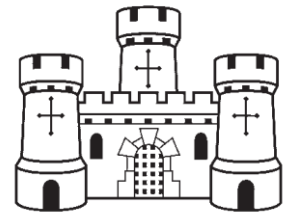


Date of meeting Monday, 6th March, 2023

Time 7.00 pm

Venue Astley Room - Castle

Contact Geoff Durham - 742222



**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 3 - 8)
To consider the Minutes of the last meeting of the Committee.
- 4 UPDATE FROM CABINET**
- 5 URBAN TREE PLANTING STRATEGY** (Pages 9 - 16)
- 6 WALLEYS QUARRY UPDATE** (Pages 17 - 40)
- 7 CHIEF FIRE OFFICER REPORT** (Verbal Report)
To receive an update from the Chief Fire Officer.
- 8 CLOUGH HALL PARK COMMUNITY GARDEN** (Verbal Report)
To receive a presentation from a local resident.
- 9 STAFFORDSHIRE HEALTH AND CARE OVERVIEW AND SCRUTINY COMMITTEE** (Pages 41 - 44)
- 10 WORK PROGRAMME** (Pages 45 - 48)
- 11 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.
- 12 URGENT BUSINESS**

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

13 DATE OF NEXT MEETING

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	Holland
	Bryan	D Jones
	Burnett	Parker
	Edginton-Plunkett	J Tagg
	Fox-Hewitt	S White

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, 28th November, 2022
Time of Commencement: 7.00 pm

[View the agenda here](#)

[Watch the meeting here](#)

Present: Councillor Ian Wilkes (Chair)

Councillors:	Adcock	Crisp	Reece
	Barker MBE	Dymond	Richards
	Brown	Northcott	Wright

Apologies: Councillor(s) S Jones

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

Officers:	Andrew Arnott	Sport and Active Lifestyles Manager
	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 Stephen Sweeney	Deputy Leader of the Council and Portfolio Holder - Finance, Town Centres and Growth

26. **DECLARATIONS OF INTEREST**

Councillor Reece referred to references in some reports to Mental Health services and declared that he worked in Mental Health services.

27. **MINUTES OF PREVIOUS MEETING**

Resolved: that the minutes of the meeting held on 5 September 2022 be agreed as a correct record.

28. **UPDATE FROM CABINET**

There was nothing to update from Cabinet.

29. **USE OF GRAZING ANIMALS**

The Committee considered a presentation on the use of grazing animals at St James Church in Audley. The initiative had arisen following an approach by the Vicar of St James and Councillor Wilkes to a local farmer seeking help to address an overgrown area of the churchyard. The churchyard was difficult for the Borough Council to manage due to the slope of the ground.

The farmer had offered 5 tame sheep to graze on the area over a 10 week period which meant the overgrown area was made much tidier as well as being an environmentally friendly solution. The sheep had attracted lots of positive attention and feedback among the village.

As the sheep grazed, various plastic items had been uncovered which were then removed by volunteers so that no non-biodegradable objects were present at the graveyard.

A further benefit was the discovery of 3 War Graves; the War Graves Commission had mapped graves but did not know the location of three at Audley which had been uncovered by the sheep grazing.

A wildflower garden had also been introduced in the graveyard.

The Head of Sustainable Environment explained how the area had been difficult to manage by council staff due to the uneven ground; the farmer's commitment had meant an improvement to the area and a sustainable solution. The council would consider whether this initiative could be replicated elsewhere.

Members commended the initiative and thanked Mr Farmer for attending.

Resolved: that the report be received and noted.

[Click here to watch the debate](#)

30. TRI-SERVICES

There was no one present to update on the Tri-Services item.

31. TENNIS PROVISION IN THE BOROUGH

The Portfolio Holder for Finance, Town Centres and Growth introduced the item which involved £100k investment in tennis provision in the Borough with general admission to courts remaining free of charge.

The Leisure and Bereavement Services Manager updated further. The Council owned 18 tennis courts across 5 sites. The Lawn Tennis Association (LTA) had identified the Borough as a priority area to increase participation in tennis. The Council had been working closely with the LTA regarding investment in tennis courts and the LTA was to fund resurfacing and repainting works at the Westlands courts and repainting at Wolstanton. The cost was around £100k and would be fully funded by the LTA including any increased costs arising from cost of living pressures and inflation. The LTA would also fund a digital booking system. The Council was also working with the LTA to source a coaching company who would pay a fee to the Council and offer a comprehensive and inclusive tennis programme at Westlands and Wolstanton tennis courts initially and including both youth and adult coaching, tennis leagues and competitions. The coaching programme would commence in spring 2023.

Members raised the following queries and issues:

- Would other tennis courts be considered for resurfacing and repainting? The committee was advised that the Council's Play Pitch Strategy was the guiding document but the proposals presented at the meeting were very much the start of the journey. The Strategy was reviewed every 12 months and all courts would be reviewed as part of that process.
- The courts at Bradwell were often locked and was there a reason for this? This would be investigated and feedback given outside the meeting.
- What demand was there for tennis courts from schools, young people, children? This would be identified through the coaching provision who would work to identify interest among schools and within the community.

Resolved: that the update be noted.

[Click here to watch the debate](#)

32. WALLEYS QUARRY

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

The report outlined the full details of the settlement that had been reached between the Council and the operators, Walleys Quarry Limited (WQL), which meant that WQL had withdrawn their appeal. This meant the Abatement Notice was now in place and legally enforceable. WQL had agreed to pay the council £400k towards the council's costs in responding to the appeal plus £60k towards future monitoring activities.

The committee was informed that council officers, including the Chief Executive, were working closely with the site operators, Walleys Quarry Limited.

Members raised the following queries:

- Details were sought about the Liaison Committee including membership and whether recordings of meetings were available. Answers would be provided outside the meeting.
- Were the 4 Air Quality monitoring stations in the most suitable locations? Members were advised the locations were carefully chosen and it was important to have consistent locations to manage fluctuations in levels arising from weather variations.
- Were the Jerome monitors a council scheme and would this monitoring continue? This monitoring was carried out by the council and would continue.

Resolved: that the report be noted.

[Click here to watch the debate](#)

33. 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 3 and 17 October 2022.

Health, Wellbeing & Environment Scrutiny Committee - 28/11/22

Members noted the discussion on workforce and were informed that there was a robust level of social work resource with low sickness levels and teams that were settled. A query was raised around where vacancies were occurring and the Chair agreed to raise this at a future meeting of the County Overview and Scrutiny Committee.

A Member raised a query around patients monitoring for respiratory issues in their homes and what training would be available to help with this and how would this be monitored. This would be taken away for clarification outside the meeting.

Resolved: that the updates be noted.

[Click here to watch the debate](#)

34. MEETING WITH THE 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 notes included the latest position regarding Covid, staffing numbers and access to health services.

Resolved: that the report be noted.

35. STAFFORDSHIRE POLICE, FIRE AND CRIME PANEL

The committee considered the reports from the recent meeting of the Police, Fire and Crime Panel held on 24 October.

Resolved: that the report be noted.

36. WORK PROGRAMME

The committee discussed the work programme. Members suggested topics including provision of allotments, Air Quality Full Business Case, modular housing and health in all policies for the Borough Local Plan. It was requested that should a new Ministerial Direction be issued relating to air quality that an item be submitted to this committee.

