

## **COUNCIL**

Thursday, 18th March, 2021  
Time of Commencement: 7.00 pm

**Present:** Mayor - Councillor John Cooper (Chair)

Councillors:	Kenneth Owen	Stephen Sweeney	Allison Gardner
	Simon White	Simon Tagg	Barry Panter
	June Walklate	Silvia Burgess	Ruth Wright
	Ian Wilkes	Mike Stubbs	Gary White
	Gillian Williams	Amelia Rout	Jill Waring
	John Williams	John Tagg	Andrew Fox-Hewitt
	Andrew Fear	Paul Northcott	Brian Johnson
	Tony Kearon	Bert Proctor	Annabel Lawley
	Paul Waring	Sylvia Dymond	Sue Moffat
	Mark Holland	Trevor Johnson	Jennifer Cooper
	Julie Cooper	Andrew Parker	Gillian Burnett
	Marion Reddish	Sarah Pickup	Helena Maxfield
	Kyle Robinson	Mark Olszewski	Graham Hutton
	Gill Heesom	Dave Jones	David Grocott

Officers:	David Adams	Executive Director Operational Services
	Geoff Durham	Mayor's Secretary / Member Support Officer
	Martin Hamilton	Chief Executive
	Simon McEneny	Executive Director - Commercial Development & Economic Growth
	Daniel Dickinson	Head of Legal & Governance /Monitoring Officer
	Nesta Barker	Head of Environmental Health Services
	Aaron Weller	Desktop Services Lead

**Note:** In line with Government directions for the CV-19 pandemic, this meeting was conducted using a hybrid method through video conferencing and attendance in person, whilst observing social distancing - in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

1. **APOLOGIES**

Apologies were received from Councillor Shenton.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

3. **REPORT OF THE ECONOMY, ENVIRONMENT AND PLACE SCRUTINY COMMITTEE INTO CONCERNS ABOUT WALLEY'S QUARRY LANDFILL**

Consideration was given to a report of the Economy Environment and Place Scrutiny Committee regarding a review that had been undertaken in respect of Walley's Quarry.

The Chair of the Scrutiny Review Working Party - Walley's Quarry, Councillor Andrew Fear introduced the report and moved the recommendations. Councillor Fear stated that it had been a long process due to the emergence of Covid-19 which had slowed the work down. Councillor Fear thanked the officers from the Council's Environmental Health team for their work and also, officers in the IT department who had enabled meetings to continue throughout the pandemic.

Members' attention was drawn to pages 61 to 63 of the supplementary agenda which listed a series of recommendations for the Environment Agency (EA); the Borough Council; RED; MP's; Staffordshire County Council; the Liaison Committee and the Police. It was hoped that the recommendations to the organisations would not just be read but acted upon. Councillor Fear stated that the recommendations were sensible and achievable.

Councillor Gary White seconded the recommendations and endorsed the contents of the report. Councillor White thanked Councillor Fear for chairing the Working Party and also, all of the Members who took part in it.

The Leader of the Council, Councillor Simon Tagg thanked the hundreds of local residents and the large number of Councillors who had called for this Extraordinary Meeting. The meeting was an opportunity to debate the longstanding and ongoing problems with odour and other issues associated with the Walley's Quarry Landfill. Also, the failure of the Environment Agency, as the regulator to take appropriate action – until in the last week or so, following an avalanche of complaints. Two thousand complaints had been received over the weekend of 26-28 February, 2021.

The odours had caused concern and were still causing distress to many residents across the Borough. Complaints had been raised and amplified by Borough Councillors and local MP, Aaron Bell who took the matter to the Prime Minister. The pressure had led to the recent announcement by the EA which confirmed that there had, and continued to be a significant breach of the permit by the operator – RED Industries.

A Motion would be put forward later in the meeting which would call for the continued suspension of operations but also supported calls from residents for the landfill to be permanently closed and for the restoration of the site to greenspace.

The Leader thanked the campaigners who had mobilised over a long period via the Stop the Stink Facebook page and had continued to pursue it until those in authority at the EA had finally started to act. The Leader also thanked all of the Councillors and officers who took part in the review. The Leader was pleased to receive the report and endorsed the list of recommendations, particularly those for the EA - namely, to suspend the operators permit and prohibit the importation of waste materials whilst the odours were mitigated. Also, the call for RED Industries to go beyond their statutory minimum requirement to tackle the odour issues in their landfill.

