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Date of \

Wednesday, 14th June, 2023

meeting

Time 7.00 pm

Venue Astley Room - Castle

Contact Geoff Durham - 742222



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 STAFFORDSHIRE HEALTH & CARE OVERVIEW & SCRUTINY (Pages 9 10)

To receive feedback from members who attended the meetings of Staffordshire County Council Health and Care Overview and Scrutiny Committee

6	WALLEYS QUARRY UPDATE	(Pages 11 - 38)

7 POLICE COMMANDER REVIEW OF THE NEW POLICING (Verbal Report)

MODEL

8 MODULAR HOUSING (Pages 39 - 52)

9 WORK PROGRAMME (Pages 53 - 56)

10 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.

11 URGENT BUSINESS

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

Contacting the Council: Switchboard 01782 717717 . Text 07800 140048

12 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.

<u>Meeting Quorums</u>:- Where the total membership of a committee is 12 Members or less, the quorum will be 3 members....Where the total membership is more than 12 Members, the quorum will be one quarter of the total membership.

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:-

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

- 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.

Agenda Item 3

Health, Wellbeing & Environment Scrutiny Committee - 06/03/23

HEALTH, WELLBEING & ENVIRONMENT SCRUTINY COMMITTEE

Monday, 6th March, 2023 Time of Commencement: 7.00 pm

View the agenda here

Watch the meeting here

Present: Councillor Ian Wilkes (Chair)

Councillors: Adcock Crisp Northcott

Barker MBE Dymond Reece Brown S Jones Richards

Apologies: Councillor(s) Wright

Substitutes: Councillor Sue Moffat (In place of Councillor Ruth Wright)

Officers: Dave Adams Executive Director

Sustainable Environment

Nesta Barker Head of Regulatory Services

Roger Tait Head of Neighbourhood

Delivery

1. **APOLOGIES**

2. DECLARATIONS OF INTEREST

Cllr Wilkes declared a non-pecuniary interest relevant to Item 9 as Portfolio Holder for the County Council Integrative Care Systems, Safeguarding and Public Health.

3. MINUTES OF PREVIOUS MEETING

Resolved: That the minutes of the meeting held on 28th November 2022

be approved as a correct record.

4. UPDATE FROM CABINET

There was no update from Cabinet.

Watch the debate here

5. URBAN TREE PLANTING STRATEGY

The Head of Neighbourhood Delivery presented his report on the Urban Tree Planting Strategy highlighting progress made with the strategy including consultation responses and the 850 Lyme Forest proposal to plant trees at the former Keele Golf Course site to celebrate the anniversary of the Borough's Royal Charter.

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Health, Wellbeing & Environment Scrutiny Committee - 06/03/23

Members were also 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.

Questions were asked and responses were provided as follows:

- Cllr Brown requested a clarification about the choice of the boundary of Keele Golf Course as a location for the 850 Lyme Forest rather than the golf course itself. The Head of Neighbourhood Delivery responded that a lot of mature trees being already on the golf course it was felt that a commemorative forest on the boundary would be a better environmental option compared to filling gaps in areas already populated.
- Cllr Adcock asked about the maintenance of trees and what the Council would be doing to make sure that trees have the best chances of growing and reaching maturity. The Head of Neighbourhood Delivery responded that this would be done through species selection (native lime having good chance of success), the choice of the size of the tree stocks (smaller whips establishing quicker), weed control, tree shelters in certain areas and tree thinning after a period. Cllr Adcock also wished to know if the community would be invited to help with both the planting and maintenance, which the Executive Director confirmed in the event the community is indeed interested.
- Cllr Dymond asked if the Council would be responsible for the long term maintenance of the trees and how this would be done. The Head of Neighbourhood Delivery responded that indeed the Council would be responsible to maintain the trees and this was about planting the right trees at the right place with a proper tree management system in place. Cllr Sweeney commented that in woodlands trees tend to look after themselves after a while once established.
- Cllr Richards expressed concerns about tree roots damaging the pavement and becoming a trip hazard. The Head of Neighbourhood Delivery confirmed the trees would be planted on the field.
- Cllr Barker asked about who undertook the consultation. The Head of Neighbourhood Delivery responded that the consultation was done online and publicised through the Council's website.

* * *

Resolved:

- (i) That progress made on the Urban Tree Planting Strategy be noted, including consultation responses on Phase 4.
- (ii) That 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 be noted, including consultation responses.
- (iii) That Members be 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.

Watch the debate here

6. WALLEYS QUARRY UPDATE

The Head of Regulatory Services introduced the report on Walleys Quarry's odour issues previously presented at Cabinet meeting providing background information about both the abatement notice served by the operator and the settlement agreement.

Progress have been made and operational plans were published by the company. The Walleys Quarry Liaison Committee also met as required and a recording is now available. The Council was finally consulted on their landfill gas management plan and site visits have been scheduled.

The Head of Regulatory Services went through complaints received and levels of hydrogen sulphide recorded by monitoring stations. Portable units that were installed inside and outside people's homes are now being used for officers' visits.

The gas extraction rate and hydrogen sulphide concentrations reported by the Environment Agency are constant.

Cllr Adcock expressed his satisfaction over the report and yet frustration that the Environment Agency investigations' outcomes had still not been communicated. Cllr Moffat was also pleased by the progress made although wished to highlight that lessons needed to be learnt from the past so that things continue to go in the right direction.

A question was asked about data collected from portable devices and why these were removed from people's homes. The Head of Regulatory Services responded that different thresholds being used by the devices compared to monitoring stations, the data collected was not showing significant levels nor any additional information that would justify the cost of their installation and keeping them running.

Resolved: That the content of the report be noted.

Watch the debate here

7. CHIEF FIRE OFFICER REPORT

The Chief Fire Officer having sent his apologies the item was deferred to the next meeting.

8. CLOUGH HALL PARK COMMUNITY GARDEN

Cllr Dymond introduced a presentation from local resident Simon Beckett about converting the disused bowling green at Clough Hall Park Kidsgrove into community allotments. The Council's permission is requested.