Resolved: that the Work Programme include the items suggested – provision of allotments, modular housing and health in all policies for the Local Plan.

[Click here to watch the debate](#)

37. PUBLIC QUESTION TIME

There were no members of the public present.

38. URGENT BUSINESS

There was no urgent business.

39. DATE OF NEXT MEETING - 6 MARCH 2023

Health, Wellbeing & Environment Scrutiny Committee - 28/11/22

**Councillor Ian Wilkes
Chair**

Meeting concluded at 7.57 pm

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO

Health Wellbeing and Partnerships Scrutiny Committee
06 March 2023

Report Title: Urban Tree Planting Strategy Update 2023

Submitted by: Executive Director – Sustainable Environment & Operational Services

Portfolios: Environment and Recycling

Ward(s) affected: Urban Wards of the Borough

Purpose of the Report

To update the Committee on progress with the Urban Tree Planting Strategy, and to invite members to propose further planting sites in the urban wards of the Borough.

Recommendation

That

1. Progress on the Urban Tree Planting Strategy is noted, including consultation responses on the current phase (Phase 4).
2. Progress on the proposed 850 Lyme Forest, consisting of 850 lime trees and other associated tree planting at the former Keele Golf Course site, to celebrate the forthcoming 850th anniversary of the Borough's Royal Charter, is noted, including consultation responses.
3. Members are invited to propose further planting sites in the urban wards of the Borough for inclusion in future phases, subject to the parameters of the strategy and consultation responses.

Reasons

To contribute to the Council's Sustainable Environment Strategy, with particular focus on carbon sequestration and off-setting as part of its journey to net carbon zero

To contribute to the removal and sequestration of carbon from the atmosphere.

To contribute to the good management of the Borough Council's tree stock and appropriate decision making on tree planting proposals

To contribute to the Council's Nature Recovery plans.

To enable donations to be received that contribute towards the delivery of the Urban Tree Planting Strategy and other projects

1. Background

- 1.1 The Council adopted its Sustainable Environment Strategy in December 2020 which commits, under the “Offset” theme, to a tree planting programme to facilitate carbon capture and greening in the priority outcomes for the Natural Environment theme.
- 1.2 On 7th July 2021 the Cabinet approved the Urban Tree Planting Strategy which set out its approach for the management and improvement of the urban forest of Newcastle-under-Lyme.
- 1.3 In November 2021 the Council was the first in Staffordshire to adopt a Nature Recovery motion in Full Council, in recognition that nature is in long term decline and action is needed to halt and reverse this urgently.
- 1.4 Over the last 2 years, the Council has delivered the first 3 phases of the Urban Tree Planting Strategy, planting 265 trees over 8 sites, and work is now in progress to deliver phase 4 over the winter of 2022/23.
- 1.5 A number of other linked initiatives have also been delivered including the Plant a Tree for the Jubilee scheme in conjunction with 17 local primary schools which saw 1176 trees planted, and the Treetotalizer which now stands at over 9400 trees which have been planted by the community as part of the Britain in Bloom Plant a Bloomin’ Tree project.

2. **Issues**

- 2.1 A list of sites for Phase 4 tree planting was identified. The list included 4 smaller sites at Clough Hall Park, Kennet Close, Moreton Parade and St Edmunds Avenue which were suitable for community planting and therefore consultation was undertaken and planting was completed by Christmas 2022. This Phase 4a, heralded the initiation of the remaining 9 sites for which consultation was completed in December 2022 with a view to planting being carried out in March 2023 as Phase 4b.
- 2.2 As 2023 will be the 850th anniversary of the Borough’s Royal Charter, it is proposed to plant a commemorative 850 Lyme Forest of 850 lime trees and associated other tree planting, in recognition of the origin of the name of Newcastle-under-Lyme, at the former Keele Golf Course site. This project will be implemented as part of Phase 4b, but will have special recognition and in view of this, consultation on this particular site was completed on 5th December 2022. Planting will take place in March 2023 along with site signs and publicity to mark this legacy project.
- 2.3 The consultation results for all of the Phase 4 sites is attached to this report at Appendix 1.
- 2.4 The latest Phase continues to follow the principle of the importance of “the right tree in the right place”, involving the community in managing existing trees and new planting schemes, and the long-term nature of urban forest management, reflecting the lifespan of trees and the timescales (20 – 30 years) involved for newly planted trees to grow to the age where they begin to absorb large amounts of carbon dioxide. Ultimately, they will assist in the Council’s aim of becoming carbon neutral through carbon sequestration and offsetting when the trees begin to mature.
- 2.5 The Urban Tree Planting Strategy is focusing on carrying out tree planting in the urban wards in the Borough, as this is where carbon capture or sequestration will be most needed to mitigate the carbon footprint generated in built-up areas.
- 2.6 The approved Urban Tree Planting Strategy Action Plan proposed 4 initial phases of site selection for suitable areas of open space that have less than 2 ha of open area and the first 3 phases have been successfully delivered, with the 4th Phase now in progress:

Site	Ward	Area (ha)
Phase 1 & 2		
Sandy Lane	May Bank	0.91
Newchapel Recreation Ground	Newchapel and Mow Cop	1.96
Phase 3		
Repton Drive	Westlands	0.11
Winchester Drive	Westlands	0.13
Westbury Road	Westbury Park and Northwood	0.48
Wilson Street	Town	0.44
Hanbridge Avenue	Bradwell	0.48
Harriet Higgins/Poolfields LNR	Thistleberry	0.73
Phase 4 – for planting Autumn/Winter 2022/23		
Leys Drive/Whitmore Road	Westlands	1.29
Former pitch and putt Lyme Valley Parkway	Clayton	1.04
Rear of Homebase/Lyme Valley Parkway	Town	0.17
Moreton Parade	May Bank	0.05
St Edmunds Avenue	Wolstanton	0.25
Coalpit Hill	Talke and Butt Lane	1.74
Mount Road/Weir Grove	Kidsgrove and Ravenscliffe/Newchapel and Mow Cop	3.64
Silverdale crossroads	Silverdale	0.67
Kennet Close / Severn Drive	Westbury Park & Northwood	0.14
Clough Hall Park	Talke and Butt Lane	0.05
Arnold Grove	Bradwell	2.24
850 Lyme Forest	Silverdale (former golf course)	3.20
Sheldon Grove	Holditch & Chesterton	2.40

- 2.7 A dedicated web page has been set up on the Council's website with information about the benefits of tree planting, details of the proposed Phase 4 sites and an invitation to residents to let the Council know their views on tree planting and any other suggestions for further nature recovery improvements.
- 2.8 Ward Members of the phase 3 and 4 sites were issued with a pack including a consultation letter that could be delivered to residents and a plan of the particular site involved, with the intention that Ward Members could undertake appropriate distribution in their area. This approach can be replicated for any future sites which are proposed and members are invited to put forward suggested sites in their respective wards for consideration.
- 2.9 In order to provide an opportunity for the community to sponsor a tree or make a contribution to a particular site or project, in particular the 850 Lyme Forest, a donation scheme is being set up via the council's website. Residents and businesses will be able to

contribute to different donation areas; one for the Urban Tree Planting Strategy for which any donations collected will be used on the rolling programme of tree planting and one specifically for the 850 Lyme Forest. Suggested donation amounts will be included on the webpages as a guide, and the funds received will be stored in specific account areas. This will ensure that any funds raised are appropriately managed and can be rolled forward to match suitable planting seasons.