The Leader urged everyone to read the previous reports on this matter and to watch the meetings on YouTube, which contained full details of the history of Walley's Quarry dating back to the permission for the landfill in 1998 which had been granted by the then Secretary of State. Early in 2019, the EA gave a temporary permission as the operator was on course to breach their permit, relating to the tonnage of materials going into the landfill. The Leader had asked the EA to clarify this. The EA gave permission for the significant increase of tonnage allowed via the permit despite the objections of this Council and local residents/groups. The Leader's view was that this had contributed to the current problems on the site and the dates fitted with the increase of foul odour complaints experienced from New Year 2019 onwards, leading to the significant breach and the two minor breaches relating to Walley's Quarry Landfill that had been reported by the EA in recent weeks. The Leader contended that the Council had seen bad regulation by the EA, coupled with poor management by the operator all of which had resulted in the odours now faced.

The scrutiny report provided evidence and a timeline for a worsening situation to the landfill and a series of recommendations that, it was hoped would be heeded by those concerned.

Councillor Jones stated that the odour issues had plagued his entire time that he had lived in Newcastle since 2010, although then they were not in the intensity or frequency that had been seen over the last two years. It was important to recognise the hard work that the Members had put into the report which contained very fair, clear and open recommendations. The Council had spent a considerable amount of time getting to where the root of the problem was and it was hoped that the recommendations would be acted upon.

Councillor Holland stated that the odours had made people feel ill and had robbed them of their enjoyment of outdoor exercise, blighted the streets and entered into people's homes. The odour was evident in the Westlands and in the past month, at night it had been present more often than it had not. From the number and pattern of complaints it was clear that the issue had become rapidly worse across the Borough. When the scrutiny work was commissioned in 2019 it was only communities in Silverdale and Poolfields that were reporting foul odour. The report bore out the direction of travel and the worsening of the problem. Reference was made to the chart at paragraph 5.26 which showed a huge increase in complaints to the Council from August 2020, which related to Walley's Quarry. DEFRA had confirmed recently that a six month rolling total for complaints relating to Walley's Quarry had hit 6,938. One of the issues that the report had to deal with was the difficulty in qualifying and quantifying the nature of odour nuisance. Paragraph 5.25 set out the measurement metrics and paragraph 4.25 confirmed the Council's Environmental Health Department's investigating and determining statutory nuisance measurement of odour had been detected. There had to be a case for more detailed analysis of the kind of waste being tipped at the quarry and some reckoning made of the kind of waste that was known to generate odorous chemicals upon decomposition. Also, was the additional volume, accepted by the permit variation last year, preventing odour management? It was known that complaints had spiked since the permit variation. Were new types of waste being tipped which produced odorous chemicals? For example, plasterboard contained sulphates which would react with landfill conditions to produce hydrogen sulphide. What other factors were there to explain why the EA had now reported three breaches of the site permit in recent days? Councillor Holland stated that he was disappointed with the engagement of the site operator, as detailed in the report from paragraph 2.9 onwards, with the scrutiny review. They had cast aspersions on the Council's motivation in preparing the report and questioned the Council's right to investigate and represent the

residents. Councillor Holland endorsed the recommendations and encouraged the site operator to consider the actions set out at 8.3 of the report.

Councillor Gardner stated that trying to ascertain a causative link between health issues and odours associated with landfill sites had been difficult to research. However, the Lancet had published a study in June, 2020 that had showed a significant association with asthma and other health issues such as depression. A study in 2015 by the International Journal of Epidemiology showed a strong association with respiratory diseases and hydrogen sulphide odours associated with landfill sites. The Royal Stoke Hospital itself had complained about the odours. Given that diseases such as COPD and asthma were significant health concerns for borough wards adjacent to the landfill site and also wards further away, did the Council have any plans to gather health data including mental health, epidemiological and risk perception studies which could help to support or allay residents health concerns? Even if links were not proven it still would not negate the impact on quality of life that residents had been and still were experiencing.