Mr Beckett highlighted the fact that the park had deteriorated over the past ten years and was severely underutilised. The project has a committee composed of Cllr Dymond, Mr Beckett and a horticultural consultant. Benefits would include being community oriented, supporting mental and physical health, eradicating eyesore in the park and improving security. A disabled access would be provided and giving priority to veterans is being considered.

Health, Wellbeing & Environment Scrutiny Committee - 06/03/23

The budget required would include £14,000 for fencing, £10,000 for a community shed, £500 for soil and an additional £2,500 for various features required such as tools, locks and taps i.e. a total of £27,000. Management costs would also need to be taken into account including water costs and whether or not rent would be collected.

Mr Beckett has been investigating sources of funding and does not seek the Council's financial contribution at the moment. More information about the project can be obtained by emailing cloughhallparkallotments@gmail.com.

Members expressed their enthusiasm about the project and wishes of success although funding would need to be secured. How to select people and manage the allotments will also need to be considered. Social prescribing was suggested as a source of funding as well as County Councillors' funds.

A 12 months' timescale was given in response to a question from the Vice Chair. This would include looking for funding which is estimated to take a minimum of 6 months.

The Executive Director for Sustainable Environment commented that the concept was well thought and suggested that Council's officers get in touch with Mr Beckett as a next step to see how to push this forward.

Watch the debate here

9. STAFFORDSHIRE HEALTH AND CARE OVERVIEW AND SCRUTINY COMMITTEE

Cllr Northcott reported on the latest meeting of Staffordshire County Council Health and Care Overview and Scrutiny Committee, highlighting the importance of receiving the document and for councils to take responsibility for their communities' health, one way being by taking into account the impact on health when formulating their policies as they do for climate change.

With the local plan for example this would be about limiting the development of fast food outlets next to schools.

Resolved: That the report be received.

Watch the debate here

10. WORK PROGRAMME

Cllr Dymond asked that officers look into whether the Council had signed the Charter for Safer Places for Women and Girls.

Cllr Richards wished to get a better understanding of programmes developed within the leisure centre to reduce risks of obesity in children and for this to be added as an agenda item after the summer. The Operational Services Executive Director confirmed that a report could be provided by officers within the municipal year.

Cllr Northcott advised that health inequalities and how to include healthier communities in District Councils' work plans was something the County Council could advise on and that links in policies could be added.

Health, Wellbeing & Environment Scrutiny Committee - 06/03/23

Cllr Adcock asked if the Chief Fire Officer could attend next meeting and if an update on tree planting could be provided at the end of the year.

Cllr Moffat wished to draw attention to the Love Parks programme and asked if projects around Homelessness, mental health and wellbeing could be discussed in September. The Head of Regulatory Services confirmed that these could be included in Homelessness item in September. The Head of Neighbourhood delivery suggested that park related community led projects get in touch to see how the Council can support them.

Resolved: That the work programme be received and items for upcoming meetings be discussed.

Watch the meeting here

11. PUBLIC QUESTION TIME

There were no questions from members of the public.

12. URGENT BUSINESS

There was no urgent business.

13. **DATE OF NEXT MEETING**

Resolved: That the next meeting be held on the 14th June.

Councillor lan Wilkes Chair

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Meeting concluded at 8.30 pm





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 20 March 2023.

Health and Care Overview and Scrutiny Committee 20 March 2023

Social Care Workforce Update

The Committee considered the Social Care Workforce Update and were informed that the Strategy detailed key actions as a collective partnership to support the on-going challenges faced by the Staffordshire social care workforce. The Committee were advised that in 2021/22 there were 21,000 filled posts in Staffordshire:

- 11,500 employees working in residential and nursing care settings (marking a reduction of approx. 500 staff),
- 7,200 providing home care (marking a reduction of approx. 700 staff)
- 950 working in community-based care (including day opportunities).
- 1,400 personal assistants (providing support to both children and adult, and on behalf of the NHS).

By 2024 it was projected that a workforce of 23,983 would be required.

The Committee noted the progress made to date and agreed to host a focussed session on social care education in colleges and host a round table discussion with care providers to seek their views on the strategy.

Staffordshire and Stoke-on-Trent ICB update on 2023/24 Operational Plan

The Committee received the ICB update 2023/24 Operational Plan and were informed that the ICS was required to agree three planning documents:

- A plan for the financial year 2023/24 (reflecting local and national priorities)
- A five year 'Joint Forward Plan'
- A Strategy

The Committee were advised that the financial position had been challenging. Over COVID the ICB broke even and it was expected to break even this year (22/23). It was reported that four priorities had been identified in 2023/24:

- Urgent and emergency care
- Tackling backlogs
- General practice
- Complex individuals.

The Committee noted the ICBs approach and current position in the development of the Operational Plan and requested the first quarter performance at a future meeting.

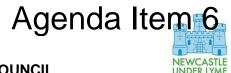


To see the reports in full and view the webcast of the meeting see the links below:

Agenda for Health and Care Overview and Scrutiny Committee on Monday 20th March 2023, 10:00am - Staffordshire County Council

There is a training session on 22 May 2023 TBC.

The next meeting will be held on Monday 12 June 2023 at 10.00 am, County Buildings, Stafford.



NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO CABINET

6 June 2023

Report Title: Walleys Quarry – Odour Issues

Submitted by: Chief Executive

<u>Portfolios</u>: 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. To note the current odour complaint and data available, which shows an improvement in the odour issue.

