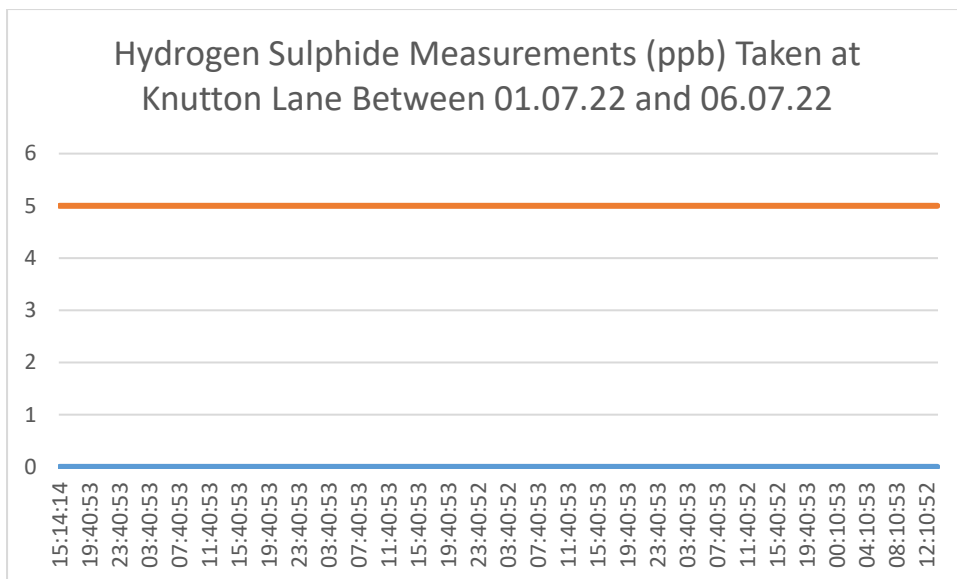
The limit of detection of the Jerome J605 is 3ppb. Any measurement below this value would be reported as 0. This does not necessarily mean that odour or gases associated with the landfill were absent, it can only be said that hydrogen sulphide concentration was below 3ppb at the time of measurement.

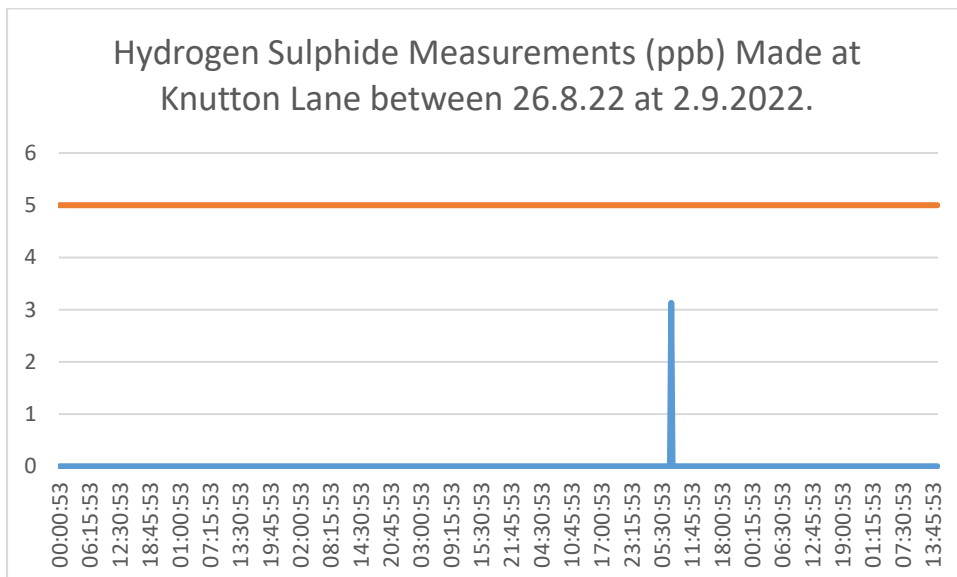
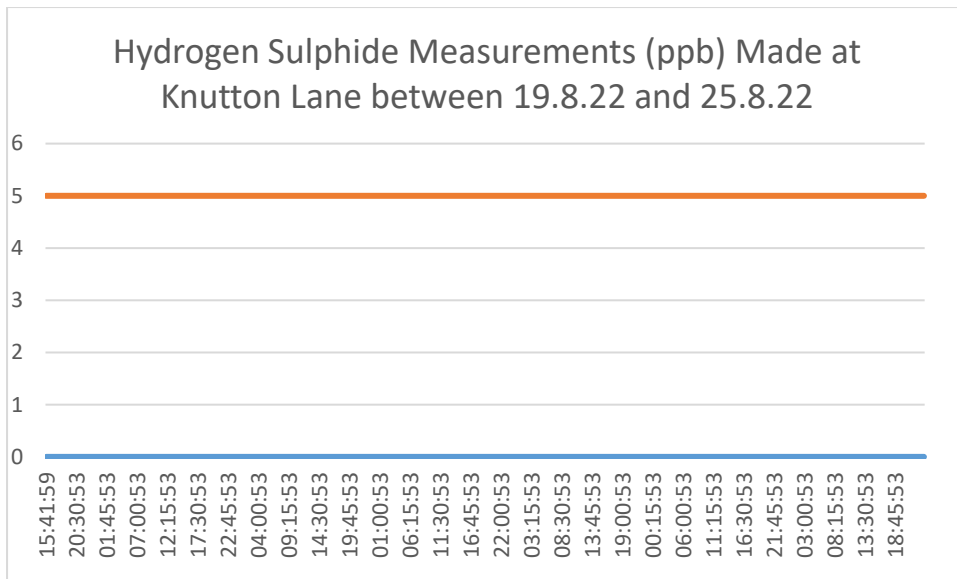
### Deployments to Properties.