Councillor Fox Hewitt thanked everyone involved in producing the report. Also, the hundreds of residents and campaign groups such as Stop the Stink. Councillor Fox-Hewitt asked if a sample drilling core could be taken and subjected to testing from the site. In addition, could the case study of the issues experienced to date, including this report be sent to the Planning Inspectorate and the Minister for Housing, Communities and Local Government. Councillor Fox-Hewitt felt that the regulatory and legislative framework had let residents down in terms of protection and this included residents in the Bradwell ward. He felt that the adversarial approach taken by RED Industries, repeatedly questioning the Council's impartiality, a general reluctance to engage in due process and the number of complaints made about the Council's attempt in engaging and ensuring scrutiny was to be taken in a dim light. In light of the behaviour, along with the negative impact that had blighted residents lives across the Borough, Councillor Fox-Hewitt fully supported the strongest possible response by the Council and the EA including but not limited to regulatory enforcement sanctions and exploring the termination of the licence.

Councillor Julie Cooper stated that the town was receiving bad press due to the odour and, at a time when the town needed to be recovering post-covid, including the markets, the recommendations within the report needed to be acted upon.

Councillor Wright stated that in the last six weeks she had been inundated with complaints. The odour had also travelled outside of the Borough. Councillor Proctor echoed all comments, stating that Audley was also affected, over five miles away. There was little doubt that people's health was being affected by this.

Councillor Brian Johnson stated that the first question raised about Walley's Quarry was in 2019 when many residents were concerned about the odours and associated conditions around the site. The first public meeting had been held at Knutton Residents Association. Councillor Johnson thanked Angela Eagles, Graham Eagles and Tony Eagles and Stephen Meakin for raising this as an issue. The issue was not just about the odour but also, traffic, vermin, flooding.

Councillor Parker stated that he lived two miles away and could smell it in his own home as could residents within his Clayton Ward.

Councillor Reddish stated that she was probably the Councillor who lived closest to the Quarry and the odour had become increasingly worse over the past ten years.

Issues regarding the highways also needed addressing, not just traffic but also the dirty state of the roads and the litter on the side of the roads coming from the site.

Councillor Robinson stated that he never thought that it would affect his residents in Talke but the odour was reaching there too. He stated that he did not understand how, with all of the regulations in place that were supposed to protect people that this issue had gone on for so long. The EA had been far too slow to react and it felt like a dereliction of duty. The best outcome would be for the site to be shut down. It was also a worry to hear people saying that their health had been adversely affected and hoped that more work would be done to investigate that.

Councillor Olszewski had been receiving complaints from residents in Wolstanton. The EA's mission statement was to 'protect and enhance the environment'. In this particular case, he felt that there had been failure by the EA, certainly to protect the environment and those affected by the odours associated with the quarry.

Councillor Sweeney stated that at 11pm last night the odour was extremely strong in Clayton and over the last year had become increasingly worse and since Christmas, the intensity had gotten worse. Councillor Sweeney queried what was being tipped to produce that smell? In a report, toluene had been mentioned which was used to make TNT. The site needed to be closed and sealed/capped to get rid of the odour. The Council was looking at the reopening of the town centre after lockdown but the town centre also stank. People would not spend time in such conditions.

Councillor Moffat stated that it was awful that it had reached the stage where a father had felt the need to take drastic actions which had landed him in trouble. It needed to go further, people had been made to feel that their own noses were not as good as machines that had not even been plugged in, to test the level of smell. There needed to be an enquiry into the handling of the situation. People were also concerned about the water that had been used to wash down lorries running into waterways.

Councillor Gary White was concerned about the impact that this had had on the community and the Borough. The Madeley ward had also been receiving complaints and since Christmas had really exacerbated. The impact on Newcastle town Centre was also of concern. The Council had recently been awarded funding for the regeneration of the town centre. Councillor White queried how people could be encouraged to come into the town with the foul odours which were evident. It would affect businesses, the footfall and have a major impact. The EA had got to be held to account for this.

Councillor Lawley stated that people in the borough and further afield had been affected and said that RED Industries had been completely inconsiderate of anyone living nearby and the EA had been negligible and needed to be held to account. Councillor Lawley stated that the pressure needed to be kept up to ensure a satisfactory outcome.

Councillor Panter stated that mention had been made in the Sentinel that there were plans to reopen the West Coast Main Line from Madeley to Newcastle. He felt that this would be unrealistic until action could be enforced on this matter. Also, Councillor Panter questioned where the rubbish actually came from and where it would go to now that the Walley's Quarry site had temporarily ceased taking in rubbish.

Councillor John Williams stated that a lot of traffic headed through his ward to get to the site. The odour had also been appalling. The EA had let the Borough down.