- 2.10 The intention is also to establish the principle of securing donations for other future council projects, subject to ensuring that such projects meet requirements for this funding mechanism.

3. **Proposal**

- 3.1. Progress on the Urban Tree Planting Strategy is noted, including consultation responses on the current phase (Phase 4).
- 3.2 Progress on the proposed 850 Lyme Forest, consisting of 850 lime trees and other associated tree planting at the former Keele Golf Course site, to celebrate the forthcoming 850th anniversary of the Borough's Royal Charter, is noted, including consultation responses.
- 3.3 Members are invited to propose further planting sites in the urban wards of the Borough for inclusion in future phases, subject to the parameters of the strategy and consultation responses.

4. **Reasons for Proposed Solution**

- 4.1 To contribute to the Council's Sustainable Environment Strategy, with particular focus on its journey to net carbon zero in terms of removing and sequestering carbon emissions from the atmosphere.
- 4.2 To contribute to the good management of the Borough Council's tree stock and appropriate decision making on tree planting proposal
- 4.3 To enable residents to contribute towards this and future tree planting and other projects.
- 4.4 To contribute to the Council's Nature Recovery Plan
- 4.5 To enable donations to be received that contribute towards the delivery of the Urban Tree Planting Strategy and other projects

5. **Options Considered**

- 5.1 The option considered is to note progress on the Urban Tree Planting Strategy.
- 5.2 The option considered is that the proposed phase 4 of the tree planting is noted, including consultation responses, in line with the Council's Sustainable Environment Strategy.
- 5.3 A further option considered is that work begins on developing future phases of tree planting, including inviting members to propose further planting sites for consultation with appropriate stakeholders.

6. **Legal and Statutory Implications**

- 6.1 The Council, as a landowner, has a statutory duty to ensure that its tree stock is managed safely. It also has a “biodiversity duty” under the Natural Environment and Rural Communities Act 2006, to which the provision and management of trees and woodlands contributes.
- 6.2 Donations from the community can only be used for non-statutory purposes; the proposed tree planting is not something that the Council is required to do and therefore the proposed donation scheme can be set up and used to support this purpose.

7. **Equality Impact Assessment**

- 7.1 There are no direct equality impacts associated with this report.

8. **Financial and Resource Implications**

- 8.1 There are financial and resource implications arising from the proposed delivery of the Urban Tree Planting Strategy as follows.
- 8.2 There is a significant requirement for staff time to engage and consult with affected communities and other stakeholders, design schemes, seek tenders, appoint and manage contractors and arrange and manage planting.
- 8.3 This work, in relation to Phase 4 of the tree planting and the 850 Lyme Forest has been reprioritised over other projects and work streams to enable successful delivery within the required timescales.
- 8.4 Cost estimates in the sum of £85,000 have been prepared for Phase 4 of the tree planting, including the Lime Forest. A sum of £85,000 has been included in the Council’s successful UK Shared Prosperity Fund (UKSPF) bid which will cover the estimated total cost of the Phase 4 scheme.
- 8.5 On receipt of quotations and tenders, consultation will be undertaken with the Portfolio Holder prior to awarding contracts for the planting proposals so that funding amounts can be agreed and budgets managed appropriately.
- 8.6 There is currently provision of £25,000 in the 2023/24 capital programme for Phase 5 of the Urban Tree Planting Strategy, and provision will need to be made for any future phases in 2024/25 and onwards. The UKSPF bid also includes sums for tree planting in 2023/24 and 2024/25.
- 8.7 Opportunities to secure external funding for planting schemes are also being explored to supplement the Councils resources for future phases, and any successful bids will be reported. This includes the option of the donation scheme to enable residents and businesses to contribute towards the planting projects. Any amounts received via this route will be recorded and used to offset the above costs.

9. **Major Risks**

- 9.1 The major risks associated with this report relate to the Council’s duty to safely maintain its current tree stock, and its ambition to be carbon neutral across its operations and assets by 2030 through a combination of reducing carbon production and offsetting of any residual carbon emissions. Tree planting, particularly in the urban areas of the Borough, would ultimately assist in such offsetting.

9.2 There is also a risk of a lack of community support for proposed new tree planting, depending on location and scale. This risk will be managed through community engagement and consultation on planting proposals for any sites identified for this purpose.

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

10.1 The Urban Forest Strategy and Urban Tree Planting Strategy will support the realisation of the aims of UN SDG 3, 13 AND 15.

<https://sdgs.un.org/goals>

https://30312f94-9adb-4918-80dd-708c590bada3.usrfiles.com/ugd/30312f_79b08331d11e44bc888e1ee08c05474e.pdf



11. **Key Decision Information**

11.1 Approval of the strategy is considered to be a key decision as it impacts on all wards in the Borough and may require cumulative expenditure of over £100,000 should the action plan be progressed. It has been included in the Forward Plan.

12. **Earlier Cabinet/Committee Resolutions**

12.1 February 2022

13. **List of Appendices**

13.1 Appendix 1 – consultation report on Phase 4

14. **Background Papers**

1. Urban Tree Planting Strategy
2. Sustainable Environment Strategy

Urban Tree Planting Phase 4 Consultation Outcome

The consultation of the phase 4 sites has taken place in three 2 week blocks starting with Phase 4a through to Phase 4b which is due to conclude on 21st December 2022

Phase 4a

Ward members were notified of the consultation at the start and were asked to inform residents who would have an interest in the project / sites and promotion of the consultation also took place across social media platforms.

Phase 4a consisted of 4 sites, which are due to be planted in December 2022. The four sites included Clough Hall Park, Kennet Close, Moreton Parade and St Edmunds Avenue.

Responses were received for Kennet Close and Clough Hall Park

Kennet received two responses both of which supported the planting and the proposals for the site, with a request for fruit trees from one response and native trees, woodland habitat, trees for wildlife from the other responder. Comments received asked for more planting on the area to the north of the proposals (not NBC land) and for the borders to be maintained to prevent overgrowth on the paths, as this is slippery in wet weather.

Clough Hall Park received 44 responses, all of which supported the proposed planting for the site. 20 responders supported fruit trees on the site, with the remaining responders wanting a mixture of fruit trees, trees for wildlife, woodland habitat and native trees. Only 3 responders didn't want to see fruit in the area identified for the planting in Clough Hall Park. Other comments received referred to planting taking place on the old bowling greens, encouraging bird watching, wildflower meadow creation and bee hives to support the pollination of the fruit trees; ensuring that the trees are suitable for the location and wildlife and hedgehog habitats. Other comments have been received but they don't relate to the tree planting project.

Responses were not received for either Moreton Parade or St Edmunds Avenue.

Former Keele Golf Course

28 responses were received for this site with seven responders against tree planting on the site at all and 21 in favour of tree planting on the site. Of the supporters only six didn't like the proposals as shown on the plans, with comments including the wish for more planting across more of the site, the site could include sustainable drainage and natural filtration to reduce flood risks to Silverdale and ring fencing maintenance money for the planting and existing woodlands, impacting light to rear of properties and size of trees and that the field isn't part of the golf course, leave the site as it is, as well as miss use of the site by motorbikes.

All the responders identified a mixture of native trees, woodland habitat, and tree for wildlife as the predominately preferred planting with two responders adding fruit trees and one ornamental trees.

