

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

CORPORATE LEADERSHIP TEAM'S

REPORT TO CABINET

18 March 2025

Report Title: Walleys Quarry – Odour Issues

Submitted by: Chief Executive

Portfolios: Sustainable Environment; One Council, People & Partnerships

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision Yes</u> <input type="checkbox"/> <u>No</u> <input checked="" type="checkbox"/>
To update Cabinet on the latest position regarding the problematic odours in the Borough associated with Walleys Quarry.	
<u>Recommendation</u>	
Cabinet is recommended to:	
1. Note the contents of this update report.	
<u>Reasons</u>	
To ensure Cabinet is kept updated on the ongoing work regarding the problem odours associated with Walleys Quarry landfill.	

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. 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** 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). Following an appeal by Walleys Quarry Ltd, and a successful mediation process, 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 on 6 October 2022.

- 1.4** 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 \(newcastle-staffs.gov.uk\)](http://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 needs 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. Such consent has been obtained.
- 1.5** Members and Officers have attended Liaison Meetings to maintain contact with Walleys Quarry Ltd, and with other agencies involved with the issue. Cabinet has received monthly updates on the issues relating to the odours, and Council has also been regularly updated.
- 1.6** The Council continues to assess the prevalence of odours off site.

2. Complaint Data

- 2.1** Below is a schedule of complaints received by the Council and by the Environment Agency for the last 3 months, reported on a weekly basis. Historical complaint data is attached to this report as Appendix 1.

	Complaints to NuLBC	Complaints to Environment Agency
December 2024		
02/12/24 - 08/12/24	261	760
09/12/24 - 15/12/24	182	518
16/12/24 - 22/12/24	220	797
23/12/24 - 29/12/24	418	1644
January 2025		
30/12/24 - 05/01/25	303	1315
06/01/25 - 12/01/25	894	3878
13/01/25 - 19/01/25	283	803
20/01/25 - 26/01/25	109	470
27/01/25 - 02/02/25	72	404
February 2025		
03/02/25 - 9/02/25	47	221
10/02/25 - 16/02/25	8	39
17/02/25 - 23/02/25	6	26
24/02/25 - 02/03/25	19	65
March 2025		
03/03/25 - 09/03/25	7	42
10/03/25 - 16/03/25	14*	

*Figure may alter due to backdated complaints received

- 2.2** The number of odour events (where 10 or more complaints have been reported) was 2 odour events in the month of February compared to 24 odour events reported in the month of January.

The 2 odour events were on consecutive days; Wednesday 5 February and Thursday 6 February.

- 2.3 The highest number of odour complaints was reported on 6 February with 25 complaints. This is significantly lower than the highest number of odour complaints reported on 10 January (379 complaints).
- 2.4 The total number of odour complaints in February was 79 complaints which is a significant reduction from those reported in November and December 2024. Complaints at a level of 79 or below have not been seen since September 2023 (63 complaints).

NULBC Odour Assessments

- 2.5 Officers have undertaken odour assessments. The monitoring has been reactive to odour complaints and proactive where low odour dispersion is predicted.

The type of monitoring includes spot assessments (instantaneous assessments) and assessments made over a 5-minute period where the odour intensity is recorded every 10 seconds.

In February 23 spot assessments were undertaken of which 6 detected landfill related odour ranging from an intensity rating of 2 (slight/weak) to 4 (strong).

NULBC Mobile Air Quality Monitoring (using Jerome monitor)

- 2.6 Officers have monitored the levels of hydrogen sulphide within the community using the mobile Jerome monitor. The highest level of hydrogen sulphide [H₂S] recorded in the community was 6.34ppb which is significantly lower than the maximum level recorded in January at 67.91ppb.