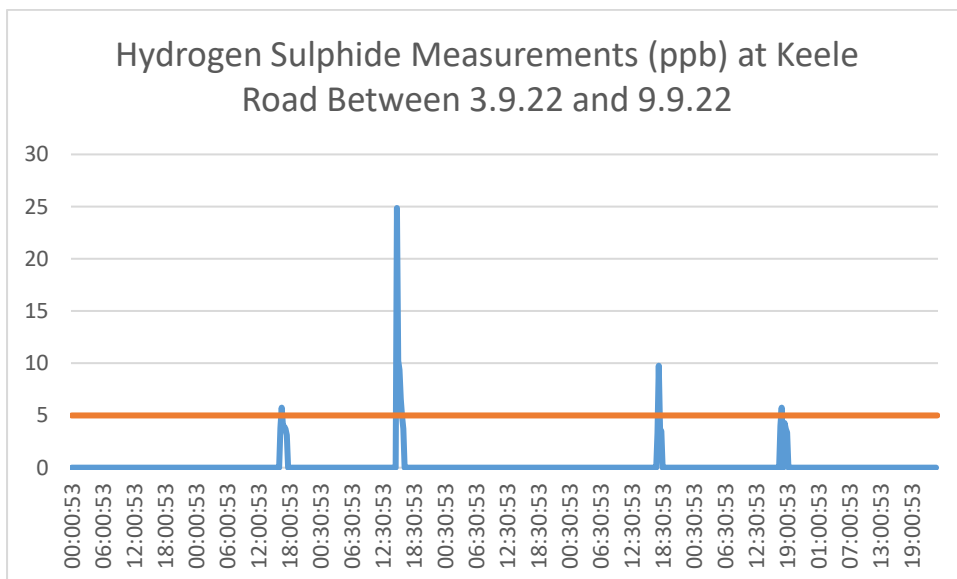
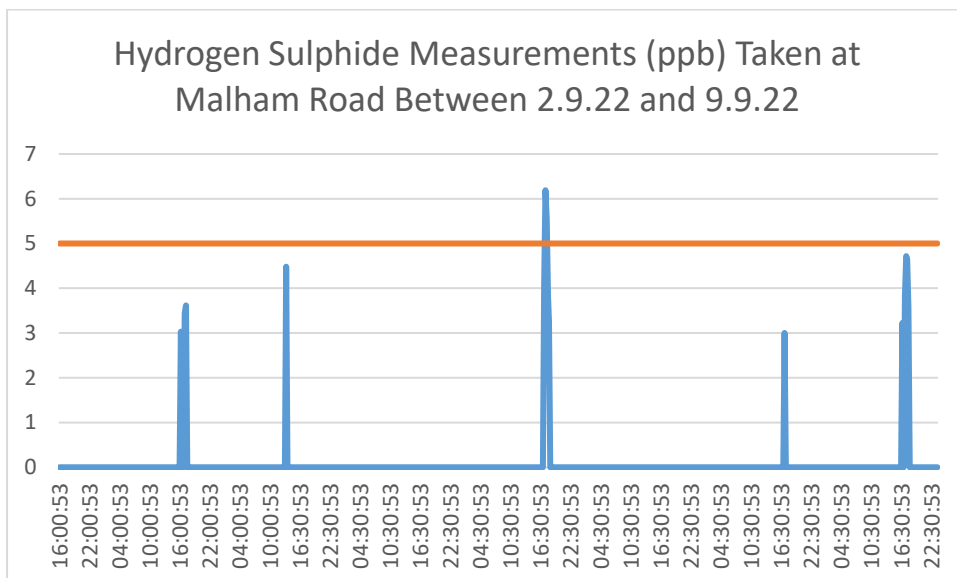
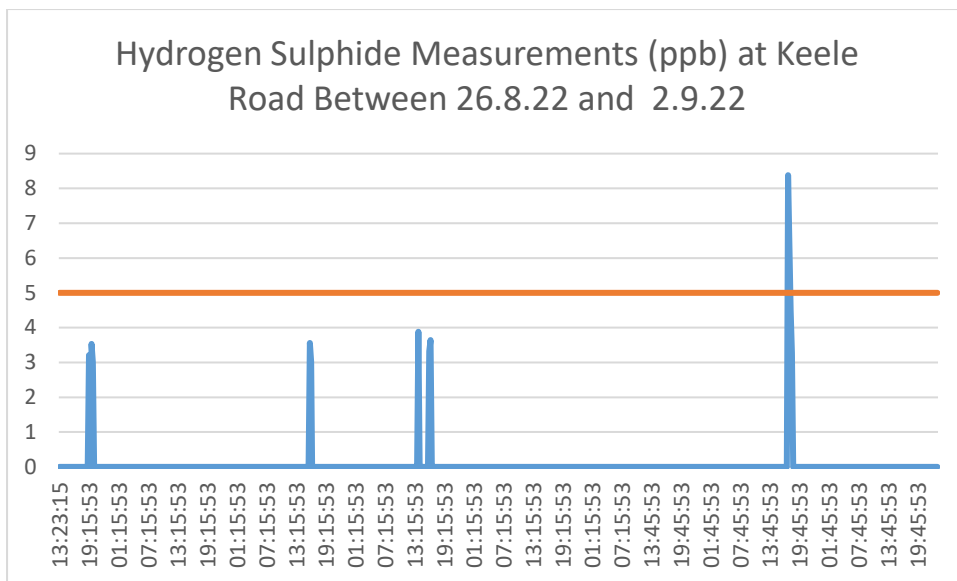
A graphical representation of each deployment of the instruments is given below.