Other comments received in support were around including more of the site for tree planting, rewilding the site, some bog / water areas, and reestablishment of hedgerows for wildlife / bird populations. Security to prevent the trees from being damaged.

Phase 4b

Ward members were notified of the consultation at the start and were asked to inform residents who would have an interest in the project / sites and promotion of the consultation also took place across social media platforms.

Phase 4b consists of 8 sites, which are due to be planted in February / March 2023. The these sites included Leys Drive, Lyme Valley Parkway former pitch and putt, Lyme Valley Parkway rear of Homebase, Coalpit Hill, Mount Road, Silverdale Crossroads, Arnold Grove, and Sheldon Grove.

Following the closure of Phase 4b consultation on 21st December 2022, a total of five responses have been received, for two of the sites.

Silverdale Crossroads received three responses all of which supported tree planting on the site and agreed with the draft proposals, the other site which received two responses was Lyme Valley (former Pitch and Putt). Again both responses were in support of the proposals and the principle of tree planting on the site. Only one respondent made comments, and this was in relation to the maintenance of the proposed planting.

The remaining six sites, Leys Drive, Lyme Valley Parkway (rear of Homebase), Coalpit Hill, Mount Road, Arnold Grove and Sheldon Grove received no responses.

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO CABINET

7th February 2023

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 13th 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 2nd 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 18th 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 6th 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.
- 2.6 Progress with key elements of the settlement agreement

As part of the Agreement, Council officers, including the Chief Executive are meeting with senior representatives of Walleys Quarry Limited (WQL) to ensure that all aspects of the agreement are implemented.

Meetings are taking place on a regular basis with the outcome to date including:

- a. WQL have published a comprehensive set of its operational plans on its website in a publicly accessible format. [Reference: <https://walleysquarry.co.uk/site-permits-and-policies#MGMTPlans>]
- b. WQL notify any operational changes that may impact on odour emissions from the site. Notifications are published on the WQL ‘Latest Information’ webpage. As an example, advance notice was provided by WQL of potential onsite gas engineering activities that had the potential to create short-lived odour emissions. [Reference: <https://walleysquarry.co.uk/wp-content/uploads/2022/11/Walleys-Quarry-weekly-update-11.11.22.pdf>]
- c. A set of standard key performance indicators are being developed in a score card format to monitor the performance of the operator. Further detail is provided in section 6.
- d. The last Liaison Committee meeting took place on 15th December 2022 and a publically viewable recording of the meeting is available at the link below. Updates were provided by Walleys Quarry Limited, Environment Agency, Staffordshire County Council, Borough Council, Silverdale Parish Council and resident representatives. [Reference: <https://www.youtube.com/watch?v=Nb3ISSX866Q>] The next meeting is planned for March 2023.
- e. The agreement requires WQL to notify the Council of any written amendments to the listed Operational Plans/Procedures within 48 hours of such notification by the Environment Agency. On 18 January 2023 WQL forwarded a draft revision of the Landfill Gas Management Plan to the Council on the same day that the EA were notified.

3. Complaint Data

- 3.1 Below is a schedule of complaints received by the Council and by the Environment Agency over the last 3 months, on a weekly basis. 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 complaint data is attached to this report as Appendix 1.

	Complaints to NuLBC	Complaints to Environment Agency
November 2022	27*	116
31/10/22 – 6/11/22		
7/11/22 – 13/11/22	23 *	86
14/11/22 – 20/11/22	60*	113
21/11/22- 27/11/22	28*	70
28/11/22 – 4/12/22	19	47
December 2022	43	163
5/12/22 – 11/12/22		
12/12/22 – 18/12/22	22	114
19/12/22 – 25/12/22	12	45
26/12/22 – 01/01/23	11	39
January 2023	12	32
02/01/23 – 08/01/23		
09/01/23 – 15/01/23	13	25
16/01/23 – 22/01/23	47	118
23/01/23 – 29/01/23	51	149

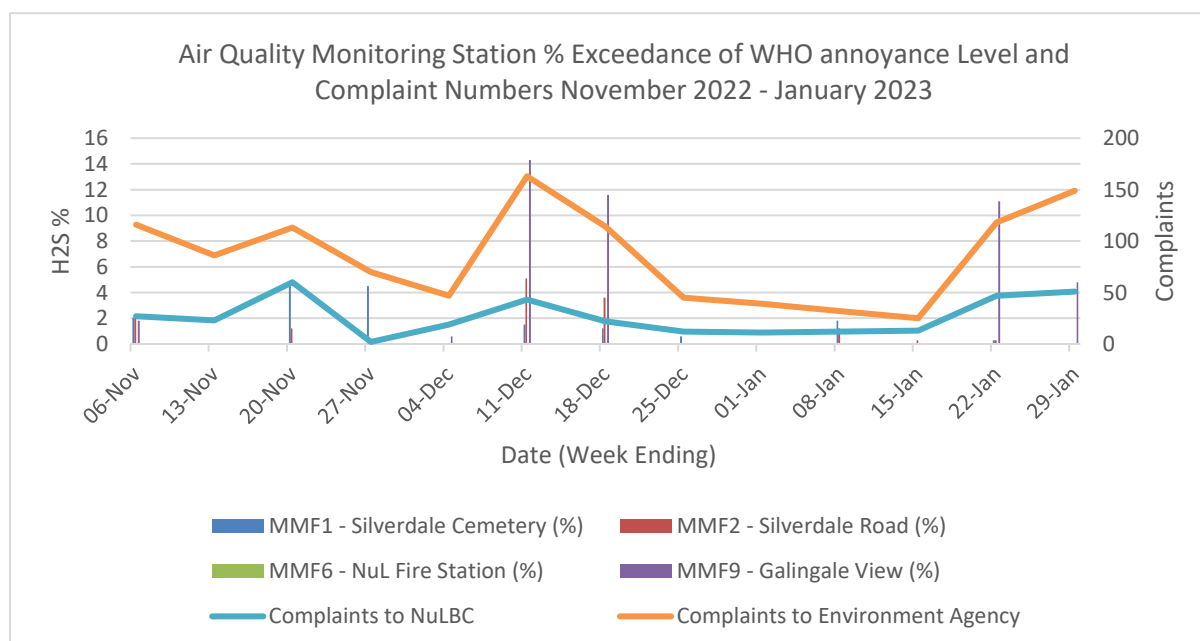
*Note these figures have changed from previous reporting due to data verification

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 utilising four static air monitoring stations. Data from these stations is reviewed to provide information in relation to two standards relating to Hydrogen Sulphide (H₂S) – the WHO Health threshold and the WHO odour annoyance guideline, with this analysis published by stakeholders.
- 4.2 Over the last 3 months, No H₂S concentrations were above the World Health Organisation's health threshold. H₂S levels were above the odour annoyance guideline level (7 µg/m³, 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 (%)
November 2022 31/10/22 – 6/11/22	0	2.2	0	1.8
7/11/22 – 13/11/22	0	0	0	0
14/11/22 – 20/11/22	4.5	1.2	0	0
21/11/22- 27/11/22	4.5	0	0	0
28/11/22 – 4/12/22	0	0	0	0.6
December 2022 5/12/22 – 11/12/22	1.5	5.1	0	14.3
12/12/22 – 18/12/22	1.2	3.6	0	11.6
19/12/22 – 25/12/22	0.6	0	0	0
26/12/22 – 01/01/23	0	0	0	0
January 2023 02/01/23 – 08/01/23	1.8	1.2	0	0
09/01/23 – 15/01/23	0	0.3	0	0
16/01/23 – 22/01/23	0.3	0.3	0	11.1
23/01/23 – 29/01/23	0	0	0	4.8

- 4.3 The complaint and air quality data is combined and shown in the graph below. The data continues to show that the percentage of time above the World Health Organisation odour annoyance guideline level fluctuate across the four locations. The complaint numbers and % exceedance of the WHO annoyance level show a similar trend.



