

CABINET

Wednesday, 21st July, 2021
Time of Commencement: 2.30 pm

Present:- Councillor Simon Tagg – Chair

Councillors Stephen Sweeney, Gill Heesom,
Trevor Johnson, Paul Northcott and
Jill Waring

Officers Martin Hamilton, Simon McEneny, Daniel
Dickinson, Denise French and Sarah
Wilkes

139. **APOLOGIES**

There were no apologies for absence.

140. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

141. **MINUTES OF A PREVIOUS MEETING**

Resolved: That the minutes of the meeting held on 7th July be approved as a correct record.

142. **WALLEY'S QUARRY - ODOUR ISSUES**

Cabinet considered an update report on Walley's Quarry.

The report outlined work being undertaken to assess whether the odours from Walleys Quarry amounted to a Statutory Nuisance, and should therefore trigger the serving of an Abatement Notice.

The report explained the Council powers relating to statutory nuisance and summarised the various strands of evidence collected to date. Evidence had been gathered from a number of sources including complaint data, air quality monitoring, community impact, assessments by Environmental Health Officers, measurements by handheld air quality monitoring equipment, potential alternative sources of the odour, and the conclusions of experts advising the Council.

It was noted that any decision regarding Statutory Nuisance and the serving of Abatement Notices was not a matter for Cabinet but would be a decision taken by the Head of Environmental Health Services as the appropriately qualified officer.

Resolved: that Cabinet:

(1) Notes that despite the further works that have taken place at Walleys Quarry landfill site, a significant level of complaints continue to be received from residents of the Borough and air monitoring data continues to show odour levels in exceedance of annoyance levels.

(2) Notes the officer advice regarding the evidence, risks, financial implications and potential outcomes surrounding formal Statutory Nuisance action as set out in the confidential appendix to this report.

(3) Approves an initial reserve in the sum of £1,000,000 to meet the costs associated with taking formal action (in the event of a decision to do so) and authorises the Executive Director – Operational Services, in consultation with the Leader of the Council, to call on this reserve, to meet the potential costs associated with serving and progressing any Notices served.

(4) Agrees to update Full Council on the decision and the next steps in the legal process.

143. URGENT BUSINESS

There was no Urgent Business.

144. DISCLOSURE OF EXEMPT INFORMATION

Resolved:- That the public be excluded from the meeting during consideration if the following matter because it is likely that there will be disclosure of exempt information as defined in the paragraphs in Part 1 of Schedule 12A of the Local Government Act, 1972.

145. WALLEY'S QUARRY - ODOUR ISSUES - CONFIDENTIAL APPENDIX

Cabinet considered the confidential appendix relating to odour issues at Walley's Quarry.

Resolved: That the information contained in the confidential appendix be noted.

COUNCILLOR SIMON TAGG
Chair

Meeting concluded at 2.55 pm