Air Quality

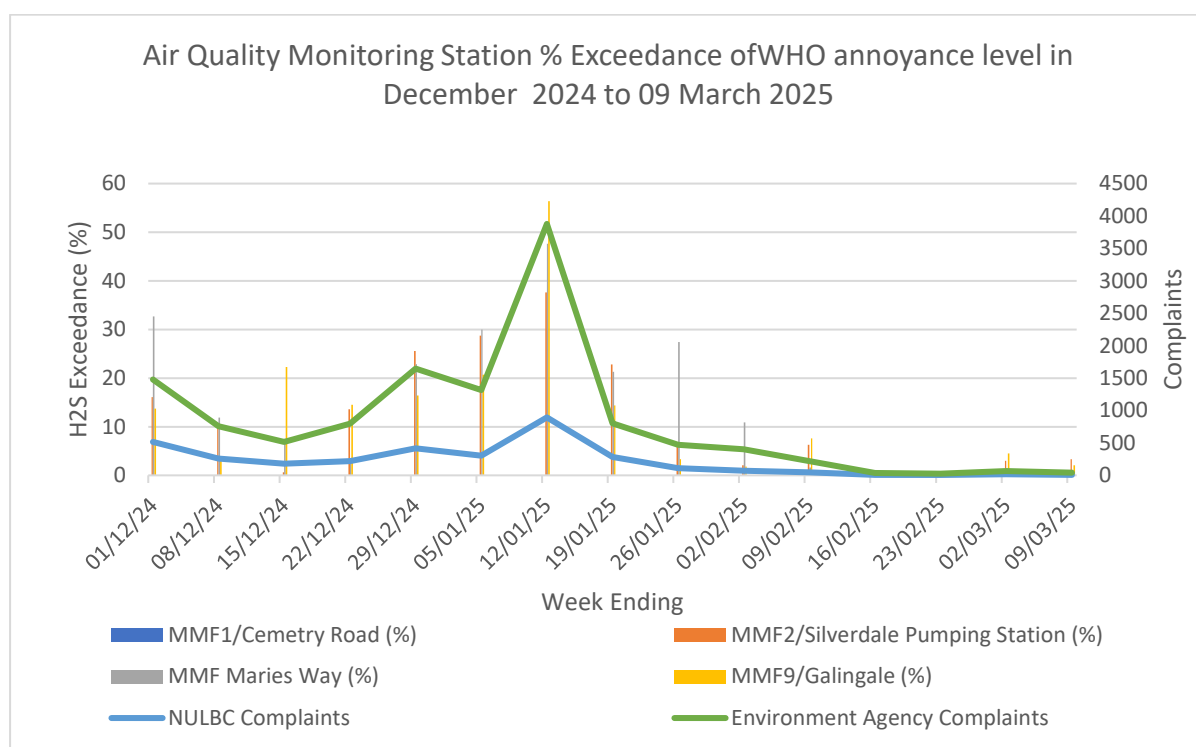
- 2.7 The Council, Staffordshire County Council, and the Environment Agency have jointly funded a campaign of air quality monitoring utilising three static air monitoring stations. The Environment Agency manage and operate these air quality monitoring stations. Data from these stations has been routinely published weekly by the Environment Agency (EA).
- 2.8 The latest H₂S data is set out in the table below, defining the proportion of the time periods where H₂S levels were above the WHO Odour Annoyance guideline of 7ug/m³. Historic data is available in Appendix 2.

Time Period	MMF Maries Way (%)	MMF Silverdale Pumping Station (%)	MMF Galinagle View (%)
2 December - 8 December 2024	11.9	10.3	3.9
9 December - 15 December 2024	7.1	0.6	22.3
16 December - 22 December 2024	3.3	13.6	14.5
23 December - 29 December 2024	22.9	25.6	16.4

30 December - 05 January 2025	30.0	28.7	20.7
06 January - 12 January 2025	47.6	37.6	56.4
13 January - 19 January 2025	21.3	22.8	14.4
20 January - 26 January 2025	27.4	6.3	3.3
27 January - 02 February 2025	10.9	2.1	1.8
03 February - 09 February 2025	1.6	6.3	7.6
10 February - 16 February 2025	0.0	0.0	0.0
17 February - 23 February 2025	0.0	0.3	0.0
24 February - 02 March 2025	0.0	3.0	4.5
03 March - 09 March 2025	0.0	3.3	2.1

2.9 The week 10 February -16 February 2025 reported zero exceedance of the WHO odour annoyance guideline. A weekly exceedance of zero across all three air quality monitoring stations was last reported in August 2024 (week 19 August -25 August).

2.10 The complaint data and weekly % exceedance of the WHO annoyance level have been combined and is shown on the graph below:



Environment Agency Regulatory and Enforcement Action

2.11 The Environment Agency has continued to provide updates on its regulatory activity on the Walleys Quarry Landfill and can be accessed here: <https://engageenvironmentagency.uk.engagementhq.com/hub-page/walleys-quarry-landfill>

2.12 No further Compliance and Assessment Reports have been published on the EA website since the previous Cabinet report.