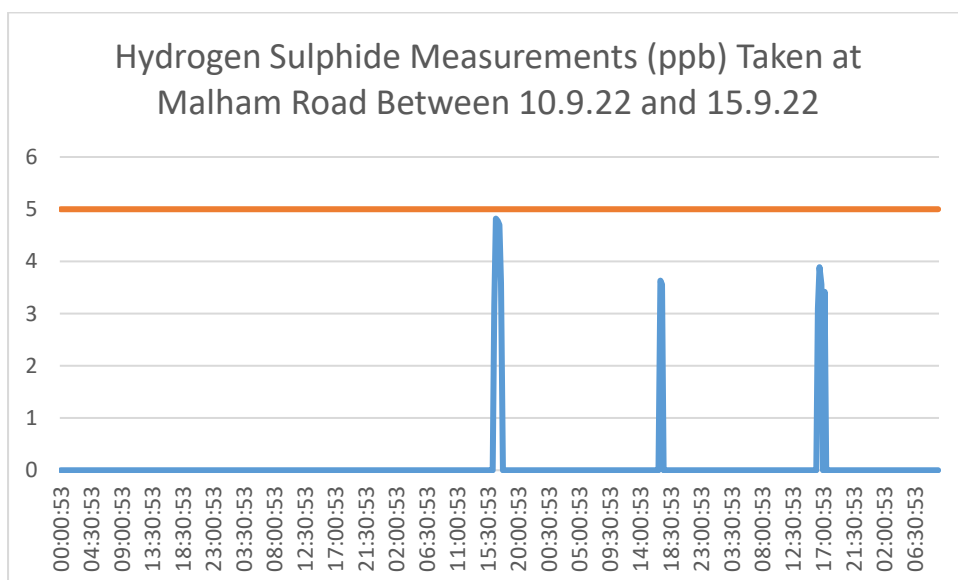
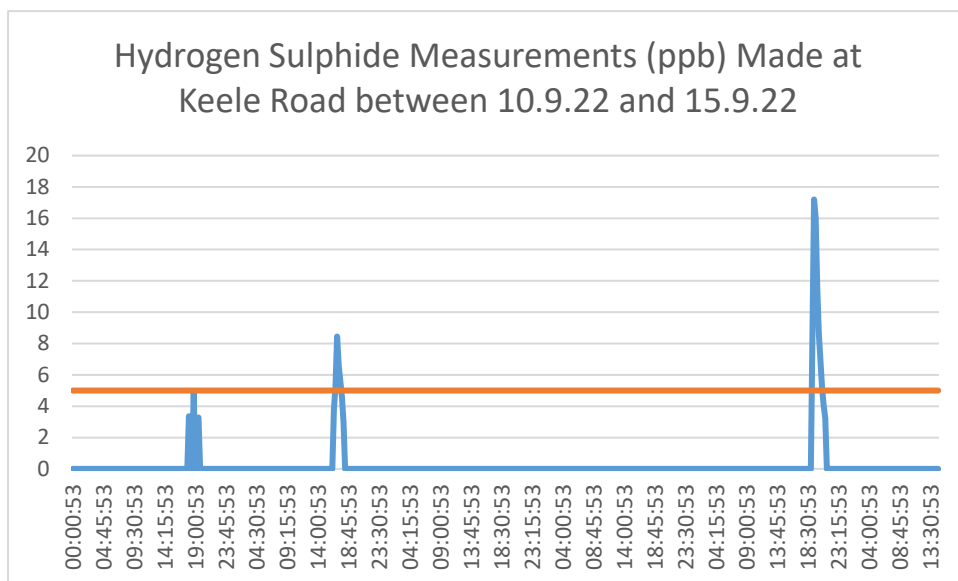


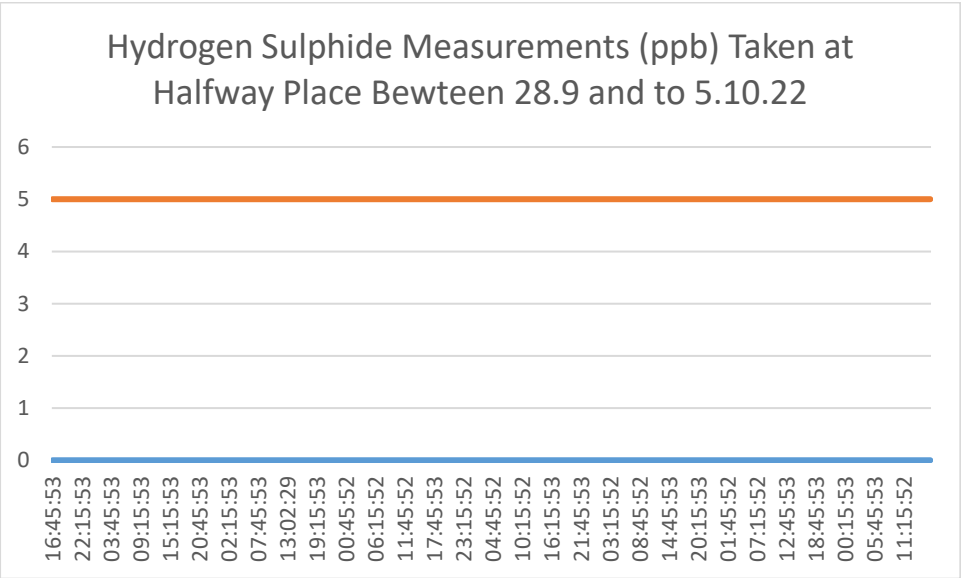
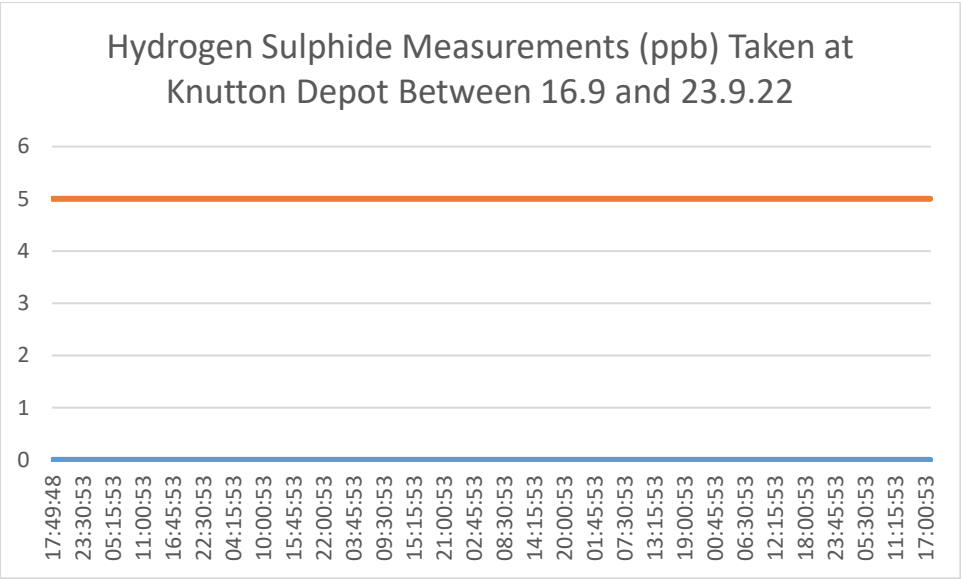