1. Background

- 1.1 For a number of years, parts of the borough have suffered from 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 (EA) 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. <u>Statutory Nuisance</u>

2.1 Following extensive work, officers determined that the odours from the Walleys Quarry site amounted to a Statutory Nuisance and, on 13 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.
- 2.6 The 5 month compliance period ended at midnight on 5 March 2023 meaning that the notice can be enforced, should there be evidence to substantiate a breach and Walleys Quarry Ltd are not following best practice in operating the landfill site.
- 2.7 The Council will continue to assess the prevalence of odours off site. In the event that there are further instances of statutory nuisance identified which amount to a breach of the Abatement Notice, the Council's Enforcement Policy will guide the process to be followed [Reference: Environmental Health enforcement policy Newcastle-under-Lyme Borough Council (newcastle-staffs.gov.uk)]. This would determine what action the Council would take, and whether that would be formal or informal. Enforcement is usually considered sequentially but should the circumstances or nature of the breach be such, escalation direct to prosecution is possible. The Council would need to obtain the consent of the Secretary of State before it is able to prosecute an offence of breaching an abatement notice, as the site is permitted by the Environment Agency.
- 2.8 <u>Progress with key elements of the settlement agreement</u>

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. In February advance notice was given by WQL of the installation of new vertical wells that had the potential to create short-lived odour emissions. [Reference: https://walleysquarry.co.uk/#information]
- c. A set of standard key performance indicators in a score card format monitor the performance of the operator. Further detail is provided in Section 6.
- d. The last Liaison Committee meeting took place on 16th March 2023 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.newcastle-staffs.gov.uk/walleys-quarry/latest-walleys-quarry-liaison-committee-video] The next meeting is planned for June 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, and this has occurred in line with the agreement.
- f. In April 2023, Officers undertook a site visit and inspection of the landfill site, looking at the current on site operations.

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
February 2023 30/01/23- 05/02/23	13	66
06/02/23-12/02/23	26	115
13/02/23-19/02/23	7	39
20/02/23- 26/02/23	3	15
March 2023 27/2/23 – 05/03/23	7	13
06/03/23 – 12/03/23	12	74
13/03/23 - 19/03/23	23	63
20/03/23 - 26/03/23	19	56
27/03/23 - 02/04/23	51	103
April 2023 03/04/23 – 09/04/23	45	152
10/04/23-16/04/23	11	64
17/04/23-23/04/23	48	101
24/04/23 - 30/04/23	148	278
May 2023		
01/05/23 - 07/05/23	50	150
08/05/23 - 14/05/23	53	164
15/05/23 – 21/05/23	147	320
22/05/23 - 28/05/23	90	210

3.2 There are a number of odour events where complaints have increased (10 complaints and above):



- 07 & 08 April
- 17 April
- 22 April
- 24 to 29 April
- 01 & 02 May
- 09 May
- 15 to 23 May
- 25 & 26 May

The highest number of odour reports during this two month period was received on 25 April 2023 when the Council received 47 complaints. The longest period where complaints have been consistently above 10 complaints was from 15 to 23 May 2023 (9 days).

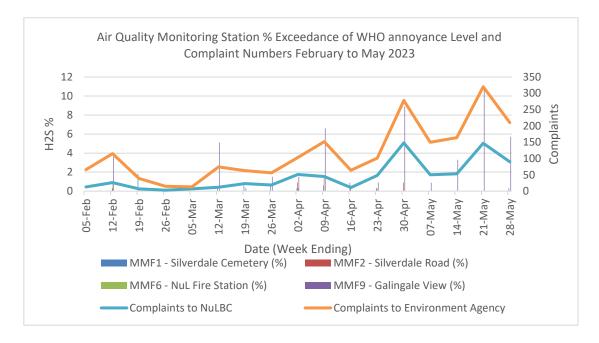
4. <u>Air Quality Monitoring Stations</u>

- 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 (150 μ g/m³, 24-hour average). H2S levels were above the odour annoyance guideline level (7 μ g/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 (%)
February 2023				
30/01/23- 05/02/23	0	0	0	0
06/02/23-12/02/23	0	0.3	0.9	3.6
13/02/23-19/02/23	1.8	0	0	0
20/02/23- 26/02/23	0	0	0	0
March 2023				
27/2/23 - 05/03/23	0	0	0	0
06/03/23 - 12/03/23	0.3	0	0	5.1
13/03/23 - 19/03/23	0.6	0	0	0.3
20/03/23 - 26/03/23	0.6	0	0	1.5
27/03/23 - 02/04/23	0.3	0.9	0.3	1.5
April 2023				
03/04/23 -09/04/23	0.6	1.5	0	6.6
10/04/23-16/04/23	0.9	0.6	0	0
17/04-23/04/23	0.3	0.3	0	0.9
24/04/23 - 30/04/23	0	0.9	0	8.9
May 2023	0	0	0	0.9
01/05/23 - 07/05/23				
08/05/23 – 14/05/23	0	0	0	3.3
15/05/23 - 21/05/23	0	0	0	11.1
22/05/23 - 28/05/23	0.3	0	0	5.7



4.3 The complaint and air quality data has been combined and shown in the graph below. The complaint numbers and % exceedance of the WHO annoyance level shows good correlation.



- 4.4 Each monitoring station (MMF) records the percentage exceedance over a week, which results in 16 readings over a 4 week period. In April, 0% was recorded for 37.5% of the time, a figure of <1% exceedance was recorded for 43.75% of the time and >1% exceedance was recorded for 18.75%. The peak % exceedance was for 8.9%, this is the highest level recorded since January 2023. It was noted that at MMF6 the Fire station consistently recorded 0% exceedance.
- 4.5 The EA reported in relation to the peak during week commencing 24 April that 'MMF 9 recorded H2S concentrations above the World Health Organisation odour annoyance guideline value for periods on Monday, Tuesday and Friday evenings. We are investigating whether this was related to weather conditions or whether sources of fugitive releases increased during this period'.
- 4.6 In May the percentage of time above the World Health Organisation odour annoyance guideline level is exceeded each week at MMF9. This is a change in terms of trending as previously the percentage exceedance fluctuated across all four monitoring stations.

5. Environment Agency Regulatory and Enforcement Action

The Environment Agency has continued to provide weekly updates on their regulatory activity on the Walleys Quarry Landfill Citizens Space website. Please note that the EA have launched a brand new website for people interested in the regulation of Walleys Quarry Landfill Site. This will be replacing Citizen Space and can be accessed here: https://engageenvironmentagency.uk.engagementhq.com/hub-page/walleys-quarry-landfill.

These updates reflect regular EA officer presence at the site to review progress with the Contain Capture Destroy strategy. Extracts from the recent weekly updates are summarised below:



EA Site Visits -

28 April 2023 - unannounced inspection to assess general compliance with Walleys Quarry Ltd's environmental permit. Officers detected no odours either on or off-site during that inspection.