- 4.4 In January 2023 There was a significant increase in the exceedance recorded at MMF 9 Week 16/01/23 – 22 /01/23. The EA reported that:
- ‘the exceedance at MMF9 was recorded during the period from around 5pm on the evening of 20 January through to the around 10am on the morning of 21 January 2023.’

- 'Levels of hydrogen sulphide recorded in this 20 hour period peaked at approximately 20µg/m. This contrasts with the peak in January 2022, when hydrogen sulphide concentrations were approximately 65µg/m³ over the 24-hour (midnight – midnight) period on 13 January'.
- 'Hydrogen sulphide concentrations continue to be greatly reduced compared with the period monitoring began, in both the source emission and ambient air measurements'.

The EA report that 'hydrogen sulphide concentrations continue to be greatly reduced compared with the period monitoring began, in both the source emission and ambient air measurements'. The EA maintain that 'air quality monitoring data provides additional confidence that our ongoing regulation is ensuring the source emission of hydrogen sulphide from the landfill site continues to remain low'.

4.5 **Investigation into Odour on 21st and 24th January 2023**

WQL issued a notification that following investigation and review of the Gas Utilisation Plant (GUP) data the suction pressure increased though the early hours of Saturday morning (21/01/2023). A copy of the notification is at <https://walleysquarry.co.uk/wp-content/uploads/2023/02/Walleys-Jan-Update-24.01.2023.pdf>

The gas management contractor, CLP Envirogas Ltd, continuously monitor the site remotely, were aware of the conditions as they arose and following a suitable period of observation, attended site early on the Saturday (21st) morning in line with established operating procedures. Their actions included adjusting the gas field to reduce suction pressure and clearing ice build-up within a specific and singular component of the gas system.

Officers responded to an increase in odour complaints from the community on 24th January, during a period of cold and still weather conditions. Visits were undertaken to the areas surrounding the landfill during the morning and evening.

4.6 **Jerome H2S Monitoring**

Monitoring of H2S levels at properties has identified a significant reduction in the monitored levels from monitoring undertaken in 2021 and 2022. Levels are now typically below or around the lower detection limit of the instrumentation. This type of monitoring is on-hold at present, although the Council will continue to keep this under review and may reinstate this in the future. The instruments will be maintained by the Council and will be used to support some officer visits.

5. **Environment Agency Regulatory and Enforcement Action**

- 5.1 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 4 weekly updates are provided below:

News in brief – 5th January 2023

We continue to actively regulate and assess Walleys Quarry Ltd's compliance with its environmental permit. Officers carried out an unannounced site inspection on 20 December to assess general compliance with permit conditions.

The gas extraction rate recorded on 28 December 2022 was 3288 m³/hr and hydrogen sulphide levels were recorded on 29 December 2022 as 1490ppm. These figures from the gas utilisation plant were as expected and within normal operational parameters.

We also reviewed the Quarter 3 monitoring data relating to Walleys Quarry and issued a further Compliance Assessment Report (CAR) on 22 December 2022. Assuming this is not challenged by the company, the CAR will become public register on 20 January 2023.

News In Brief – 12th January 2023

We continue to actively regulate and assess WQL's compliance with its environmental permit. Officers carried out an announced site inspection on 10 January to assess general compliance with permit conditions.

A new area of temporary capping is currently being laid in the southeast area of the site (Phase 3) and restoration soils are being stockpiled to support this activity. No odours were detected during an off-site odour assessment conducted around the site prior to the inspection.

On 6 January 2023, the landfill gas flow to the gas utilisation plant was 3080m³/hr and the proportion of hydrogen sulphide (H₂S) within the landfill gas was 1470ppm. These figures are as expected and within normal operational parameters.

News In Brief – 19th January 2023

Temporary capping work continues in the southeast area of the site (Phase 3).

On 13 January 2023, the landfill gas flow to the gas utilisation plant was 3200m³/hr and the proportion of hydrogen sulphide (H₂S) within the landfill gas was 1560ppm.

These figures are slightly higher than last week. This is because the gas field has been re-balanced to deliberately extract additional gas from the more historic waste, in an area where higher levels of H₂S have recently been detected onsite.

News In Brief – 26th January 2023

Officers carried out an unannounced site inspection on 25 January to assess general compliance with permit conditions.

The gas extraction rate recorded at the gas utilisation plant on 20 January 2023 was 3150 m³/hr and hydrogen sulphide levels were recorded on 19 January 2023 as 1520ppm. These figures are as expected and within normal operational parameters.

The Environment Agency concluded consideration of complaints raised by Walleys Quarry Ltd (WQL) into two Compliance Assessment Reports (CARs). Further information contained in the [weekly briefing](#)

News In Brief – 2nd February 2023

We continue to actively regulate and assess WQL's compliance with its environmental permit by reviewing data and conducting inspections. Officers carried out an announced site inspection on 1 February 2023, which focused on evaluating gas infrastructure. We also reviewed WQL's plans for the installation of 6 additional landfill gas extraction wells.

Gas flow to the gas utilisation plant (GUP) continues to remain relatively steady. The extraction rate recorded on 26 January was 3086 m³/hr. The recorded level of hydrogen sulphide [H₂S] at the GUP was 1600 ppm on 26 January 2023.

These results are within the normal operational fluctuations we expect.

6. Key Performance data

- 6.1 Through the settlement agreement both Walleys Quarry Ltd and the Council have developed key performance indicators in relation to relevant data from each organisation. These key performance indicators are shown in Appendix 3.
- 6.2 The data from the Council covers the period of November 2022 to January 2023, and provides complaint numbers, air quality data, H2S and officer assessments. Some of the data for January is unavailable and will be updated in subsequent reports. One KPI in relation to the Jerome monitoring has been removed (see para 4.6).
- 6.3 The data from Walleys Quarry Limited covers the period January 2023 and provides data on waste acceptance, odour management, landfill operations, landfill gas management, leachate management and information relating to the EA regulator as the primary regulator of the site. The data is supported by explanatory notes, which are also contained within Appendix 3.

7. Proposal

- 7.1 **Cabinet is recommended to:**
- **Note the contents of this update report**

8. Reasons for Proposed Solution

- 8.1 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.

9. Options Considered

- 9.1 To provide regular updates to Council.

10. Legal and Statutory Implications

- 10.1 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.

11. Equality Impact Assessment

- 11.1 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.

12. Financial and Resource Implications

- 12.1 There are none directly arising from this report.

13. Major Risks

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

14. Unsustainable Development Goals (UNSDG)



15. Key Decision Information

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

16. Earlier Cabinet/Committee Resolutions

- 16.1 This matter has been variously considered previously by Economy, Environment & Place Scrutiny Committee, Council and Cabinet on 21 April 2021, 9th June 2021, 7th July 2021, 21st July 2021, 8th September 2021, 13th October 2021, 3rd November 2021, 17th November, 1st December 2021, 12th January 2022, 2nd February 2022, 23rd February 2022,

23rd March 2022, 20th April 2022, 7th June 2022, 19th July 2022, 6th September 2022, 18th October 2022, 8th November 2022, 6th December 2022 and 10th January 2023.