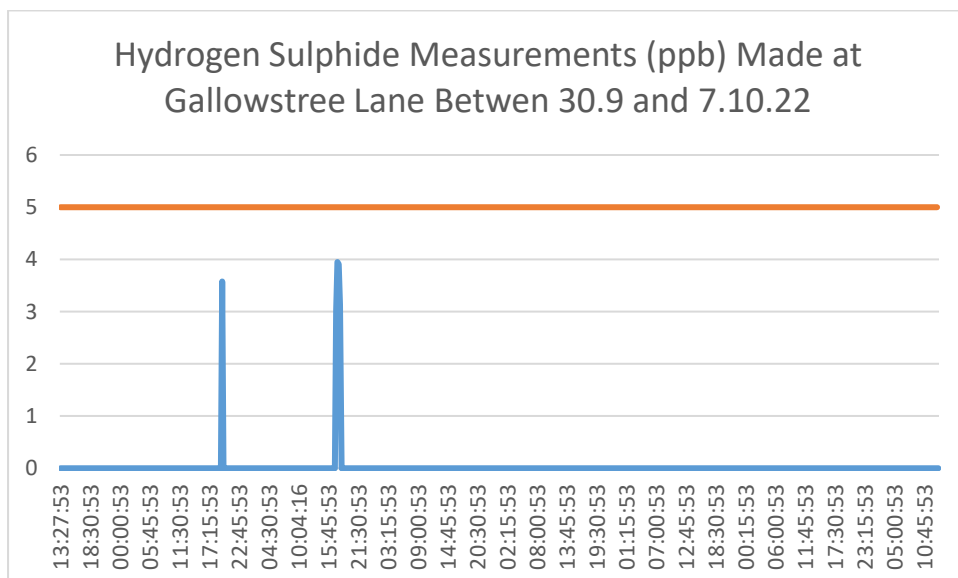
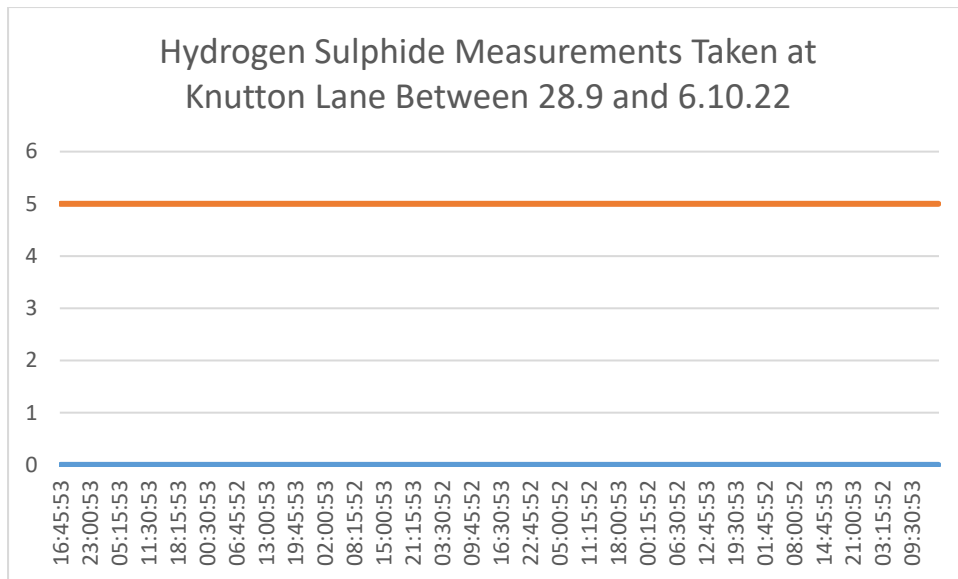












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## Health and Care Overview and Scrutiny Committee

### October 2022 District and Borough Council Digest

Under the Health Scrutiny Code of Joint Working with District and Borough Councils, Authorities have undertaken to keep relevant Partners informed of their consideration of health matters having regard to the general working principle of co-operation and the need to ensure a co-ordinated Staffordshire approach. Therefore, the following is a summary of the business transacted at the meetings of the Health and Care Overview and Scrutiny Committee held on 3 October 2022 and 17 October 2022.

#### Health and Care Overview and Scrutiny Committee 3 October 2022

**System Pressures** – Report and presentation from the Integrated Care System. All partners have a role to play in system flow and the report detailed the operational response for interventions being taken at each point of the pathway. Interventions were grouped in areas: Pre-hospital; In-hospital; Discharge; Learnings and Winter Planning. Committee welcomed the work being done to mitigate and respond to pressures in the system. Pressures were considered in the system, the prevalent issues were workforce, demand, and acuity of patients compared to pre-covid. There were also significant pressures on domiciliary and care home provision, and it was noted that a discharge review was due to commence.

**Integrated Care Board (ICB) Performance** – The report provided context and detailed data relating to NHS services performance in Staffordshire and Stoke-on-Trent. Senior representatives from ICB commissioning and provider organisations responded to members questions on the eight portfolios based on current priorities: Population Health, Prevention and Health Inequalities; Planned Care; Children, Young People and Maternity; Frailty and Long-Term Conditions; Primary Care; Mental Health; Learning Disability and Autism; and Workforce.