11 May 2023 - unannounced site inspection to assess general compliance with permit conditions, with a focus on landfill gas infrastructure.

18 May 2023 – site inspection with a focus on progress made in relation to infrastructure and to investigate potential fugitive emissions sources. Officers discussed increases of H2S in MMF data in April and potential sources of fugitive emissions. No odour issues were identified during the inspection.

21 May 2023 – off-site odour monitoring assessment on the morning of 21 May 2023. Officers detected landfill gas odour at a distinct level of intensity at 3 locations. Officers are currently investigating to try and identify the cause.

Gas Capture - Data relating to the gas utilisation plant (GUP) the extraction rate and H2S concentrations are recorded as follows:

News in Brief Date	Extraction Rate (m³/hr)	Hydrogen Sulphide Level at GUP (ppm)
06 April	3200	2190
14 April	3104	1850
21 April	3250	2520
27 April	3150	2430
05 May	3200	1920
11 May	3280	2090
18 May	3080	3840
25 May	3100	2060
01 June	3332	1990

During May the concentration of hydrogen sulphide increased significantly at the GUP to 3840 ppm at the GUP. The latest news update from the EA reports show that the level has reduced to 1990ppm.

EA Enforcement Action – "Following an audit in Spring 2022 which identified two major non-compliances, Walleys Quarry Ltd (WQL) submitted revised waste pre-acceptance and acceptance procedures, which we agreed in July 2022. After a period to allow for implementation onsite we audited compliance with these procedures for fines, classified as EWC 19 12 12, accepted between 1 August 2022 and 9 September 2022.

The audit identified two non-compliances with waste acceptance and management system permit conditions, which have been assessed as having a potentially significant impact on quality of life if not addressed promptly and adequately (Common Incidence Classification Scheme (CCS) 2). These are:

- 1. We are satisfied that WQL has accepted fines where the producer of the waste has not demonstrated that these fulfil relevant waste acceptance criteria, as appropriate basic characterisation was not completed. Supporting evidence of the basic characterisation, which is completed and provided by waste producers, did not demonstrate that the waste was non-hazardous and that it did not contain gypsum-based/high sulphate-bearing materials.
- The root cause of this non-compliance is WQL's failure to follow its agreed waste acceptance procedures, which form part of its written management system.



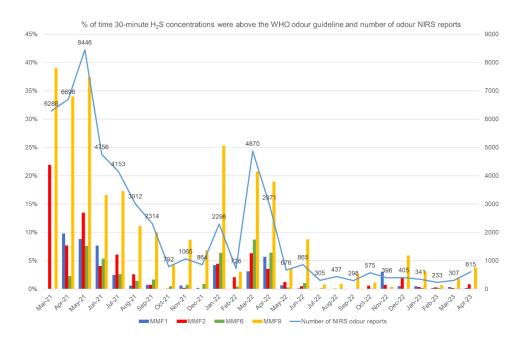
These non-compliances are recorded in a Compliance Assessment Report (CAR), which will be sent to WQL on Friday 05 May 2023. In the CAR we explain why we have assessed the reasonably foreseeable impact as significant. A high level of hydrogen sulphide (H2S) in landfill gas is indicative of gypsum-based and/or other high sulphate-bearing materials in the deposited waste mass. The gas management procedures and infrastructure WQL has in place, measures we have required it to take, will mitigate high levels of H2S. However, there remains the potential for fugitive emissions from the site. Such emissions are very difficult to mitigate unless the whole site has been permanently capped.

A Regulation 36 Enforcement Notice requiring WQL to comply with its waste acceptance procedures in future will be issued shortly after the CAR. The Notice will require WQL to complete waste stream authorisation assessments for fines it intends to accept, which consider total sulphate test information and the tonnage of the batch characterised. The audit and service of an Enforcement Notice are part of our ongoing regulation of the site, which is underpinned by our strategy to Contain, Capture and Destroy landfill gas to reduce emissions of H2S at Walleys Quarry. This has been effective overall, and we will work to ensure progress is maintained."

EA Plan to reduce hydrogen sulphide emissions - The latest plan (third review) has been published and is available as a link on the following page. https://engageenvironmentagency.uk.engagementhq.com/our-strategy

April odours

The EA recognise 'that there has been a noticeable increase in odour complaints towards the end of April. We are currently investigating whether this was related to weather conditions or whether sources of fugitive releases increased during this period. The graph below shows us the percentage of time H2S concentrations were above the World Health Organisations (WHO) odour annoyance guideline value at each Mobile Monitoring Facility (MMF) between March 2021 and April 2023. This updates the graph recently provided as part of our community newsletter'.





6. NUL April & May Odour Complaints

- 6.1 Through April & May the complaint and monitoring data has increased on the previous month's data. In response to this matter the Council has undertaken the following actions:
 - Analysed the complaint data and meteorological conditions in order to prioritise and undertake visits to monitor and assess the odour;
 - Completed odour monitoring during the day-time and out of hours;
 - During the out of hours visits Officers have contacted some complainants and visited to assess the odour in their property;
 - Officers have liaised with the operator and shared the results of the odour assessments in a timely manner to facilitate their own investigations
 - Undertaken a joint odour monitoring visit on 21 May 2023 with the Environment Agency
 - Worked with the EA to complete a review of data and information;
 - Worked with partner agencies with regard to health;
 - Liaised with Walleys Quarry Limited to request data and their investigations.
- 6.2 Prioritisation will be on identifying the root cause of the recent odour events. This investigation is ongoing. Officers will continue to witness odour events and work with partners. No conclusions will be made in relation to breaches of the abatement notice or any future enforcement action, until investigations have been completed.
- 6.3 In June, the leader will chair a meeting with leaders of partners organisations to ensure that the communities concerns regard the site are updated. Agencies will provide details of current activities. Newcastle will be committing to ongoing investigation.