17. List of Appendices

- 17.1 Appendix 1. Historical Complaint data
- 17.2 Appendix 2. Historical Monitoring Station data
- 17.3 Appendix 3. NUL and WQL Key Performance Data

Appendix 1. Historical Complaint Data

	Complaints to NuLBC	Complaints to Environment Agency
January 2022 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
February 2022 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
March 2022 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
April 2022 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
May 2022 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
June 2022 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
July 2022 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
August 2022 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
September 2022 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
October 2022 3/10/22 – 9/10/22	42	102
10/10/22 – 16/10/22	52	165
17/10/22 – 23/10/22	73	186
24/10/22 – 30/10/22	30	82
November 2022 31/10/22 – 6/11/22	27	116
7/11/22 – 13/11/22	23	86
14/11/22 – 20/11/22	60	113
21/11/22 – 27/11/22	28	70
28/11/22 – 4/12/22	19	47
December 2022 5/12/22 – 11/12/22	43	163
12/12/22 – 18/12/22	22	114
19/12/22 – 25/12/22	12	45
26/12/22 – 01/01/23	11	39
January 2023 02/01/23 – 08/01/23	12	32
09/01/23 – 15/01/23	13	25
16/01/23 – 22/01/23	47	118
23/01/23 – 29/01/23	51	149

Appendix 2. Historical Monitoring Station Data

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	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	0	0	0	0
31/10 – 6/11	0	2.2	0	1.8
7/11 – 13/11	0	0	0	0
14/11 – 20/11	4.5	1.2	0	0
21/11 - 27/11	4.5	0	0	0
28/11 – 4/12	0	0	0	0.6
5/12 – 11/12	1.5	5.1	0	14.3
12/12 – 18/12	1.2	3.6	0	11.6
19/12 – 25/12	0.6	0	0	0
26/12 – 01/01	0	0	0	0
02/01 – 08/01	1.8	1.2	0	0

09/01 – 15/01	0	0.3	0	0
16/01 – 22/01	0.3	0.3	0	11.1
23/01 – 29/01	0	0	0	4.8

Appendix 3 – Key Performance Indicators

		Date of Report : 6 th February 2023					
NULBC		Information	Measurement	Nov 2022	Dec 2022	Jan 2023	Summary and Actions
KPI 1	COMPLAINTS	Complaints reported to NULBC	Number	<p>146</p> <p>Number of unique properties: 56</p> <p>Rating 0 = 2 complaints Rating 1 = 1 complaints Rating 2 = 7 complaints Rating 3 = 15 complaints Rating 4 = 29 complaints (19.8%) Rating 5 = 38 complaints (26%) Rating 6 = 54 complaints (36.9%)</p> <p>% of complaints reporting odour entering the property = 103 complaints (70.5%) % of complaints reporting health effects = 129 complaints (83.3%)</p>	<p>93</p> <p>Number of unique properties: 44</p> <p>Rating 0 = 0 complaints Rating 1 = 2 complaints Rating 2 = 7 complaints Rating 3 = 14 complaints Rating 4 = 16 complaints (17.2%) Rating 5 = 23 complaints (24.7%) Rating 6 = 31 complaints (33.3%)</p> <p>% of complaints reporting odour entering the property = 74 complaints (79.6%) % of complaints reporting health effects = 84 complaints (90.3%)</p>	<p>129</p> <p>Number of unique properties = 50</p> <p>Rating 0 = 0 complaints Rating 1 = 1 complaints Rating 2 = 5 complaints Rating 3 = 17 complaints Rating 4 = 41 complaints (31.8 %) Rating 5 = 38 complaints (29.5 %) Rating 6 = 27 complaints (20.9%)</p> <p>% of complaints reporting odour entering the property = 96 complaints (74.4%) % of complaints reporting health effects = 118 complaints (91.5%)</p>	

KPI 2		Complaints reported (daytime 07:00-23:00)	Number	136		85	113	
KPI 3		Complaints reported (nigh-time 23:00-07:00)	Number2	10		8	16	
KPI 4		Highest number of complaints during the period	Date (number of complaints)	19/11/22 (15 complaints)		07/12/22 (13 complaints)	24/01/23 (22 complaints)	
		Information	Measurement					
KPI 5	AIR QUALITY	Percentage exceedance Odour Annoyance Guideline (Hydrogen Sulphide 30 minute average)	%	MMF 1 (Silverdale Cemetery)	3	0.5	Awaiting data	
				MMF 2 (Silverdale Road)	0.8	2		
				MMF 6 (Fire Station)	0	0		
				MMF 9 (Galingale View)	0.4	6		
KPI 6		Monthly Average H ₂ S* *data not final as ratification process not complete	ug/m3 over the month	MMF 1 (Silverdale Cemetery)	1.5	1.1	Awaiting data	
				MMF 2 (Silverdale Road)	0.8	1.2		
				MMF 6 (Fire Station)	0.7	0.9		

				MMF 9 (Galingale View)	0.6	1.4		
KPI 7	H ₂ S PEAK LEVEL	Level measured over a 5 minute period Date & Time	ug/m3	MMF 1 (Silverdale Cemetery)	31.79 (21/11 04:45)	29.99 (25/12 09:20)	Awaiting data	
				MMF 2 (Silverdale Road)	28.36 (03/11 16:15)	27.14 (11/12 01:55)		
				MMF 6 (Fire Station)	9.89 (06/11 02:00)	8.08 (15/12 19:35)		
				MMF 9 (Galingale View)	24.49 (05/11 21:40)	40.96 (07/12 05:45		
		Information	Measurement					
KPI 8	OFFICER ASSESSMENTS	Odour Rating - Officer odour assessment (5 minute)	Max Odour Rating	KPI not reported as the monitoring time <5 minutes for each assessment		KPI not reported as the monitoring time < 5 minutes for each assessment	7 assessments on 18/1 and 24/1	



WALLEYS QUARRY KPI REPORT



Date of Report: 03-02-2023				
Landfill Operations		Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 1	WASTE ACCEPTANCE	Non-conformance raised with waste operator	CCS score(s) including summary and actions	0 Non-conformance raised with operator 0 CCS scores received
Landfill Operations		Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 2	ODOUR MANAGEMENT	Non-conformance raised with waste operator	CCS score(s) including summary and actions	0 Non-conformance raised with operator 0 CCS scores received
Landfill Operations		Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 3	ACTIVE TIPPING AREA	Operational Surface area total	m3	101,048m2
KPI 4	ACTIVE TIPPING AREA	Active tipping area	m3	24,635m2
Landfill Operations		Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 5	CAPPING OF OPERATION AREA	Temporary capping	m3	Temporary Capping 34,737m2 (35%) Permanent Capping 40,032m2 (40%) Total Capped area 74,769m2 (75%)
		Permanent capping	m3	
Landfill Operations		Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 6	LANDFILL GAS MANAGEMENT	Surface & Gas infrastructure emission surveys	Number of remaining matters open in the month	0 actions outstanding 1 FID survey undertaken in January. Report is being reviewed.
KPI 7	LANDFILL GAS MANAGEMENT	Concentration of Hydrogen Sulphide in 'raw' bulk gas	ppm	3,200ppm – recorded from CLP H2S GUP input data
KPI 8	LANDFILL GAS MANAGEMENT	Landfill Gas capture rate (monitored at the GUP)	m3/hr	3,122m3/hr - averaged across period
KPI 9	LANDFILL GAS MANAGEMENT	Appendix A LGMP Gas Management Plan (live document)	Progress including summary and actions	See explanatory notes
Landfill Operations		Information	Measurement	Summary and Actions (Additional Document Reference as applicable)