**Social Care Performance Update** – The report focused on performance against objectives to ensure effective and efficient assessment of needs that offers fair access to services and maintain a market for care and support that offers services at an affordable price. The pressures on domiciliary and care homes were considered, and questions highlighted challenges around recruitment and retention of carers, the cost-of-living issues including cost of energy was putting pressure on care providers, demand for financial assessments over supply and some services may need review and redesign and care market development.

**The Future of Supported Living Services in Staffordshire** – The report detailed feedback from stakeholders on the future commissioning arrangements for Supported Living Services in Staffordshire. services work closely with NHS and members welcomed the suggestion to work towards integration in the future. Comments were reported back to Cabinet on 19 October 2022.

**Clinical Policy Alignment** – The report considered the five clinical areas under consideration which had been through prioritisation and involvement processes, technical events, and refining proposals. The clinical areas were: Male and Female sterilisation; IVF; Hearing loss; Breast Reconstruction and augmentation and Removal of Excess Skin following significant weight loss. Local needs were taken into consideration, the Integrated Care Board ICB had now taken over the role of 6 CCGs and provided one policy to implement based on clinical evidence. The Chairman welcomed the pragmatic approach taken by ICB in interweaving this clinical policy alignment work into the Women's Health Strategy.

**Health and Care Overview and Scrutiny Committee 17 October 2022**

**Staffordshire and Stoke on Trent ICS Workforce Update** – The report and presentation outlined the workforce challenges within Staffordshire and Stoke-on-Trent, the appendices provided the ICB People Plan and Annual Report for 2020/21, in addition videos in the presentation highlighted good practice case studies.

Committee understood that demand and acuity of patients compared to pre-covid levels were the prevalent issues impacting on workforce. Staffing capacity and flow had been impacted by Covid spikes, and it was of concern that Covid levels were rising again. Assurance was given that health and care services were working together to address the workforce challenges and to develop the future workforce. Committee welcomed the work being done to mitigate and respond to workforce pressures in the system and the £4 million saving on redundancies in the system.

**Workforce Planning - Health and Social Care** – The report outlined current challenges on workforce in care, the importance of an attractive recruitment process and retention of staff. The Cabinet Member indicated the need to raise the status of social care and the importance of working together with NHS partners to have coherence and to develop the caring industry. Committee recognised the increasing demand on care resources, the need to make best use of resource, to look at assistive technology and digital technology for records to streamline processes, and to work with care companies on routes and care packages across the County. Members questioned data and information in the report and the action plan that sat behind the data.

**Ockenden Report** – The report provided an update on progress against the actions arising from the Ockenden report on Maternity Services and outlined areas where there was still work to do. The Committee noted the workforce issues in Maternity services but was re-assured by the progress and pleased that improvements were being made.

**Inpatient services in south east Staffordshire for adults and older adults experiencing severe mental illness or dementia** – The report provided responses to questions and requests for further information made at Health and Care Overview and Scrutiny Committee on 1 August 2022. The Draft Standard Operating Procedure for Transport would be circulated to Members once comments were received from stakeholders. NHS England had provided feedback on the business case for inpatient mental health services in September 2022. A further report was requested once the NHS England Assurance Process had taken place in November 2022. No decision had been made at this point.

To see the reports in full and view the webcast of the meeting see the links below:

[Agenda for Health and Care Overview and Scrutiny Committee on Monday 3rd October 2022, 10:00am - Staffordshire County Council](#)

[Agenda for Health and Care Overview and Scrutiny Committee on Monday 17th October 2022, 10:00am - Staffordshire County Council](#)

The next meeting will be held on Monday 28 November 2022 at 10.00 am, County Buildings, Stafford.

## **Notes of the quarterly meeting held with the Chair and Vice Chair of Health Wellbeing and Environment Scrutiny Committee and Tracey Shewan, Director of Communications and Corporate Services, Integrated Care Board.**

Present: Councillors Ian Wilkes and Rupert Adcock, Denise French, Democratic Services, Tracey Shewan ICB

### Covid update

Tracey updated that numbers were no longer being collected. There had been an increase in cases but this had now plateaued. There had been an increase in hospital in patients with Covid and mask wearing in public areas had been reintroduced. Covid booster vaccine uptake was going well. There was also a drive to increase uptake of the flu jab. There were increased calls to 111 and GP out of hours regarding flu and respiratory illnesses. It was not known how many unvaccinated patients were in hospital; patients were often admitted for something else and then found to have Covid or it may have been caught in hospital.

A bigger impact of Covid was the impact on staff absence. Staff were still testing twice weekly and lateral flow tests were free for those who had to test for work.

### Social care

There was still some pressure on ambulance turnarounds at hospitals.

There were challenges with patients who were fit for discharge from hospital but were unable to access a care package. The NHS provided 6 weeks of reablement through its Home First package for patients with complex needs upon discharge but there were resourcing issues. The care home sector had ongoing recruitment issues for various reasons including lower wages and the impact of the cost of living crisis which could make jobs outside the sector more attractive. There were also issues when Care Home staff caught Covid and had to self-isolate.

### Staffing

There were NHS staffing schemes including one for staff who had retired but were willing to come back to work part time. There was also a reservist list for professional staff to provide additional hours when resource was challenged, with refresher training provided.

The County Council's Scrutiny Committee on 17 October had received a detailed presentation on workforce.

### Drug Issues

The Police had run a campaign about Monkey Dust and the hospital had experienced some patient admissions due to the effects of the drug.

### Mental Health

There were increasing issues with mental health problems. The cost of living crisis was contributing to this and there was concern that people may not come forward for the help they needed. There was concern around using unsafe methods of heating

which could lead to fire risk or carbon monoxide poisoning due to lack of ventilation. There were sources of help and information available and health partners would be working with local councils and the fire service and others to ensure relevant communications were sent out.