7. Key Performance data

- 7.1 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 and 4.
- 7.2 The data from the Council covers the period from February to May 2023, and provides complaint numbers, air quality data, H2S and officer assessments. Some of the data for May is unavailable and will be updated in subsequent reports.
- 7.3 The data from Walleys Quarry Limited covers the period April 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 will be contained within Appendix 4.

8. Proposal

8.1 Cabinet is recommended to note the contents of this update report.

9. Reasons for Proposed Solution

9.1 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.

10. Options Considered

10.1 To provide regular updates to Council.



11. Legal and Statutory Implications

- 11.1 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 or
 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 the abatement notice.
 - The Act provides powers in respect of a breach. If a person on whom an abatement notice is served, without reasonable excuse, contravenes or fails to comply with any requirement or prohibition imposed by the notice, they shall be guilty of an offence. If this is on industrial, trade or business premises shall be liable on conviction to a unlimited fine. It is a defence that the best practicable means were used to prevent, or to counteract the effects of, the nuisance.

12. Equality Impact Assessment

12.1 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.

13. Financial and Resource Implications

- 13.1 Dedicated officer resource has been allocated to continue the Council's work regarding Walleys Quarry Landfill.
- 13.2 From April 2023 there is £100k reserved for legal action associated with Walley Quarry landfill site. In the event that formal action is required, a separate report will be brought to full Council to approve additional funds.

14. Major Risks

14.1 A GRACE risk assessment has been completed including the following main risks:



- Failure to achieve a reduction in odour levels;
- Community dissatisfaction at odour levels;
- The ability to take enforcement action against abatement notice;
- Failure to evidence a breach of the abatement notice;
- Secretary of State refuses permission to undertake prosecution proceedings.
- 14.2 Controls have been identified and implemented in order to control these risks, the main controls include:
 - Provisions in settlement agreement ensures greater transparency for public;
 - Provisions in settlement agreement ensures regular meetings with Walleys Quarry which enable issues to be discussed;
 - Dedicated officer resource for Walleys Quarry work has been secured;
 - Continued air quality monitoring provision;
 - Robust procedure for investigating complaints with experienced officers;
 - Specialist expert advice maintained;
 - Multi-Agency partnership working continues.

15. <u>Unsustainable Development Goals (UNSDG)</u>



16. Key Decision Information

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

17. <u>Earlier Cabinet/Committee Resolutions</u>

17.1 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 March 2022, 20th April 2022, 7th June 2022, 19th July 2022, 6th September 2022, 18th October 2022, 8th November 2022, 6th December 2022, 10th January 2023, 7th February 2023, 13th March 2023, 5th April 2023.

18. <u>List of Appendices</u>

- 18.1 Appendix 1. Historical Complaint data
- 18.2 Appendix 2. Historical Monitoring Station data
- 18.3 Appendix 3. NUL Key Performance Data
- 18.4 Appendix 4. 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



	T	1
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
29/822 – 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
February 2023 30/01/23- 05/02/23	13	66
06/02/23-12/02/23	26	115
13/02/23-19/02/23	7	39



20/02/23-	3	15
26/02/23		
March 2023	7	13
27/2/23 —		
05/03/23		
06/03/23 -	12	74
12/03/23		
13/03/23 –	23	63
19/03/23		
20/03/23 –	19	56
26/03/23		
27/03/23 –	51	103
02/04/23		
April 2023	45	152
03/04/23 —		
09/04/23		
10/04/23-16/04/23	11	64
17/04/23-23/04/23	48	101
24/04/23 -	148	278
30/04/23		
May 2023	50	150
01/05/23 -		
07/05/23		
08/05/23 -	53	164
14/05/23		
15/05/23 —	147	320
21/05/23		
22/05/23 –	90	210
28/05/23		

<u>Appendix 2</u>. Historical Monitoring Station Data - Weekly percentage of time that each monitoring station location has recorded hydrogen sulphide concentrations above WHO odour annoyance guideline level (7 μ g/m3).

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



	1	1		T
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 – 13/2	0	3.6	0.9	2.4
21/2 – 27/2	0	4.8	0.6	8.0
28/2 – 6/3	2.4	0	0.8	15
7/3 – 13/3	0.3	3.3	4.2	6.0
14/3-20/3	3.3			
	1	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



	1		T	T
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
30/01- 05/02	0	0	0	0
06/02-12/02	0	0.3	0.9	3.6
13/02-19/02	1.8	0	0	0
20/02- 26/02	0	0	0	0
27/2 – 05/03	0	0	0	0
06/03- 12/03	0.3	0	0	5.1
13/03 – 19/03	0.6	0	0	0.3
10/00	1 0.0			0.0



20/03 – 26/03	0.6	0	0	1.5
27/03 - 02/04	0.3	0.9	0.3	1.5
03/04-09/04	0.6	1.5	0	6.6
10/04-16/04	0.9	0.6	0	0
17/04-23/04	0.3	0.3	0	0.9
24/04-30/04	0	0.9	0	8.9
01/05–07/05	0	0	0	0.9
08/05–14/05	0	0	0	3.3
15/05- 21/05	0	0	0	11.1
22/05–28/05	0.3	0	0	5.7



	NULBC	Information	Measurement	Feb 2023	March 2023	April 2023	May 2023
KPI 1	COMPLAINTS	Complaints	Number	47	108	253	353
		reported to					
		NULBC		Number of unique	Number of unique	Number of unique	Number of unique
				properties = 25	properties = 55	properties = 203	properties = 276
				Rating 0 = 0	Rating 0 = 0	Rating 0 = 0	Rating 0 = 0 complain
				complaints	complaints	complaints	Rating 1 = 0 complain
				Rating 1 = 1	Rating 1 = 1	Rating 1 = 0	Rating 2 = 8 complain
				complaints	complaint	complaint	Rating 3 = 39
				Rating 2 = 1	Rating 2 = 0	Rating 2 = 1	complaints
				complaints	complaints	complaints	Rating 4 = 64
				Rating 3 = 11	Rating 3 = 16	Rating 3 = 40	complaints (18.1%)
				complaints	complaints	complaints	Rating 5= 118
				Rating 4 = 8	Rating 4 = 35	Rating 4 = 57	complaints (33.4%)
				complaints (17%)	complaints (32.4%)	complaints (22.5%)	Rating 6= 124
				Rating 5= 10	Rating 5= 26	Rating 5= 71	complaints (35.1%)
				complaints (21.3%)	complaints (24.1%)	complaints (28.1%)	
				Rating 6= 16	Rating 6= 30	Rating 6= 84	% of complaints
				complaints (34%)	complaints (27.8%)	complaints (33.2%)	reporting odour
							entering the property
				% of complaints	% of complaints	% of complaints	315 complaints (89.2
				reporting odour	reporting odour	reporting odour	% of complaints
				entering the property	entering the property	entering the property	reporting health
				= 35 complaints	= 84 complaints	= 194 complaints	effects = 235
				(74.5%)	(77.8%)	(76.7%)	complaints (66.6%)
				% of complaints	% of complaints	% of complaints	
				reporting health	reporting health	reporting health	
				effects = 36	effects = 78	effects = 200	
				complaints (76.6%)	complaints (72.2%)	complaints (79.1%)	