KPI 10	LEACHATE MANAGEMENT ACTION PLAN	Actions (13 actions)	Progress including summary and actions	See explanatory notes
Landfill Operations		Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 11	PRIMARY REGULATOR	Compliance Assessments Visits	Number undertaken for which CAR form issued to operator	Two visits within the period: 10 January 2023 – 0447460 25 January 2023 – 0448775
KPI 12	PRIMARY REGULATOR	Compliance Assessments Visits	Number Undertaken where a CCS score is raised with operator, including summary and actions	0 regulatory compliance assessments undertaken which resulted in a compliance assessment score – see explanatory notes
KPI 13	PRIMARY REGULATOR	Compliance Assessments Visits	Number Undertaken where no CCS score is raised with operator, including summary and actions	0 regulatory compliance assessments undertaken which resulted in 0 compliance assessment scores

Date of Explanatory Notes:

KPI 1 Waste Acceptance

No non-conformances have been received from the regulator within the month. Acceptance procedures under review by the Environment Agency, through the undertaking of an audit in cooperation with WQL, including upstream audits of waste processing sites supplying residues to the landfill business sector.

Waste acceptance carried out in accordance with (Environment Agency) agreed preacceptance and acceptance protocols. All loads were inspected within the period and no loads rejected.

Pre-acceptance/acceptance procedures under reviewed by WQL to adopt the updated Environment Agency guidance relating to domestic seating disposal. Updated producer information and relevant declarations received, as part of WQL preacceptance and acceptance procedures.

KPI 2 Odour Management

No non-conformances have been received from the regulator within the month, with two site regulatory inspections confirming no offsite odour detected by Environment Agency officers. The Agency assessments cover a wide scope of permit conditions including engineering, containment, operational activities, landfill gas management, odour and pest management.

KPI 3 and 4 Active Tipping Area

The overall current landfill area remains consistent at 101,048m². The active area is confined to Cell 4 and a small section of cell 2. The current active area remains contained and measures some 24,635m². This is in line with the approved capping and phasing plan, as agreed with the Environment Agency. The active operational area is progressively covered during the day to minimise the time that fresh waste remains uncovered. This is in line with best practice and our operating techniques. We retain healthy stockpiles of cover material to facilitate this progressive covering.

KPI 5 Temporary Capping

Currently, 34,737m² of the surface area of the facility is temporarily capped, either using a high specification, low permeability engineering clay or an installed geomembrane. This is in line with the capping and phasing plan for the facility, as agreed with the Environment Agency. Maintenance works continue to clay capped areas in line with the agreed (by the Environment Agency) CQA (Construction Quality Assurance) specifications.

KPI 5 Permanent Capping

Relating to permanent capping, 40,032m² of the surface area of the facility is capped, by the installation of a low permeability geomembrane. This is in line with the capping and phasing plan for the facility, as agreed with the Environment Agency with all perm capping works being conducted under the process of

Construction Quality Assurance (CQA). On completion of the permanent capping works, cover soils continue to be imported to the facility as part of the site restoration process.

KPI 6 - 8 Landfill gas management

WQL continues to undertake the extensive regime of surface emission surveys, as agreed with the Environment Agency. A FID survey was undertaken in January 2023, in line with the program agreed with the Environment Agency. WQL are reviewing the survey, in line with agreed procedures.

The concentration of H₂S at the facility remains within expected limits and in January, averaging 1510ppm at the Gas Utilisation Plant (GUP), as measured by CLP Envirogas Ltd.

The volume of gas captured at the facility remains within expected limits, at 3,122m³/hr. WQL continue to review this position and drive the gas management contractor, CLP Envirogas Ltd to ensure that gas collection is continually reviewed to assess relevant developments that can be made.

KPI 9 Landfill Gas Management - Landfill Gas Management Plan

The LFGMP continues to be developed by WQL and adopted by CLP Envirogas Ltd. From Appendix A of this document, three actions remain open and in progress, namely:

Site Specific Balancing Plan – this is being developed by WQL, in conjunction with the Environment Agency and CLP Envirogas Ltd. A draft has been received and is being reviewed, prior to agreement and submission to the Environment Agency.

Regular monitoring, requested by the Environment Agency of CLP Envirogas Ltd continues and is likely to remain in place.

Installation of horizontal wells in active operational areas continues as the site develops, in line with the approved LFGMP.

The LFGMP has been reviewed and issued to the Environment Agency for review. The LFGMP has also been issued to NuLBC.

KPI 10 Leachate Management Plan

Regarding the implementation of the LMP, discussions with the Environment Agency continue regarding installation of additional replacement leachate wells to ensure these are completed with the minimum weather-condition risk, environmental risk and risk to the engineering of the facility. Discussions with the Environment Agency are ongoing, with an initial meeting held in January. A further submission is to be made to the Environment Agency, by WQL specialist engineering consultants in February.

KPI 11- 13

Two Environment Agency visits were undertaken at the facility in January. No non-conformances have been received from the regulator within the month, relating to these extensive audits of the site.

CAR report 04474 has been received, for the visit on 10 January 2023. No compliance scores were received.

CAR report 0448775 has been received for the site visit on 25th January 2023. No Compliance scores were received.

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Health and Care Overview and Scrutiny Committee

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 30 January 2023.

Health and Care Overview and Scrutiny Committee 30 January 2023

Integrated Care Partnership Strategy

The Committee considered the Integrated Care Partnership Strategy and were informed that it was an overarching strategy across the whole of Staffordshire with a focus on people and communities which would underpin Health and Wellbeing Strategies across Staffordshire. The Committee were informed that there was a statutory mandate to produce the Integrated Care Partnership Strategy by 31 March 2023. The Committee agreed to receive the strategy and consider questions around the priorities of the strategy and feedback to the ICS by 1 March 2023.

Inpatient Mental Health services previously provided by the George Bryan Centre

The Committee received an update report on Inpatient Mental Health services previously provided by the George Bryan Centre. The assurance stage of the process had now been completed having now received formal feedback from NHS England and the ICB had approved the recommendations:

- 1) To formally approve
 - a) Pre-Consultation Business Case and appendices
 - b) Communication and Involvement Plan
 - c) Consultation Document
- 2) To approve the recommendation to proceed to public consultation on the single viable proposal to make permanent the 18 beds at St George's Hospital, Stafford, supported by enhanced community provision
- 3) To approve that the consultation period to be 6 weeks.

The Committee noted the update around the programme of work and agreed that the proposal was not deemed to be a substantial change to services in the area.

Developing Integrated Care Hubs in the context of changes to NHS capital arrangements

The Committee received an update report and presentation on Developing Integrated Care Hubs. The report highlighted that in 2019 the CCGs undertook a 14-week consultation which informed a decision-making business case which resulted in the plan to introduce 4 Integrated Care Hubs across North Staffordshire at Leek Moorlands District Hospital, Bradwell Hospital, Haywood Hospital and Longton. The Committee were advised that due to national changes to Capital Departmental Expenditure Limit and NHS England setting capital spending limits for Foundation Trusts, MPFT were no longer able to access cash reserves which were held for the purpose of implementing the hubs. Instead, a strategic outline case would need to be

developed for each hub in order to bid for money. The Committee agreed to write to NHS England to express their disappointment in the decision.