### Access

There were challenges to accessing primary care. There would be a report to an upcoming meeting of the County Health and Care Overview and Scrutiny Committee on access to general practice.

There continued to be promotion of the use of 111 as a first resort rather than going to A&E; 111 was available on line or on the phone. People who arrived at Royal Stoke Hospital A&E may be directed to a 111 kiosk in the first instance.

### Falls

The hospitals were seeing more cases of falls injury. Home assistance was available to assess trip hazards. Information on toolkits was available including on social media where it was often picked up by families who would then use the information to help their older family member. It was important to target any written information to high density locations to reach those who needed the information such as at supermarkets or takeaway outlets.

## **Staffordshire Police, Fire and Crime Panel**

Report of the Chairman of the Police, Fire and Crime Panel

To All Member Authorities

In accordance with agreed practice, I am reporting on matters dealt with by the Police, Fire and Crime Panel at its meeting on 26 September 2022.

The main items considered were:

### **Questions to the PFCC from Members of the Public**

The Panel considered the questions ask by a member of the public and the Commissioners written response. With the consent of the Chairman, Ms Mallender was allowed to ask a supplementary question which was "when was Policing going to improve in the local area?" The Commissioner responded that it was difficult sometimes to achieve the right balance and satisfy the hopes of the community. Contact would continue with the community and the Police would remain fully engaged. The Commissioner agreed to meet with the local community at a suitable forum.

### **Decisions published by the Police, Fire and Crime Commissioner (PFCC)**

Details were submitted of decisions published by the Commissioner since the last Panel meeting.

Decision 002 Public confidence surveys

- Decision 003 – Crest Support to LCJB performance framework: year 3
- Decision Note – Armed Police Training Facility Decision

The Panel were reminded that there would be an informal meeting to discuss the armed police training facility in November.

### **Police and Crime Plan Update**

The Police and Crime update report was presented by the Commissioner who explained the progress made against his strategic priorities. He reminded Members that detailed performance management and action against targets was also considered at his public Performance meetings held with the Chief Constable. [Public Meetings - Staffordshire Commissioner \(staffordshire-pfcc.gov.uk\)](https://staffordshire-pfcc.gov.uk/public-meetings) The next was due to be held on 4 October and members were invited to attend or watch on the webcast.

As a result of the Commissioners presentation and questions from the Panel, the following information was gained. This was in addition to that provided in the written report:

- Regarding the new Local Policing Model; early indications showed that it had provided extra capacity to respond to and investigate crime and support victims. It was reported that officers felt that local knowledge was now being used more effectively.

- Extra investment in the Contact Centre included training more people to deal with calls. It was hoped that this would help to reduce response times. It was felt that the performance of the Contact Centre remained a priority. The training of recruits was key to improvement. However, it was found that as people become fully trained they were moving on to become Police Officers. Whilst this was welcomed, it did affect contact centre performance.
- Local and responsive services were responding to calls at the same pace, despite a 20% increase in calls both locally and nationally against pre covid levels.
- Members felt that better communication with the public was needed, particularly around expected contact or response times.
- £750,00 extra funding for Safer streets projects had been received for Stoke on Trent, Stafford, Newcastle and Burton areas. The detail on how it could be used would be available soon.
- The Illegal trespass protocol was a partnership approach and involved developing a policy which was then subject to consultation. This inevitably took time but this was progressing.
- Public 'Bleed Kits' were a response to knife crime. There was a desire to expand this initiative and possibly attract government funding.
- There was a perception that Anti Social Behaviour (ASB) was increasing. The Commissioner informed the Panel that ASB was actually reducing in Staffordshire overall, but it had increased in certain localised areas and on Public Open Space, but less so in Communities. Again, this was an area of shared responsibility but when hot spots and causes had been identified, this could be addressed quite quickly.
- With regard to the inspection report, the Panel recognised that the Chief Constable had recently been appointed and had inherited the failings identified in the service. The action plan to address the issues was being monitored by the Commissioner.
- The Panel were concerned that whilst the Inspection report had raised a number of areas which needed improvement, these were areas which had been highlighted as areas of concern in the past and little improvement could be demonstrated. The Commissioner felt that there were a number of key themes which ran through the report which needed to be picked up, such as communication; capacity; leadership; and use of technology. There had been a number of new officers over recent years and this was an opportunity to change culture; make improvement; and take ownership of the problems.

The Commissioner was thanked for his update report. The Panel remained concerned that the issues raised in the HMICFRS Inspection report needed to be addressed and that the public should be able to access the information and gain reassurance that issues were being



tackled. Whilst it was acknowledged that performance against improvements would be measured and made public through the Performance meetings held with the Chief Constable, the Panel asked the Commissioner to attend a special meeting of the Panel to discuss in more detail. The Chairman reminded members that the County Councils Safeguarding Overview and Scrutiny (O&S) Committee covered Community Safety issues. He felt that to enable transparency and avoid duplication, it would be appropriate to invite the Safeguarding O&S Committee members to the Panel meeting to take part in the discussion.

The Panel resolved to invite the Commissioner to a further meeting of the Panel to discuss the recent HMICFRS Inspection report.

### **Fire and Rescue Service - Safety Plan 2020-2024 Update**

The Fire and Rescue Service Safety Plan update report was presented by the Commissioner who explained the progress made against his strategic priorities.

It was acknowledged that since the last meeting of the Panel a HMICFRS Inspection report had been published which had rated the service overall as 'good' but had highlighted a number of areas which needed some improvement. Work had started on this and Members were again reminded that detailed performance management and action against targets was considered at the Commissioners public Performance meetings held with the Chief Fire Officer. [Public Meetings - Staffordshire Commissioner \(staffordshire-pfcc.gov.uk\)](https://staffordshire-pfcc.gov.uk) The next was due to be held on 20 October and members were invited to attend or watch on the webcast. The Commissioner felt confident that the new leadership and change in culture would lead to improvements in the areas highlighted as needing attention.