Closure Notice

- 2.13** On 28 November 2024, the Environment Agency issued a Closure Notice to Walleys Quarry Ltd (WQL).
- 2.14** The Schedule to the Closure Notice requires WQL to comply with steps to initiate closure. The steps specified in the Schedule are summarised in the table below:

Schedule 2	Timescale	Steps
Stage 1 Step 1	From 00:01 on 29 November 2024	Cease accepting waste and do not recommence the acceptance of waste for disposal or recovery at the landfill
Stage 1 Step 2	By 13 December 2024	Construct bench-like horizontal platforms within the waste flanks on the uncapped former active tipping (operational) areas to facilitate access, maintenance and monitoring for the installation of gas control infrastructure (gas wells and connecting pipelines).
Stage 1 Step 3		Any waste left exposed following construction of bench like horizontal platforms in the former active area tipping (operational) areas shall be covered with non-waste material by the end of each working day.
Stage 1 Step 4	By 24 December 2024	Install permanent gas extraction wells as set out in Walleys Next Phase Gas Infrastructure Design 18.11.2024 reference CLP3573 and in those former active tipping (operational) areas without gas extraction, in accordance with the design and specification set out in the LGMP
Stage 1 Step 5		Connect all installed gas extraction infrastructure to the operational gas control system and place it under extraction. This shall occur no later than the end of the day of installation of the specific infrastructure
Stage 1 Step 6	By 31 January 2025	Install temporary geomembrane capping to any uncapped part of the former active tipping area of the landfill. Once installed, the capping shall alleviate gas emissions so that they do not exceed 50 parts per million (ppm) methane.
Stage 1 Step 7		Collect and remove surface water run-off from capped areas in accordance with Temporary Surface Water Management Layout, drawing ECL. 9311.D05.001 Rec C dated 10.07.2024. Any contaminated surface water shall either be removed from site or treated via leachate treatment plant.
Stage 1 Step 8	By 7 February 2025	A surface gas emissions survey shall be undertaken in accordance with LFTGN07 v2 2010 Guidance on monitoring landfill gas surface emissions
Stage 1 Step 9	By 14 February 2025	Submit a report to the EA demonstrating that emissions of methane do not exceed 50 parts per million (ppm) methane.
Stage 1 Step 10	From 14 February 2025	Conduct surface gas emission surveys every four weeks until the permanent cap is installed to ensure that the temporary cap is alleviating methane emissions to below 50ppm.
Stage 1 Step 11	No later than 7 days after each survey carried	Submit a report to the EA demonstrating that emissions of methane do not exceed 50ppm methane

	out in accordance with Step 10 above	
Stage 1 Step 12	Within 24 hours from detection	Repair any defects or leaks in the cap giving rise to methane emissions greater than 50ppm methane
Stage 1 Step 13	By 28 February 2025	Provide the EA with a Landfill Closure and Aftercare Plan [Refer to the Closure Notice for the relevant sector guidance]
Stage 2 Step 1	By 30 May 2025 or such date agreed in writing by the EA	Provide the EA with a closure report which specifies how closure has been achieved and how the activities at the site will be managed, monitored and maintained during the aftercare phase. [Refer to Closure Notice for the relevant sector guidance]

2.15 On 7 February 2025 the EA updated their 'Latest News' webpage regarding the steps in the Closure Notice:

'In the Closure Notice we issued to Walleys Quarry Ltd (WQL) on 28 November 2024 ("the Notice"), we required a number of steps to be completed by 31 January 2025.

We included these steps to contain and capture the excess fugitive landfill gas containing hydrogen sulphide, so that it could be destroyed rather than escape from the site, causing serious odour pollution.

WQL has provided periodic updates on its progress with the Notice [here](#).

Following a site inspection on 03 February 2025 we can confirm that WQL has:

- completed the construction of bench-like horizontal platforms, including covering any waste left exposed with non-waste material by the end of the working day (steps 2 and 3).
- installed and connected additional gas extraction infrastructure (steps 4 and 5), and
- deployed approximately 26,000m² of temporary capping (step 6).

Due to accumulated liquid at the base of the western facing waste flank we have been unable to confirm that all the required capping, which includes this part of the former tipping area, was completed on time.

The effect of the work completed to date is that approximately 600m³ of additional landfill gas is being captured. We recognise that since the Notice was issued, there have been temporary periods when the community has been adversely impacted by odour, and this is unacceptable. However, we anticipate further improvement once all the required capping is fully tied into the existing capping system, any damage or defects are repaired, and extraction rates are increased. Step 8 of the Closure Notice requires a survey of the capping, which will allow an assessment of its overall effectiveness at stopping landfill gas escaping.