They were consultants on every planning application that came into the Council and their expertise was relied upon to protect the residents which they had not done. On recent planning applications, including the Hamptons site, the EA's report was taken on board by the Planning Inspectorate and planning permission was granted for a site right next door to the landfill site. Further, a lot of Borough residents suffered from respiratory diseases through working in heavy industry in the past – such as foundries and the coal mines. How were these people supposed to cope with the odour when trying to breath in fresh air.

Councillor Kearon stated that the report was a good start but it was important to keep building up on it and keep up the pressure. Residents not being able to sleep with their windows open, feeling sick and suffering headaches was not acceptable. Across the Borough, people were starting to experience what the residents of Silverdale, Knutton and Thistleberry had been experiencing for years. What did the evidence say about the impact that this was having on residents – the depressing thing was that this was not known. There was not enough evidence of what happened with long term exposure to what the EA might refer to as 'low levels' of hydrogen sulphide and all of the other gases coming from the site. It was clear that there was a significant mental health impact with this - but again, there was not enough evidence. A scientist who specialised in what happened to various gases when released into the atmosphere had showed Councillor Kearon a report which he would be happy to share with Members and residents. When hydrogen sulphide was released into the atmosphere on a warm sunny day it would dissipate in approximately one hour, however, in the winter it could linger for up to 42 days.

Councillor Paul Waring sympathised with anyone who was selling their house in the vicinity of the Quarry. Whether they wanted to or needed to, it would be very difficult to sell a property in those conditions.

Councillor Pickup spoke on behalf of her son's friend who lived on the new estate by the Morrisons store at the Milehouse. He said he was seriously worried about what it was doing to his 18 month old son and his pregnant partner. All three of them had asthma. The smell got into their home overnight and they all had sore eyes, sore throats and headaches every morning. He pleaded for the site to be shut down.

Councillor Fear summed up stating that he was pleased that Members supported the report and hoped that residents were heartened with the attitude of the Council towards it. He urged people to read the reports and to watch past meetings on YouTube.

The Leader stated that it had been an excellent debate and a lot of comments had been echoed through the social media feed. This was a widespread issue affecting many people. On the health issues, people with concerns must go to their GP to enable the gathering of data. The issue had escalated since Christmas and this was most likely related to the amount of materials going in which had overwhelmed the operator and the result of that was now being seen with the breaches. Reference was made to planning permissions that had been given for houses to be built within 'sniffing' distance of the site. The Leader assured residents that the Council's Planning Committee refused those applications but were overturned by the Planning Inspectorate. He agreed with comments made about house sales and also the affect that it would have on the town centre at a time when good things were happening. Unfortunately, the Council did not have the regulatory power to close the site. The Council could investigate nuisance and odour but it was the EA who had the direct power as the permit regulator to do that. The focus of the Council was on getting the EA to act and to take responsibility.

All Members were in support of the report and thanked everyone involved including officers, residents, the Leader of the Council, the Scrutiny Working Part, Members, community/residents/pressure groups and the local MP – Aaron Bell.

- Resolved:**
- (i) That the report of the Economy, Environment and Place Scrutiny Committee be received.
  - (ii) That the recommendations of the Walley's Quarry Landfill Site Scrutiny Review be endorsed.

**4. REPORT ON ODOUR INCIDENT 26 TO 28 FEBRUARY AND THE ENVIRONMENT AGENCY'S RESPONSE**

Consideration was given to a report advising Members of an environmental incident over the weekend of 26 to 28 February, 2021.

The Leader introduced the report and moved the recommendation to receive it. Although the report covered that particular weekend, the Leader felt that the incident was still ongoing. There had been many complaints earlier today to the Council's online reporting system. There had been a huge number of complaints over the reported weekend and maps contained within the report showed the distribution of those complaints. It was believed that the EA had no one going out and monitoring the odours that weekend even though there had been numerous reports on Friday 26 February.

The Leader proposed to amend the recommendation of the report to write to the Prime Minister asking for an independent investigation to be carried out into the way that the EA had operated and reacted to the strong foul odours that weekend and since.

Councillor Sweeney seconded the recommendations, including the additional one proposed by the Leader. That weekend had been the culmination of the inefficiency of the EA. The EA had begun to take action in the past week or so and the more pressure that could be put onto them by the Prime Minister the better.

Councillor Jones endorsed everything that had been said including the recommendation for an independent investigation. The distances that the odours were travelling was having a widespread impact on residents especially during the current pandemic. People were unable to go outside to enjoy the fresh air because of the foul odours. The report showed a number of abject failures by the regulator including ensuring that power was going to the monitoring equipment and failure to substantiate the odour complaint. In addition there was a number of breaches. If the Council was to have trust in the regulator there also had to be faith that they were doing their job properly. Councillor Jones referred to external submissions to the Council, declaring an interest that he was currently employed by the vet school at Keele University.