Members asked for confirmation that should industrial action take place, the Fire and Rescue service would be sufficiently staffed to manage any emergency's. It was confirmed that any action would be after bonfire night and discussions were taking place with other services to try to continue with emergency cover over the strike period. Following a suggestion by a Panel member, the use of volunteers or retired officers would be considered.

Options around a number of operational sites which had previously been agreed to relocate, were being reconsidered and a number of opportunities were being explored for example relocating other services to share sites.

Following the recent house fire in Lichfield, where a number of fire engines had been pulled-in from neighbouring towns, it was confirmed

that the service balanced risk and prioritised responses to ensure that resources were normally in the right place when needed.

### **Staffordshire Safer Roads Partnership**

The Deputy Commissioner introduced the report which provided an update on the Safer Roads Partnership and its current priorities and activity. It was noted that the Police were a partner and that the Commissioner and/or Deputy chaired the Board meetings.

Following the presentation of the report and the subsequent Panel questions, the following information was gained. This was in addition to that provided in the written report:

- The report contained the Partnerships objectives. Under each priority would be a set of targets which would be measured and reported to the Board.
- Some targets were beyond the partnerships control for example; heart attacks whilst driving were unavoidable, as opposed to Drug driving which could be influenced by media awareness, police stops etc.
- Designated parks which could be used to teach children road safety were a good idea but space was not always available. Schools used a number of other resources and safe areas.
- Sources of data was improving but was limited at the moment (2020). Data was collected to respond to government bodies but the 2021/22 was not yet formalised. This information would be available for the Police Performance meeting on 4 October.
- Drug driving figures were higher than drink driving. The Deputy Commissioner would raise with the partnership to see if there were opportunities to train or increase support after conviction to stop repeat offending.
- Off road bikes were a problem in some areas. This would be raised at the partnership meeting, but members were encouraged to report incidents to local police.

### **Dates of Future Meetings and Work Programme**

The Panel agreed to move the Police Misconduct and complaints regulation 2020 – annual report to February 2023.

Webcast can be found at [Browse meetings - Staffordshire Police, Fire and Crime Panel - Staffordshire County Council](#)

For more information on these meetings or on the Police, Fire and Crime Panel in general please contact Mandy Pattinson e mail [mandy.pattinson@staffordshire.gov.uk](mailto:mandy.pattinson@staffordshire.gov.uk)

*Details of Panel meetings are issued to contact officers in each of the District/Borough Councils in the County and Stoke-on-Trent City Council for posting on their own web sites.*

Councillor Bernard Peters, Chairman  
Staffordshire Police, Fire and Crime Panel

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**Staffordshire Police, Fire and Crime Panel**  
Report of the Chairman of the Police, Fire and Crime Panel

To All Member Authorities

In accordance with agreed practice, I am reporting on matters dealt with by the Police, Fire and Crime Panel at its meeting on 24 October 2022.

The main items considered were:

**Questions to the PFCC from Members of the Public**

**Question 1**

**In total how many Police Fire and Crime Panel (PFCP) and Ethical Transparency and Audit Panel (ETAP) meetings have there been?**

Over the last 4 years (since 2019)

PFCP response: 23 Panel meetings.

ETAP response: 22 ETAP meetings

**Question 2 Out of these meetings how many times has a member of the public turned up or put forward a question?**

Panel Response: the number of public attending Panel meetings to watch the proceedings is not recorded. The number of people asking questions at panel meetings is:

Year	Meetings	Questions	People attended the meeting to ask questions in person
2019	6	3	1
2020	3	0	0
2021	8	3	0
2022	6	5	3

ETAP response:

Year	Meetings (Cover both Police and Fire)	Questions	People attended the meeting to ask questions in person
2019	6	0	1
2020	5	0	0
2021	5	0	0
2022	6	0	0

**Decisions published by the Police, Fire and Crime Commissioner (PFCC)**

No decisions had been posted on the Commissioners website since the last meeting.

**Medium Term Financial Strategy - update - Police**

The Medium-Term Financial Strategy (MTFS) update report for the Police services was presented by the Commissioner and his Director of Finance.

The report set out:

- The current position of the 2022/23 budget
- An update on future years MTFS assumptions
- Sensitivity analysis around key financial items
- An update on the capital programme.

It was reported that since setting the budget in January 2022, the financial assumptions had changed dramatically. It was felt that the current level of uncertainty in the economy with rising levels of inflation; pay award uncertainty; unpredictable investment returns; and pension increases, made budget predictions very challenging.

The table in the report at paragraph 1.9 showed the key movements in the MTFS position since January 2022. Despite in-year pressures, the current position for 2022/23 was a forecast underspend of £0.9m. However, there was a change in predicted funding gap from £2.1m to £6.3m in 2025/26.

As a result of the Commissioners presentation and questions from the Panel, the following information was shared with the Panel. This was in addition to that provided in the written report:

- Since the MTFS was set, the HMICFRS inspection report had resulted in the need to invest in the policing model. Examples of investment were given as included technology improvements, vehicles etc. The Panel would receive a full update on these investments and their impact, at the February 2023 panel meeting.
- For planning purposes, the increase in precept had been planned at 2.99% for the years 2023/24 onwards. It was noted that currently, the government's spending review had awarded the flexibility on the precept of £10 per annum, which would be an increase of approximately 4.09% for Staffordshire.
- Following a question on how the expected gap in funding would be covered, the Commissioner explained that if the funding didn't come from government, an increase in precept may have to be considered and/or efficiencies would be explored, particularly through the use of technology. The use of reserves could be considered if necessary.
- Projections of inflation rates in future years was more challenging than in previous years. Assumptions had been estimated for future years, but this may need readjusting.
- Savings and income generating could be gained through: additional grants; Regional organised crime unit; secondments etc. The panel was informed that other forces were having conversations with

partners such as the NHS to be compensated for work undertaken, which it was felt should be covered by other teams, for example mental health. However, similar financial pressures were faced by all the partners.

