

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**EXECUTIVE MANAGEMENT TEAM'S
REPORT TO**

Council
18 March 2021

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

Submitted by: Economy, Environment and Place Scrutiny Committee

Portfolios: Environment & Recycling

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

Purpose of the Report

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

Recommendation

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

Reasons

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

1. **Background**

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

2. **Issues**

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

3. **Proposal**

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

4. **Reasons for Proposed Solution**

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

5. **Options Considered**

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

6. **Legal and Statutory Implications**

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

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

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

7. **Equality Impact Assessment**

7.1 There are no direct equality implications in terms of the process undertaken by the Scrutiny Committee, which has been designed to accommodate contributions from all quarters irrespective of any protected characteristics of any actual or potential contributors.

7.2 The matters discussed in terms of the impacts of operations at Walley’s Quarry are capable of disproportionate impacts on persons with certain protected characteristics which present a particular sensitivity towards or difficulty avoiding the effects of the issues discussed.

8. **Financial and Resource Implications**

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

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

9. **Major Risks**

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

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

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



11. **Key Decision Information**

11.1 There are no Key Decisions involved in this process

12. **Earlier Cabinet/Committee Resolutions**

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

13. **List of Appendices**

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

14. **Background Papers**

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