The Vice Chancellor of the University had stated that the odours were impacting on their ability to operate and therefore impinging on economic regeneration. Staffordshire Fire and Rescue Service stated how the odours triggered a health and safety concern for fire operatives. The BID stated how businesses were being affected within the town centre and a submission by Aaron Bell MP which mentioned the number of complaints received by his office over that weekend. There were submissions from local primary schools. Councillor Jones read out a letter from a

pupil from St Luke's School in Silverdale who stated how the landfill was affecting people's health and stopping children from going out to play.

Councillor Holland stated that the report highlighted how important it was to have a regulator who was capable of reacting quickly to complaints. Reference was made to the monitoring equipment that had not been plugged in at, what transpired to be, the critical moment. The regulator had conceded a breach in the permit conditions relating to the connection of gas wells and in a recent publication, the EA stated that a breach of that nature was capable of being associated with foul odours. However it would have been better to have had an assessment done in person, at the appropriate time. Councillor Holland asked whether the Leader believed that the regulator would now work more efficiently to deal with the ongoing incident and what additional pressure could be brought by the Council which would hold the regulator to account. Tribute was paid to the work of Aaron Bell MP who had a Private Member's Bill coming down the line and who had been engaged with the EA and site operator before his election in 2019. Councillor Holland asked the Leader if he could confirm and reassure Members that he had been in touch with the County Council to ensure that they were doing what they could to defend the condition of the roads.

Councillor Fear stated that evidence would be dismissed as heresy as there was no data. The report included press releases from the EA and reference to the fact that they were installing monitoring equipment on Wednesday 24 February, 2021. The press releases also gave assurances that the machine would continually collect data. A report from the EA following that weekend stated that there had been a problem with the electricity supply and said that they understood that this could be frustrating. Councillor Fear stated that he would like to see the Council's Chief Executive write to the EA asking for a full explanation of why the machine was not connected upon installation and who was responsible for the non-connection. In addition, the residents of the Borough deserved an apology from the EA.

Councillor Brian Johnson stated that this was a matter of public trust in the EA and residents needed to be confident that, when experiencing issues, that they were reporting them to an agency who would take complaints seriously and care about what was being said.

Councillor Rout talked about residents' mental health in what had been possibly the most difficult year in a lot of people's lives. The opportunity to go outdoors for exercise and fresh air had been taken away from people. The EA needed to act quickly because they were responsible for people's ability to maintain mental health and wellbeing. Councillor Rout thanked the community for rallying round.

Councillor Julie Cooper hoped that someone from the EA would visit in person instead of relying on equipment that could go wrong or not be plugged in. That person should spend a week in that area to experience the odours for themselves.

Councillor Proctor referred to public confidence in the EA. He questioned whether the EA was fit for purpose and had serious concerns about the overall efficiency and capability of the EA in its current form.

The Leader thanked everyone for their comments. The Leader stated that he had been in meetings when the EA had been dismissive of people commenting on the odour and had blamed the odours on burning tyres or the sewers but never the quarry although this had changed in recent days.

RED industries had maintained that they had a permit compliant site but this had proved otherwise in recent days.

- Resolved:**
- (i) That the report be received.
  - (ii) That a letter be sent to the Prime Minister, from the Leader of the Council, asking for an independent investigation to be undertaken into the way that the EA had operated and reacted to the odours coming from the Walley's Quarry Landfill.

## **5. MOTIONS OF MEMBERS**

A Motion had been submitted to Council moved by Councillor Jones and seconded by Councillor Simon Tagg. The Motion demanded the immediate suspension of operations and acceptance of waste at Walley's Quarry Landfill.

Councillor Jones spoke on the Motion stating that he was furious that this had got to the point where the Council had to step in and demand that bodies such as the EA and Public Health England (PHE) step up and do their jobs properly – to protect the health and environment for residents of the Borough.

The Motion empowered the Chief Executive to demand that the EA and PHE take the actions required to put an end to the misery and potential health implications of the odours. The Motion demanded that the EA suspend the permit at the site until such time that the source of the odours was identified and resolved and should that require early capping off, that the EA took such action with the operator.