- The prudent approach and the estimated saving of £0.9m in this financial year was acknowledged.

The Panel noted the report.

### **Medium Term Financial Strategy - update - Fire and Rescue Service**

The Medium-Term Financial Strategy update report for the Fire and Rescue services was presented by the Commissioner and his Director of Finance.

The report set out:

- The current position of the 2022/23 budget
- An update on future years MTFS assumptions
- Sensitivity analysis around key financial items
- Transformation update
- An update on the capital programme.

Similar financial assumptions had been made to that in the earlier Police MTFS report.

There was extra uncertainty with the pay negotiations for the Fire service which was currently estimated at 5%, as opposed to the anticipated 2%.

It was acknowledge that currently the increased service costs had been offset by cost savings. This was despite the unitary charge for some of the transformational programme PFI fire stations being variable and was now 8.3% which was a significant increase. This was expected to increase in future years.

It was noted that fuel costs were estimated at a 5% increase for fire and rescue, whilst for Police this was set at 2%. It was explained that officers predictions were different but fuel contracts were procured in the same way for both police and fire and rescue services.

The Panel noted the report.

### **Fire and Rescue - Annual Assurance Statement 2021/22**

The Panel considered the draft Fire and Rescue Statement of Assurance for 2021/22. It was reported that the statement would be considered at the Commissioners next ETAP (fire) meeting with the final version being sent to the Panel for information.

The Panel noted the report

## **Questions to the PFCC by Panel Members**

The Panel asked questions and received the following responses:

a, when would the Travellers strategy be ready and distributed to Local Authorities/partners?

*In response, the Panel was informed that the Policy was being reviewed and considered by the Community Safety Forum. It would then be distributed to all partners so that a consistent approach could be used throughout Staffordshire.*

b, was the new policing operating model having an impact on public reassurance?

*In response, all officer ranks were out meeting residents and informing of issues in the local areas. The Commissioner expected the new approach, to have a positive impact.*

c, how would the monitoring of Police performance, particularly relating to the HMICFRS inspection report and the impact on residents be communicated?

*The performance meetings with the Chief Constable would continue and the Panel would receive regular updates on the Commissioners strategic plan and how the force was meeting his strategic priorities. Communication with both partners and the public was important to highlight improvement.*

Webcast can be found at [Browse meetings - Staffordshire Police, Fire and Crime Panel - Staffordshire County Council](#)

For more information on these meetings or on the Police, Fire and Crime Panel in general please contact Mandy Pattinson e mail [mandy.pattinson@staffordshire.gov.uk](mailto:mandy.pattinson@staffordshire.gov.uk)

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Councillor Richard Cox, Vice Chairman  
Staffordshire Police, Fire and Crime Panel



## HEALTH, WELLBEING AND ENVIRONMENT SCRUTINY COMMITTEE

Work Programme 2022/26

Chair: Councillor Ian Wilkes

Vice-Chair: Councillor Rupert Adcock

Members: Lilian Barker, Jacqueline Brown, Nicholas Crisp, Sylvia Dymond, Simon Jones, Paul Northcott, Philip Reece,  
Lesley Richards, Ruth Wright

Portfolio Holders covering the Committee's remit:

Councillor Gill Heesom - Cabinet Member – Community Safety and Well Being

Councillor Jill Waring - Cabinet Member – Leisure, Culture and Heritage

Councillor Trevor Johnson – Environment and Recycling

This committee scrutinises policies, strategies and initiatives that are intended to improve health and wellbeing outcomes for the people who work and live in the borough. It scrutinises things such as leisure, open space and cultural provision, crime and antisocial behaviour, homelessness, health and other behaviours or environmental factors that affect health and well-being.

The core Work Programme is determined at the beginning of the municipal year. Issues can be added throughout the year with the Chair's approval or where a new priority area comes to the Committee's attention.

For more information on the Committee or its work Programme please contact Denise French on 01782 742211 or at [denise.french@newcastle-staffs.gov.uk](mailto:denise.french@newcastle-staffs.gov.uk)

DATE OF MEETING	ITEM	BACKGROUND/OBJECTIVES
23 <sup>rd</sup> June 2022	Sustainable Environment Strategy Annual Report	Now in this committee's remit



Classification: NULBC **UNCLASSIFIED**

	Walley's Quarry – health impacts Police and Crime Panel Staffordshire Health and Care Overview and Scrutiny Committee digest Integrated Care Board	) ) regular items ) ) ) )
5 September 2022	Police Update – Commander and DCI John Owen Walley's Quarry update Recycling and Waste Services Update Police and Crime Panel Staffordshire Health and Care Overview and Scrutiny Committee digest Integrated Care Board Air Quality Ministerial Direction	Regular update  ) ) ) Regular items ) Raised at Council 6 July 2022
28 November 2022	Tri-Services Review of Tennis Provision Use of grazing animals Walley's Quarry	) ) requested by the committee ) Regular item
6 March 2023	Cycle routes/lane provision Urban Tree Planting Programme Chief Fire Officer Walleys Quarry	) ) requested by the committee ) )

Classification: NULBC **UNCLASSIFIED**

14 June 2023	Sustainable Environment Strategy Annual Report Police Commander – review of the new policing model Walleys Quarry	Annual review  Update on meeting held in September 2022
7 September 2023	Homelessness – review of new arrangements Walleys Quarry	
27 November 2023		
26 February 2024		
3 June 2024		
16 September 2024		
25 November 2024		
3 March 2025		
12 June 2025		
15 September 2025		
24 November 2025		
9 March 2026		
25 June 2026		
Suggestions for potential future items: 1.		
Task/Finish Groups: 1. Joint Scrutiny Working Group – Integrated Care Hubs Special Meeting:		

Classification: NULBC **UNCLASSIFIED**

Air Quality Full Business Case – to be arranged (2023)

November 2022

Classification: NULBC **UNCLASSIFIED**