

**Conservative Group amendment to the Motion submitted to the 14<sup>th</sup> February 2024**  
**Special Council Meeting**

**After Council further notes that:**

The Environment Agency (EA) has just rated Walleys Quarry as compliance band F – for the third consecutive year.

Sites in compliance bands E and F must significantly improve in order to achieve permit compliance.

These sites are more likely to have their permit revoked unless there is substantial evidence that they are working towards achieving compliance in a timely manner.

The Scottish Environment Protection Agency (SEPA) suspended the license of Paterson's of Greenoakhill Ltd, following 8 days of “offensive odours” which had been emitted by the landfill site between 8 June and 15 June 2021 which resulted in 138 complaints about smells from nearby residents.

Natural Resources Wales (NRW) suspended the license of Bryn Posteg landfill in 2018, following non-compliance with permit regulations.

In relation to Walleys Quarry, despite numerous breaches of the permit, high recorded levels of H<sub>2</sub>S, significant complaints from residents, and motions resolved by Full Council, the EA has refused to suspend the operator's license.

This Council resolved to call on the Prime Minister and Secretary of State for Environment, Food and Rural Affairs to initiate a public enquiry into the failings of the EA to regulate the permit and protect the local environment and health of residents.

In response Rt Hon Rebecca Pow MP Parliamentary Under Secretary of State (Minister for Nature) maintains that she has confidence in the EA and in its regulation of the site, “the fact that the situation there has improved significantly” and that our request for a public inquiry is not “necessary”.

As reported by the BBC on 1<sup>st</sup> February 2024, the Shadow Environment Secretary, Steve Reed, does not support a Public Inquiry “No public inquiry: Mr Reed ruled out a public inquiry into the site if Labour was in government”.

**Council believes that:**

The residents of Newcastle-under-Lyme have suffered from odours emanating from Walley's Quarry Landfill for far too long and that public bodies, including the Environment Agency and Government Ministers, have failed the residents of Newcastle-under-Lyme through a record of substantial failings in regulation of the permit, measurement of malodorous compounds with potential significant impact on human health.

And notes the Council's Cabinet decision of 16<sup>th</sup> January 2024 which called for the EA to consider a Closure Notice.

**Council resolves that:**

- 1. The odours emanating from Walley's Quarry Landfill represents a significant public health emergency for the residents of the borough.**
2. That Full Council ask the relevant Scrutiny Committees to hold a public hearing, to receive impact statements from residents, stakeholders, including businesses, the operator, Staffordshire County Council, and local health bodies.
- 3. That Council endorses the decision made by the Cabinet on 16<sup>th</sup> January to encourage the Environment Agency (EA) to consider a Closure Notice and formally resolves to call on the EA to go further than 'suspending the operator's licence' and issue a Closure Notice.**
4. That the Environment Agency be requested to publish immediately a full 365 days' air monitoring data set to examine impact against the chronic-term health guidelines where 1.4 ppb and 2µg/m<sup>3</sup> are applicable.
- 5. That Council continues to focus its energies on resolving foul odour from Walleys Quarry Landfill within its Abatement Notice powers as a priority and asks the Monitoring Officer, with appropriate legal support, to assess the most effective route, including Judicial Review, to securing an end to the community's suffering.**
6. That the Monitoring Officer's advice is referred to the relevant Scrutiny Committees for consideration prior to consideration by Cabinet and Full Council.
- 7. That Council endorses the Cabinet budget proposal to increase the Walleys Quarry Legal Action Reserve to £300,000, with any further expenditure being a Full Council decision at the appropriate time.**

**Proposed: Simon Tagg**

**Seconded: Mark Holland**