The Council had been told repeatedly by PHE that there was no evidence to suggest that the odours had any effect on health. However, residents had reported that the odours had made them vomit, triggered asthma attacks and struggled with breathing so it was evident that health was being affected. The Council had asked PHE repeatedly to investigate the complaints and they had refused. They had worked only on data compiled from GP records and residents had struggled to get their GP to recognise the potential health implications. Dr Scott at Silverdale Surgery was commended for taking this on board, enabling residents to lodge their health complaints, in writing so that it is recorded.

The Motion also demanded that PHE make health screening available to all residents to ensure that the odours did not have a detrimental effect on people's health. They needed to come here and assess this as it could no longer be a data driven computer based project.

The odours associated with the site were not a recent problem, dating back many years but it did not reflect the intensity that people had been forced to endure over recent years. Over the years, there had been a change in operator on the site and a rapid increase in the volume and frequency of waste being deposited there. In 2018/19 the EA granted the operator a temporary increase in the volume of waste permitted. Councillors had raised formal objections as had Silverdale Parish Council and the Borough Council. In 2020 the EA granted a permanent increase in the volume of waste from 250,000 to 400,000 tonnes despite all of the formal objections raised.

The events of the past few weeks showed how a history of misregulation had resulted in the current situation. The EA reported a breach in the permit by the operator only to change it to a minor breach. During the last week the EA had issued notice of a number of significant breaches of the permit in relation to the connection

of gas wells and previously in the management of leachate of the site. The EA, rather than suspend the permit, enabled the operator to temporarily cease operations. That was not taking control of the situation but passing the buck. It was clear that the operator was failing to act within the parameters of the permit and the EA were failing to enforce the permit properly.

The Motion called upon the Secretary of State to undertake an independent investigation.

Against the adversity of the odour, residents had remained steadfast in their resolve, constantly logging complaints with the EA and Council and all deserved recognition for doing the area proud. Nath Wint was commended for ensuring that residents' voices were coordinated and heard.

The Leader seconded the Motion and stated that he had received a representation from Newcastle College that afternoon. The college was now open to students post lockdown and was doing its utmost to keep them safe which included the building being well ventilated at all times in line with Government guidance. However, providing such ventilation resulted in the awful permeation of the whole building with the smell.

The Leader again paid tribute to the community and those people named from 'Stop the Stink' deserved credit and regular contact was kept with Steve Meakin and Graham Eagles as well as other members active on Twitter. It started as a community movement, had gone through the Council and right up to number 10 Downing Street and the highest areas of Government. The Motion deserved support for the points put forward and the Council would be acting upon the report and also the resolution of the previous report to ensure that fight for the residents continued until the EA had to look at the future of the site which, it was believed, should be closed and restored to its original state as greenspace.

Councillor Gardner thanked officers for their work on the report discussed previously and also Councillors' Jones and Brian Johnson whose wards had been most affected. Since 2019, when the EA had allowed changes to the licence, problems had escalated significantly and she sympathised with the increased frustrations of residents. Attention was drawn to the resolution requesting the Chief Executive to write to PHE and the North Staffs CCG requesting regular health screening to help monitor the impact. Section 5.93 of the previous report detailed PHE's response which stated that they had not been presented with any environmental data relating to pollutant levels post February, 2018. Neither had they received any analysis regarding the site relating to odour complaints. PHE stated that they had assessed environmental data provided by the EA from July 2017 to 2018 noting that the levels then were low and would not expect there to be any long term health consequences.

Conditions had drastically worsened since 2018 due to the change in the licence awarded by the EA in 2019 and PHE had no data from them. The lack of data was not only concerning but also disrespectful to the residents and the Council. Residents and GP practices were urged to lodge all complaints and health concerns which was needed to make the EA sit up and take notice.

Councillor Holland stated that residents were asking the Council to do everything within its power which it was doing, as was the County Council with regard to the highways. The EA had, tonight published a briefing to local stakeholders which stated *'while we understand residents want the issue to be resolved, we do not believe that closing the site would achieve this'*. Councillor Holland stated that this

was not good enough. The EA had a responsibility and must be held to account. The Motion not only sought to take the matter to the top but also, showed the Council speaking as one to endorse local residents who were asking for the site to be capped off. Councillor Holland concluded by saying companies dealing in waste management were providing a local service but with every site came strict responsibilities. Costs associated with meeting obligations were part of the normal cost of doing business. If the costs of responding to regulatory involvement, the cost of gas wells, chemical treatments and costs associated with capping temporarily bits of landfill that weren't actively being filled exceeded profit, was it not time to walk away and cap it off.