KPI 2		Complaints	Number	41	82	199	271
M 12		reported	TTGTTISCT	12	02	133	2,1
		(daytime					
		07:00-23:00)					
KPI 3	_	Complaints	Number	6	26	54	82
		reported	110111001	ŭ	20		02
		(night-time					
		23:00-07:00)					
KPI 4	-	Highest	Date	06/02/23 (9	27/03/23 (31	25/04/23	21/05/23
		number of	(number of	complaints)	complaints)	(47 complaints)	(34 complaints)
		complaints	complaints)	07/02/23 (9			
		during the		complaints)			
		period					
		Information	Measurement				
KPI 5	AIR QUALITY	Percentage	%	0.2	0.3	0.2	Awaiting data
		exceedance		0.3	0.2	0.8	
		Odour		0.2	0.1	0.3	
		Annoyance Guideline		0.7	2	3.8	
		(Hydrogen					
		Sulphide 30					
		minute					
		average)					
KPI 6		Monthly	ug/m3 over the	0.7	1	1.1	Awaiting data
		Average H₂S	month				
				0.8	0.9	0.9	
				0.6	0.6	0.5	
				0.8	0.7	1.2	
KPI 7	H₂S PEAK	Level	ug/m3	MMF1	17.18	32.85	Awaiting data
	LEVEL	measured			(10/03	09/04	



<u>3</u> 0		over a 5 minute period		19.6 (15/02 01:20)	22:35)	04:40)	
		Date & Time		MMF2	19.43	20.50	
				14.55	(27/03	(25/04	
				(07/02 18:15)	19:00)	06:00)	
				MMF6	11.05	6.47	
				11.25	(27/03	(04/04	
				(07/02 20:15)	05:45)	05:30)	
				MMF9	32.30	58.83	
				11.17	(08/03	(25/04	
				(06/02 23:20)	02:55)	23:10)	
		Information	Measurement				
KPI 8	OFFICER	Odour Rating -	Max Odour	KPI not reported as	7 assessments on	8 assessments 04/04	4 assessments 5/05
	ASSESSMENTS	Officer odour	Rating	the monitoring time	27/03	1 assessment 06/04	1 assessment 6/05
		assessment (5		< 5 minutes for each		1 assessment 08/04	2 assessments 13/05
		minute)		assessment		12 assessments	2 assessments 18/05
						27/04	1 assessment 19/05
						3 assessments 29/04	17 assessments 21/05
							2 assessments 25/05

WALLEYS QUARRY KPI REPORT



Date of Report: April 2023							
Landfill (Landfill Operations		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.	O Non-conformance raised with operator. O CCS scores received			
KPI 2		No of loads inspected.	each	1462 loads received. 1462 loads inspected. 0 loads rejected.			
Landfill (Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)			
KPI 3	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.0 non conformances identified.			
KPI4		No of odour tours No of odour tours where odour detected off site		37 tours 6 external odours – rated 1 or less and local to the facility.			
Landfill (Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)			
KPI 5	ACTIVE TIPPING AREA	Operational Surface area total	m3	107,236m2			
KPI 6	ACTIVE TIPPING AREA	Active tipping area	m3	26,425m2			
Landfill (Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)			
KPI 7	CAPPING OF OPERATION AREA	Temporary capping	m3	Temporary Capping 40,779m2 (36%)			
		Permanent capping	m3	Permanent Capping 40,032m2 (35%)			
				Total Capped area 80,811m2 (71%)			
Landfill (Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)			
KPI 8	LANDFILL GAS	Surface & Gas infrastructure	Number of remaining matters open in the	0 FID survey completed			
	MANAGEMENT	emission surveys	month	0 actions open Next Scheduled FID survey: May 2023			

WALLEYS QUARRY KPI REPORT WALLEYS QUARRY KPI REPORT Concentration of Hydrogen Concentration of Hydrogen Ppm



KPI 9	LANDFILL GAS MANAGEMENT	Concentration of Hydrogen Sulphide in 'raw' bulk gas	ppm	2,287ppm – recorded from CLP H2S GUP input data
KPI 10	LANDFILL GAS MANAGEMENT	Landfill Gas capture rate (monitored at the GUP)	m3/hr	3,187 m3/hr - averaged across period
KPI 11	LANDFILL GAS MANAGEMENT	Appendix A LGMP Gas Management Plan (live document)	Progress including summary and actions	See explanatory notes
Landfill C	Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 12	LEACHATE MANAGEMENT ACTION PLAN	Actions (13 actions)	Progress including summary and actions	See explanatory notes.
Landfill C	Operations	Information	Measurement	Summary and Actions (Additional Document Reference as applicable)
KPI 13	PRIMARY REGULATOR	Compliance Assessments Visits	Number undertaken for which CAR form issued to operator	One visit within the period: 0431442 – visit on 28/04/2023 received 10/05/2023. General regulatory inspection, including details of external observations made by the Environment Agency. No compliance scores received. Other CAR reports received in period: 0457396 – relating to annual monitoring report 2022. Received 13/04/2023. No compliance scores received. Other relevant CAR reports: 0456372 – relating to sign-off of 2022 permanent capping programme with the exclusion of upper blinding soils. No compliance scores received.
KPI 14	PRIMARY REGULATOR	Compliance Assessments Visits	Number Undertaken where a CCS score is raised with operator, including summary and actions	O regulatory compliance assessments undertaken which resulted in a compliance assessment score – see explanatory notes.