We will continue to require WQL to comply with the Notice and the conditions of its permit. We remain committed to robustly regulating the site and requiring WQL to secure a sustained and sustainable resolution of the impacts of the site on the community'.

Walleys Quarry Limited - Application for judicial review and application for interim relief

2.16 Walleys Quarry Ltd were unsuccessful in an application for judicial review and an application for interim relief for a stay in the Closure Notice. The judgement was given on 4 February 2025.

2.17 Walleys Quarry Ltd subsequently published on their information web page:

‘We are disappointed with the Court’s decision and remain clear that keeping the site open delivers greatest benefit and sustainability for the site.

We have made extensive factual and legal submissions to the Environment Agency, which in our view they have not substantively engaged with.

As a business we completely reject the accusations made by the Environment Agency relating to poor management of the landfill site and will review our future options’.

2.18 No appeal against either judgement has been lodged in the Court of Appeal.

Walleys Quarry Limited - Liquidation

2.19 On Friday 28 February 2025 the EA announced that that Walleys Quarry Ltd (WQL), has entered Liquidation.

‘This event has no effect on the existence of WQL or the Environmental Permit. The Liquidators remains bound by the conditions of the permit and any statutory notices in relation to it that may have been issued.

We will engage with the Liquidators about their intentions for the site and plans to comply with the Environmental Permit and the Closure Notice. We will continue to work with partner organisations and carry out air quality monitoring using our Mobile Monitoring Facilities (MMFs)’.

Environmental Permits held by Walleys Quarry Ltd

2.20 On Wednesday 5 March 2025 a further update was provided:

‘The liquidators of Walleys Quarry Ltd (WQL) have informed us that they have disclaimed the environmental permits held by WQL. This means that the environmental permits, for the landfill and the soil treatment activity, no longer exist. The Environment Agency cannot object to a liquidator disclaiming an environmental permit or any other property owned by a company.

The Environment Agency has attended the landfill and assessed it and do not consider that this presents an immediate risk of serious pollution, which includes harm to human health.

CLP Envirogas Limited is continuing to operate the onsite landfill gas management system. The latest data from the Mobile Monitoring Facilities confirms that levels of fugitive landfill gas outside the site are low.

Officers have identified there is still some work to do in respect of the infrastructure steps in the Closure Notice.

The Environment Agency has discretionary powers, to arrange for steps to be taken to remove the risk of serious pollution. We are liaising with specialist contractors who we expect to be onsite to take such steps as appropriate in the near future.

We will provide further updates of any work we expect to be carried out on our Engagement HQ website'.

2.21 The EA reiterated;

'Please continue to report any odour you experience around the site, either using our hotline number 0800 80 70 60 or clicking this link to use our online form: <https://report-walleys-quarry-smell.service.gov.uk/>'

2.22 The update includes a statement from UKHSA:

'The UK Health Security Agency (UKHSA) will continue to work with partners to support residents by analysing air quality data and providing public health risk assessments.'

Frequently Asked Questions

2.23 On 7 March 2025 the EA issued a FAQ document to 'answer some of the questions that community members may have. We will continue to update this document once we are able to share more information'. The Q& A is as follows:

Q: What is liquidation?

A: Liquidation allows a company to be 'wound up' after it stops trading. You can read more about liquidation and insolvency here: [Liquidation and insolvency - GOV.UK](#) and here: [Liquidate your limited company: Arrange liquidation with your creditors - GOV.UK](#).

Q: Who is the liquidator for Walleys Quarry Ltd?

A: You can find details of the Liquidators for Walleys Quarry Ltd, Michael Denny and Jonathan Marston of Alvarez & Marsal Europe LLP, in Notices published online at [Companies House](#) and in the [London Gazette](#).

Q: The permit has been disclaimed. What does this mean?

A: Disclaimer extinguishes all rights and obligations of the company in relation to the environmental permit. There is now no permit in relation to the site.

Q: What effect does disclaimer of the permit have on the Closure Notice?

A: The environmental permit no longer exists. The Closure Notice does not survive the disclaimer of the Permit, as it depends on the existence of the permit.

Q: What will happen to the statutory appeal against the Closure Notice?

A: Decisions on the statutory appeal are a matter for the Planning Inspectorate. The Environment Agency will provide an update on the statutory appeal on Engagement HQ when we have further information.

Q: Is the site safe? Are we at any greater risk?

A: The Environment Agency has attended the landfill and assessed it. We do not consider that it presents an immediate risk of serious pollution, including harm to human health.