Councillor Fox-Hewitt stated that the residents would want all Councillors in a position of influence to deliver on this issue. Therefore, a proposal was made that a timeline be proposed following the meeting and made public, detailing what the Council would be doing, arising from the Scrutiny report, the investigation and the Motion. The timeline should detail what the Council expected to be done in response to its actions and by when it was expected that the actions be completed.

Councillor Northcott stated that this was not the only occasion where the Council had reason to question whether the EA were doing their job in terms of protecting residents when planning applications had been received. Having to resort to these levels to get the EA to listen was disgraceful.

Councillor Kearon stated that these agencies were supposed to be protecting and supporting the public but were consistently dismissing the severity of what was happening. Residents' quality of life had been completely trashed by the smell. It was important that this was the beginning of the journey and the pressure needed to be kept up, holding everyone to account that needed to be.

Councillor Trevor Johnson stated that he suffered from anosmia meaning that he had had no sense of smell for twenty years and this made it difficult to empathise. However, the distress on his sons face when they had driven past the site was clearly evident.

Councillor Stubbs stated that he had been sent a video of a domestic electric filter in a normal household. The pollution level was normal at first but then at a toxic level, warning the resident to leave the area when a set of patio doors had been opened. It was essential that community leaders such as Steve Meakin and Graham Eagles were not only thanked but actively supported in their ongoing battle to protect the communities. Earlier in the month RED Industries proposed a temporary curtailing of their activities but were the residents of Newcastle expected to believe that in the same period of time that the EA served the company with three breaches of their licence and footage emerged of them operating both before and after the agreed hours of operation. The ineptitude of the national regulator with regard to the quarry was staggering. There was a failure at the EA to ever openly challenge RED Industries which suggested that they were more afraid of the alleged polluter than the potential victims themselves. Councillor Stubbs asked RED and the regulator to work with the Council or there would be no alternative than to go further than the Motion and explore legal avenues on behalf of the residents.

Councillor John Williams referred to the height of the rubbish pile at the site. It needed to be capped off with a watching brief to ensure that it was done correctly.

Councillor Sweeney referred to the Motions request to close the site and capping off. This needed to be done and done correctly.

Councillor Fear referred to the EA's press release which had been brought up earlier by Councillor Holland. The press release also stated that '*it is however untrue to say that the EA had failed to take the concerns of local people seriously*'. The statement also showed that they had already decided, without listening to the debate, that closing the site was not an option at all.

There was a lack of confidence in the EA from residents in the Borough. The EA was not fit for purpose. There had been a 'song and dance' about data collection but then had not delivered which was their job. It was disheartening to see the press release issued without the courtesy of waiting until the end of the debate. Aaron Bell MP was urged to lobby Parliament for serious and substantive reform of the EA.

Councillor Hutton referred to Councillor Holland's reference to money and stated that a class action lawsuit from the people affected could bring the matter to a close.

In summing up, Councillor Jones stated that he was heartened by Councillors comments this evening. Picking up on Councillor Gardeners comment on health, Covid 19 was one of the worst respiratory diseases that the world had ever faced and the issue being discussed this evening affected people's respiratory health. That was why PHE needed to come and investigate this. Councillor Jones endorsed all of the comments made including the capping off properly of the site. The EA had already decided that they were not going to listen to the Council, releasing a press release even before a vote had been taken on the Motion. The timeline mentioned by Councillor Fox-Hewitt was also endorsed in order to keep residents informed as to what was happening. The ultimate was legal action which the Council should be considering.

The Leader thanked Members for the debate. The County Council had been approached regarding the mud on the road and it had led to a notice of action that would be taken. Dr Scott had advised that residents had reported worsening asthma, hayfever type symptoms, nausea, insomnia and depression. These were very concerning and needed to be listened to.

The Leader would ensure that this was taken forward and keep people informed through social media and the Council's web page. The message to residents was that the Council was listening to them and their voices would be taken forward to the higher levels and will be holding the EA to account.

**Resolved:** That the Motion be carried.

**6. URGENT BUSINESS**

There was no urgent business.

**7. DISCLOSURE OF EXEMPT INFORMATION**

No confidential items were discussed.

**COUNCILLOR JOHN COOPER**  
**Chair**

Meeting concluded at 9.25 pm