District and Borough Health Scrutiny Health Activity – Developing Healthier Communities.

The Chairman informed the Committee of the executive response relating to the recommendations for Developing Healthier Communities.

“The key will be for districts and boroughs to review the recommendations in the context of their own organisation/locality and determine how they want to proceed. SCC public health officers are available to help shape these plans and provide advice and guidance, if needed.

I also want to make sure Members are aware that a paper has been submitted to the district CEOs group on 26th January 2023. The paper was sponsored by Dave Heywood and Tim Clegg, and included some similar recommendations for high impact action on health inequalities (one of the Leader’s Board priorities), which will tie in with the recommendations identified here.”

The Chairman requested that the District/Borough representatives raise the recommendations within the report with their Councils to review the recommendations in the context of their own organisation.

Follow this link to view the [Developing Healthier Communities Workshop Report \(staffordshire.gov.uk\)](https://staffordshire.gov.uk)

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 30th January 2023, 10:00am - Staffordshire County Council](#)

The next meeting will be held on Monday 13 February 2023 at 10.00 am, County Buildings, Stafford.

Health and Care Overview and Scrutiny Committee

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 13 February 2023.

Health and Care Overview and Scrutiny Committee 13 February 2023

Mental Health and Mental Wellbeing Strategy

The Committee considered the Mental Health and Mental Wellbeing Strategy and were informed that the strategy had been jointly developed by the Council and ICB. It was intended for the strategy to be a simplified high-level strategy. The Committee were advised that there had been a number of wide range focus groups and consultations involved in the development of the strategy. The Committee made comments and agreed to receive the strategy.

Update on Mental Health Support Teams in Schools

The Committee received an update report Mental Health Support Teams (MHST) in Schools and were advised that the MHST approach was set out in a green paper – Transforming Children and Young People’s Mental Health provision. This green paper set out three major proposals to transform children and young people’s mental health provision with a focus on improving mental health in education:

- a) incentivise all schools and colleges to identify and train senior mental health leads in education settings
- b) new MHSTs across education settings to provide early intervention and support the promotion of good mental health and wellbeing
- c) Pilot 4-week waiting times to access specialist NHS CYPMH services.

The Committee noted the plan for expansion of MHST by March 2024 and the progress, challenges and barriers experienced to date.

Childrens Mental Health Update

The Committee received an update presentation on Childrens Mental Health. The Committee were updated on the Mental Health Portfolio Structure and key performance indicators. There was now a Mental Health System Performance Dashboard and a snapshot of the latest CAHMS data was shared with the Committee.

The Committee were informed of the NHS long term plan commitments for Children & Young People and the refreshed Mental Health Local Transformation Plan 2022. The Committee were also advised of the increase in complexity and number of referrals. CYP access rates achieved 35% across the ICS.

It was reported that CYP Mental Health Services were moving to a Thrive Model and away from a tiered approach. The Thrive model was an integrated, person-centred and needs led approach to delivering mental health services for children and young people.

The Committee agreed to receive the presentation and requested data to evidence the increase in demand and complexity of Childrens Mental Health be shared with the Committee.

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 13th February 2023, 10:00am - Staffordshire County Council](#)

The next meeting will be held on Monday 20 March 2023 at 10.00 am, County Buildings, Stafford.

HEALTH, WELLBEING AND ENVIRONMENT SCRUTINY COMMITTEE



Work Programme 2023/24

Chair	Cllr I. Wilkes
Vice-Chair	Cllr R. Adcock
Members	Cllrs L. Barker, J. Brown, N. Crisp, S. Dymond, S. Jones, P. Northcott, P. Reece, L. Richards, R. Wright
Scrutiny Champion	Dave Adams
Portfolio Holders within the Committee's remit	Cllr Gill Heesom – Community Safety and Well Being
	Cllr Jill Waring – Leisure, Culture and Heritage
	Cllr 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.

This Work Programme is set and reviewed at quarterly meetings of the Scrutiny Management Group. The Chair and Vice Chair also meet regularly with the Portfolio Holders to discuss this Work Programme. There is an opportunity for committee Members to discuss the Work Programme at each committee meeting. Part D of the Council's [Constitution](#) governs the scrutiny process.

For more information on the Committee or its work Programme please contact the Democratic Services:

- 📧 Geoff Durham at geoff.durham@newcastle-staffs.gov.uk or on (01782) 742222
- 📧 Alexandra Bond at alexandra.bond@newcastle-staffs.gov.uk or on (01782) 742211

Planned Items

DATE OF MEETING	ITEM	NOTES
6 March 2023	<ul style="list-style-type: none"> • Urban Tree Planting Programme • Chief Fire Officer • Walleys Quarry Update • Clough Hall Park Community Garden 	<p>The CFO to give an overview of what the fire service was providing in the Borough i.e.: services, training and community provision.</p> <p>Simon Beckett to give presentation on his proposals</p>
14 June 2023	<ul style="list-style-type: none"> • Cycle routes/lane provision TBC • Sustainable Environment Strategy Annual Report • Police Commander – review of the new policing model • Modular Housing • Walleys Quarry Update 	<p>To be SCC presentation (current provision, existing plans for improvement and potential future developments/funding)</p> <p>Annual review</p> <p>Update on meeting held in September 2022 -- Requested by the committee (attendance confirmed). Steve North Wolverhampton MBC to (remotely) give an overview of a project delivered in Wolverhampton.</p> <p>Zoom link needs sending to Steve.North@wolverhamptonhomes.org.uk</p>
7 September 2023	<ul style="list-style-type: none"> • Homelessness – review of new arrangements • Allotments – review of current provision and plans • Walleys Quarry Update 	
27 November 2023	<ul style="list-style-type: none"> • Town Centre Safe Spaces/ Community Safety/ASB 	

	• Walleys Quarry Update	
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Suggestions for potential future items
• 850 Celebrations
Task/Finish Groups
• Joint Scrutiny Working Group – Integrated Care Hubs
Special Meeting
• A53/Bus Gate – Final Business Case – joint meeting with E&P Scrutiny when appropriate

Previous Items

DATE OF MEETING	ITEM	NOTES
23 rd June 2022	<ul style="list-style-type: none"> • Sustainable Environment Strategy Annual Report • Walley's Quarry – health impacts • Police and Crime Panel • Staffordshire Health and Care Overview and Scrutiny Committee digest • Integrated Care Board 	
5 September 2022	<ul style="list-style-type: none"> • Police Update – Commander and DCI John Owen • Walley's Quarry update • Recycling and Waste Services Update • Police and Crime Panel 	

	<ul style="list-style-type: none"> • Staffordshire Health and Care Overview and Scrutiny Committee digest • Integrated Care Board • Air Quality Ministerial Direction 	<ul style="list-style-type: none"> • Raised at Council 6 July 2022
28 November 2022	<ul style="list-style-type: none"> • Tri-Services • Review of Tennis Provision • Use of grazing animals • Walley's Quarry 	<ul style="list-style-type: none"> • Requested by the committee

Last updated on 22nd February 2023