CLP Envirogas Limited is continuing to operate the onsite landfill gas management system. The latest data from the Mobile Monitoring Facilities confirms that levels of fugitive landfill gas outside the site are low. Officers have identified there is still some work to do in respect of the infrastructure steps in the Closure Notice.

As our update on 5 March 2025 indicates, the UK Health Security Agency (UKHSA) will continue to work with partners to support residents by analysing air quality data and providing public health risk assessments.

Q: Will there still be odour outside the site?

A: As we have previously explained by reference to the Closure Notice, there will always be some background odour at landfill sites. Stopping further waste entering the site will help reduce the odour potential. Capping the site will also help contain fugitive emissions of odorous landfill gas and increase the volume / rate of landfill gas extraction, preventing its escape.

In our update on 7 February 2025, we confirmed that Walleys Quarry Ltd had carried out certain steps required by the Closure Notice. There is still some work to do in respect of those steps.

When there are periods of cold, still weather leading to poor dispersion conditions, the impact of any landfill gas emissions from the site may be more noticeable

Planned Works onsite

2.24 On 13 March a further update was issued by the EA on 13 March regarding works to be undertaken onsite;

‘We explained that the Environment Agency has discretionary powers to arrange for steps to be taken on site to remove the risk of serious pollution.

Work will be carried out by contractors on the site including:

- Securing the site to prevent access by trespassers, who could damage the infrastructure necessary to manage emissions.
- Installing temporary capping, to a small area of previously deposited waste. This was required by the Closure Notice, but was not completed by Walleys Quarry Ltd. The area is in the same location where bubbling liquid can be seen on recent drone footage. The liquid will be removed by tankers to allow this work to take place. You can expect to see these tankers from today.
- Remedial work to improve the stability of waste near the western flank. There has been some localised slippage, and this work will help protect the integrity of capping in that area.
- A review of current arrangements and, subject to that, possible alterations to ensure that the surface water is managed effectively.
- Actions to manage the groundwater under the site and leachate levels within the capped area, to avoid harm to the integrity of the landfill containment system.

Virtual Public Meeting – 20 March 2025

2.25 The update also confirmed that a virtual public meeting would be held by the EA:

‘We will be holding a virtual public meeting on Thursday 20 March 2025 at 6pm where we will share more information about the works to remove the risk of serious pollution, and answer questions related to this work. You can access the meeting using this link: <https://zoom.us/j/94504470726>

We understand that some members of the public may not be comfortable speaking in a public forum or may not be able to attend the meeting. We have set up an online page where questions can be submitted anonymously prior to the event for this reason. This can be accessed using this link:

<https://app.sli.do/event/e4YCUcSG6eWU8NWvFDQI18>

The meeting will also be recorded, and the transcript will be shared on our Engagement HQ site following the meeting.

We will also continue to update information about the work on our Latest News page'

NuLBC Update

- 2.26** The Abatement Notice requiring the abatement of odour nuisance was served on the operator 'Walleys Quarry Limited'. The company is now in liquidation and when the dissolution process is completed the company will no longer exist as a legal entity. At this stage the Abatement Notice will no longer be enforceable.
- 2.27** The liquidators have disclaimed the environmental permits which are considered to be 'property'. Unlike an environmental permit, an abatement notice issued under the Environmental Protection Act 1990 would not be considered as 'property' and therefore cannot be disclaimed. Unless and until the company is dissolved following the liquidation process, it will remain liable under any such notices.
- 2.28** We will offer both the EA and liquidator any support we can within our powers to keep this landfill under control, as it is currently.
- 2.29** We will continue to monitor the data in relation to the landfill.
- 2.30** We will continue to undertake odour monitoring and assessments in the community.
- 2.31** We would ask that should the community be adversely affected by odour that complaints are logged to the EA or ourselves via [Report a problem or concern about Walleys Quarry – Newcastle-under-Lyme Borough Council](#).