WALLEYS QUARRY KPI REPORT



KPI 15	PRIMARY REGULATOR	Compliance Assessments Visits	Number Undertaken where no CCS score is raised with operator, including summary and actions	1 regulatory compliance assessments undertaken which resulted in 0 compliance assessment scores.

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WALLEYS NuLBC KPIs Explanatory Notes



Date of Explanatory Notes: April 2023

KPI 1 and KPI 2 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. An enforcement notice and associated CAR report has been received outside of the reporting period in May 2023. These are under review by WQL, with the support of external, specialist consultants and a response will be issued in due course.

Waste acceptance carried out in accordance with (Environment Agency) agreed preacceptance and acceptance protocols. 1462 loads were inspected within the period and no loads rejected.

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

KPI 3 and KPI 4 Odour Management

No non-conformances have been received from the regulator within the month, with one site regulatory (0461442) inspection confirming no direct offsite odour detected by Environment Agency officers. A faint, transient and non-identifiable odour was detected on Sneyd Avenue. The Agency assessments cover a wide scope of permit conditions including engineering, containment, operational activities, landfill gas management, odour and pest management.

37 odour tours conducted by WQL, with 31 reflecting no odours experienced. 6 visits recorded minor odour (1 or less) local to the facility. Contemporaneously with these odour tours, checks on the gas collection and treatment infrastructure, site engineering and operations and local weather factors were reviewed to ensure all appropriate actions were being undertaken. No non-conformances were identified during these times. And all appropriate actions were being taken.

KPI 5 and 6 Active Tipping Area

The overall current landfill 107,236m2. The active area is confined to Cell 4 and a small section of cell 2. The current active area remains contained and measures some 26,425m2. 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 7 Temporary Capping

Currently, 40,4779m2 of the surface area of the facility is temporarily capped, either using a high specification, low permeability engineering clay or an installed

WALLEYS NuLBC KPIs Explanatory Notes



geomembrane. This is in line with the capping and phasing plan for the facility, as agreed with the Environment Agency and an increase on the previous period. Maintenance works continue to clay capped areas in line with the agreed (by the Environment Agency) CQA (Construction Quality Assurance) specifications.

Permanent Capping

Relating to permanent capping, 40,0.32m2 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.

In relation to the permanent capping works, scheduled for installation in 2023 the required membrane has been ordered and on site. The installation works will commence after receipt of the membrane, and in line with the agreed capping and phasing plan. Preparatory earthworks have commenced, with the installation of the membrane due to commence in early June.

KPI 8 - 10 Landfill gas management

WQL continues to undertake the extensive regime of surface emission surveys, as agreed with the Environment Agency. No FID surveys were undertaken in April, in line with the program agreed with the Environment Agency. The next FID survey at the facility will be undertaken in May 2023.

The concentration of H2S at the facility remains within expected limits and in January, averaging 2287ppm 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 3187m3/hr. The flow rate has remained high and consistent across the period. 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 11 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.

WALLEYS NuLBC KPIs Explanatory Notes



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 in January 2023. No comments have been received to date.

The LFGMP has also been issued to NuLBC, with discussions taking place between the parties, with the support of external, expert consultants.

KPI 12 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 are ongoing in this regard.

The availability of an appropriate, specialist drilling contractor has been obtained. Pending close-out of the ongoing discussions the redrilling of the leachate wells, as proposed in the LMP will potentially commence in July/August 2023.

KPI 13-15

0431442 – visit on 28/04/2023 received 10/05/2023. Generally regulatory inspection, including details of external observations made by the Environment Agency. No compliance scores received.

Other CAR reports received in period:

0457396 – relating to annual monitoring report 2022. Received 13/04/2023. No compliance scores received.

Other relevant CAR reports:

0456372 – relating to sign-off of 2022 permanent capping programme with the exclusion of upper blinding soils. No compliance scores received.



Wolverhampton Homes Modern Methods of Construction Pilot Project Cannock Road





What made us do it?

- Continued dialogue with Offsite manufacturers
- The need to look at alternative solutions to the traditional housing market
- Opportunities to test MMC
- Increase opportunities for customers
- Development of small sites new build programme







What were we up against?

- Procurement & ability to engage
- Non-traditional stock of the future
- Site constraints
- Where's the Social Value?
- Negative design features
- Quality unknowns
- Costs/Timescale

Flat pack houses for Wolverhampton being made in Dublin It's craicers! Council homes to be flown in

Report by Annabal Bagdi

AN EYESORE patch of land in the Black Country is to be transformed with new homes that are being built more than 200 miles away in Dublin.

The four flat-pack homes will be made in Ireland before being flown to Wolverhampton and lifted into posi-tion on Cannock Road in Fallings Park

next month.

The two-storey semi-detached house.

The two-storey semi-detached houses are being made by Extraspace Solutions as part of a £600,000 pilot scheme by Wolverhampton council in conjunction with Wolverhampton Homes.

Bosses say the company in Ireland can build the homes much faster than builders here would be able to construct traditional houses on the site. ics say they look like 'cheap, flat

oofed boxes'. Councillor Peter Bilson, deputy leader and cabinet member for city assets and ousing, said: "This is an innovative way to ccelerate house building in Wolverhamp-

Crucial

"Clearly, larger housing developments are crucial to meeting our housing targets - but the cumulative effect of smaller scale

duced site disruption and more consister quality. This means we can provide more council housing, more quickly, without to much disruption."

much disruption."

Conservative councillor Jonathan Yard-ley called the decision 'cecentric', describing it as a step backward to post-war and a state of the construction industry, said: "These are the first proper council houses in Wolvehampton, said: "These are the first proper council houses in Wolvehampton for the cheapest option. Ireland does specialise in pre-cast materials but it's a shame these houses could not be built in the tradi-

these nomes could not be built in the tradi-tional way using local labour and materials. "These just look like flat-roofed boxes. 'It's very much going back to the days of cheap, bog-standard council housing - it's a regressive step." The council will remain the owners of the properties, which will be managed by Wolverhampton Homes.