Walleys Quarry Update

- 2.32** On 28 February 2025 Walleys Quarry website was no longer accessible.
- 2.33** No press statement has been issued by Walleys Quarry Limited in response to the liquidation of the company.
- 2.34** On 28 February 2025 the liquidators have disclaimed all Walleys Quarry Ltd's interest in:
(a) the environmental permits; EPR/EB3908ML and EPR/DP3734DC
(b) the freehold land being Rosemary Hill Tileries, Cemetery Lane and Park Row, Silverdale Newcastle under Lyme and registered at HM Land Registry under title number SF139741 (the "Property").
- 2.35** On 5 and 6 March 2025 Companies House webpage has been updated as follows:
- the company status changed to 'liquidation'
 - extraordinary resolution to wind up on 27 February 2025

- statement of affairs
- appointment of a voluntary liquidator
- the registered office address changed to the address of the liquidator
- Notice to Registrar of Companies of Notice of disclaimer – the Environmental Permit EPR/EB3908ML
- Notice to Registrar of Companies of Notice of disclaimer – the Environmental Permit EPR/DP3734DC
- Notice to Registrar of Companies of Notice of disclaimer – the freehold land being Rosemary Hill Tileries Cemetery Lane and Park Row, Silverdale and registered at HM Land Registry under title number SF 139741(the “Property”)
- Insolvency - Creditors voluntary liquidation. The details of the liquidation practitioners can be found [here](#).

Key Performance Data

- 2.36** Through the settlement agreement both Walleys Quarry Ltd and the Council have developed key performance indicators in relation to relevant data from each organisation. The key performance indicator for NuLBC is shown in Appendix 3.
- 2.37** The data from the Council covers the period from December 2024 to February 2025 and provides complaint numbers and officer assessments.

3. Recommendation

3.1 Cabinet is recommended to:

- Note the contents of this update report.

4. Reasons for Proposed Solution

- 4.1** To ensure Cabinet is kept updated of the ongoing work to address the issues associated with the odours from Walleys Quarry landfill.

5. Options Considered

- 5.1** To provide regular updates to Cabinet.

6. Legal and Statutory Implications

- 6.1** 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 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 an unlimited fine. It is a defence that the best practicable means were used to prevent, or to counteract the effects of, the nuisance.

7. Equality Impact Assessment

- 7.1 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.

8. Financial and Resource Implications

- 8.1 Dedicated officer resource has been allocated to continue the Council's work regarding Walleys Quarry Landfill.
- 8.2 From April 2024 there is a £300k reserve for works associated with Walleys Quarry Landfill site. Should further funding be required, up to £300k can be made available through the transfer of useable reserves (£100k from the Borough Growth Fund and £200k from the Budget and Borrowing Support Fund). These funds can be transferred without Council approval.
- 8.3 On 20 November 2024 Council approved a further sum of £400k (£250k from the General Fund Reserve, £150k from the Budget and Borrowing Support Fund) for costs associated with action to prosecute, and delegate to the Chief Executive and Section 151 Officer, in consultation with the Portfolio Holders for One Council, People and Performance and Town Centres and Finance, to draw down and remit such funds as and when necessary for this action.
- 8.4 On 25 February 2025 the Council was listed as a creditor in the 'Notice of Statement of Affairs' signed by a Director of Walleys Quarry Ltd. The amount owed to the Council is £132,097.20. This outstanding debt is made up of £102,000 in respect of the legal fees agreed through the mediated settlement in court back in October 2022 relating to the Abatement Notice. The remaining amount relates to outstanding Business Rates.

8.5 The Council is now in correspondence with Walleys Quarry liquidators in order to recover these outstanding monies. Updates on this situation will be provided as and when available.

9. Major Risks

9.1 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;

9.2 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;
- 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.

10. UN Sustainable Development Goals (UNSDG)



11. One Council

11.1 Please confirm that consideration has been given to the following programmes of work:

One Commercial Council

One Digital Council

The Council will use all available monitoring data and digital tools in making strategic and operational decisions in relation to Walleys Quarry.

One Green Council

The Council is not a user of Walleys Quarry. Within its restricted powers, the Council is committed to ensuring that waste does not cause a nuisance for residents and ultimately wishes to see the end of landfill, with a site that is successful closed, capped off and restored.

12. Key Decision Information

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

13. Earlier Cabinet/Committee Resolutions

13.1 This matter has been variously considered previously by Economy, Environment & Place Scrutiny Committee, Council and Cabinet on 21st 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 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, 6th June 2023, 18th July 2023, 19th September 2023, 17th October 2023, 7th November 2023, 5th December 2023, 16th January 2024, 6th February 2024, 14th February 2024, 19th March 2024, 10th April 2024, 4th June 2024, 16th July 2024, 10th September 2024, 25th September 2024, 15th October 2024, 5th November 2024, 25th November 2024. 3rd December 2024, 9th January 2025, 4th February 2025

14. List of Appendices

14.1 Appendix 1. Historical Complaint data

14.2 Appendix 2. Percentage exceedance above WHO odour annoyance guideline

14.3 Appendix 3. NULBC Key Performance Data