How the homes, which are being built more than 200 miles away, will look once they are in place in Wolverhampton



Dublin to Wolverhampton















Time lapse installation

https://vimeo.com/265614966/42262896bd





Pro's & Con's





647 - 653 Cannock Road









647 - 653 Cannock Road













Thank you, any questions?



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HOUSE OF COMMONS LONDON SW1A 0AA

Cllr Ian Wilkes 33 Chester Road Audley Stoke-on-Trent ST7 8JD

26th May 2023

Re: Volumetric

My ref. AB18148/PLB

Further to my previous correspondence, I enclose the reply that I have received from Ms Rachel Maclean MP, Minister of State for Housing and Planning, in response to the meeting you had with Ms Victoria Moore, Business Development Manager at Volumetric, last year regarding their hi-tech solutions for the homeless. I am sorry it has taken so long to obtain you a response.

I am pleased that the Minister states that the Government is investing in modern methods of construction, such as those offered by Volumetric, providing much-needed homes at the scale we require. She also says that if Ms Moore would like to discuss the company's offer with officials in the Department, she has provided an email for her to get in touch with them.

Thank you again for raising this matter with me, and for your patience whilst I obtained a response from the Minister for you. If I can be of further assistance in the future, please do not hesitate to contact me once more.

Aaron Bell MP

Member of Parliament for Newcastle-under-Lyme

Enc: letter from Ms R. Maclean MP, Minister of State for Housing and Planning





Department for Levelling Up, Housing & Communities

Minister of State for Housing and Planning
2 Marsham Street
London
SW1P 4DF

www.gov.uk/dluhc

Our reference: 22696954 Your reference: AB18148

COPY

Aaron Bell MP House of Commons London SW1A 0AA

24 May 2023

Dear Aaron,

Thank you for your email of 24 November on behalf of your constituent, Cllr lan Wilkes, of 33 Chester Road, Audley, Stoke-on-Trent, Staffordshire, ST7 8JD, about volumetric housing. I am replying as this matter falls within my ministerial responsibilities.

It is encouraging to read of Cllr Wilkes' support for modern methods of construction (MMC). DLUHC shares the cross-Government objective of increasing the use of MMC. MMC provides an important opportunity to improve the quality of new homes, deliver more energy efficient homes, reduce construction waste, improve productivity and address the shortage in construction skills.

New technology and innovation have improved productivity, quality and choice across a range of sectors, and the Government wants to see the same happen in housing. By embracing MMC, housebuilders can deliver high-quality new-build homes more quickly. Taking advantage of these technologies has the potential to deliver more energy-efficient homes to buyers, improve site efficiencies and reduce waste.

Some of the potential benefits of MMC have not yet been realised in the housing sector because it has not reached scale. We are focused on tackling the barriers to increasing the use of MMC: bringing down the cost of MMC in housing, stimulating a sustained demand pipeline to attract investment, and providing employment opportunities.

We are also working to address strategic barriers, notably the lack of product standardisation across the industry and the difficulties in obtaining product warranties (and therefore insurance and mortgages).

In order to achieve the benefits of an MMC sector working at scale, we are stimulating demand through our funding and land programmes.

In the Affordable Housing Programme (2021-26) at least 25% of units delivered through Strategic Partnerships and 10% of those through site-by-site agreements (Continuous Market Engagement) will use MMC, potentially 19,000 MMC homes over five years. This target has been exceeded, as 40% of the expected delivery from our first allocations in the Affordable Homes Programme feature MMC.

We have recently launched the £1.5 billion Levelling Up Home Building Fund. This funding will support small and medium-sized housebuilders (SMEs), self- and custom builders and innovators such as those using modern methods of construction (MMC). This Fund will provide development finance to deliver 42,000 homes, with the majority of delivery outside London and the South East.

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We will continue to look at how our different housing programmes can best drive scale in the MMC sector.

Suppliers who wish to work with Government via Government Framework Agreements can read the Crown Commercial Service website https://www.crowncommercial.gov.uk/buy-and-supply/ to establish how they can become a supplier on frameworks. If your constituent would like to further discuss volumetric housing with the Department, the MMC team would welcome a conversation. They can be contacted via the team email at MMC@levellingup.gov.uk.

Thank you again for your email, and to Cllr Wilkes for writing in with his enquiry.

Yours sincerely.

RACHEL MACLEAN MP
Minister of State for Housing and Planning



Agenda Item 9

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

Portfolio Holders within the Cllr Gill Heesom – Community Safety and Well Being

Committee's remit 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
7 September 2023	Police Commander – review of the new policing model Modular Housing Walleys Quarry Update Sustainable Environment Strategy Appual Report	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. Zoom link needs sending to Steve.North@wolverhamptonhomes.org.uk Officer: Nesta Barker Annual review
7 September 2023	 Sustainable Environment Strategy Annual Report Homelessness – review of new arrangements Allotments – review of current provision and plans Walleys Quarry Update Chief Fire Officer – Andrew Bourne Cycle routes/lane provision 	Officer: Nesta Barker The CFO to give an overview of what the fire service was providing in the Borough i.e.: services, training and community provision. To be SCC presentation (current provision, existing plans for improvement and potential future developments/funding).
27 November 2023	Town Centre Safe Spaces/ Community Safety/ASB Walleys Quarry Update	Officer: Nesta Barker

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	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	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	Raised at Council 6 July 2022
28 November 2022	Tri-Services	
	Review of Tennis Provision	Requested by the committee
	Use of grazing animals	
	Walley's Quarry	
6 March 2023	Urban Tree Planting Programme	
	Chief Fire Officer	The CFO to give an overview of what the fire
		service was providing in the Borough i.e.:
		services, training and community provision.
	Walleys Quarry Update	
	Clough Hall Park Community Garden	Simon Beckett to give presentation on his
		proposals

Last updated on 25th April 2023