

Report to Cabinet

04 August 2026



Walleys Quarry Odour update

Lead Member:

Cllr Vanessa Renshaw – Cabinet Member for Housing and Public Protection

Lead Officer:

Nesta Barker – Service Director, Regulatory Services

Key Decision: No

Ward(s): All

Appendices: None

Report Assurance:

	Name	Date
Lead Officer	Nesta Barker	16/07/26
Monitoring Officer	Olwen Brown	20/07/26
Section 151	Craig Turner	17/07/26
Chief Executive	Gordon Mole	17/07/26
Cabinet Member	Cllr Vanessa Renshaw	21/07/26
Leader of the Council	Cllr Jonathan Gullis	21/07/26

Report Summary

This report provides an update on Walleys Quarry Landfill, including current monitoring data from Newcastle-under-Lyme Borough Council and partner organisations. It concludes that reports of odour remain low, which is supported by the air quality monitoring data and officer assessments.

Recommendations

That Cabinet:

1. Note the contents of this update report

1. Background

- 1.1 Previous reports to Cabinet have detailed the significant history of odour complaints relating to Walleys Quarry Landfill.
- 1.2 The Environment Agency (EA) is the lead regulator for permitted landfill sites, testing and enforcing compliance with the environmental permit.
- 1.3 The operator Walleys Quarry Ltd entered voluntary liquidation in February 2025 and the liquidator disclaimed any interest in the land which included the environmental permits.
- 1.4 Key events are summarised below. Please note this is not an exhaustive list.

Date	Event
March 2021	Report of the Task and Finish Working Group Economy, Environment & Place Scrutiny Committee
18 March 2021	Extraordinary meeting of the Council with a motion to demand the immediate suspension of operations and acceptance of waste at Walleys Quarry Landfill
13 August 2021	Abatement Notice served on Walleys Quarry Ltd – odours amounted to a statutory nuisance
02 September 2021	Appeal lodged against the Abatement Notice
September 2022	Mediation between NULBC and Walleys Quarry Ltd
6 October 2022	District Judge approved settlement agreement and issued Court Order upholding the Abatement Notice
6 March 2023	Abatement Notice compliance period ended. Abatement Notice enforceable
Spring 2024	Evidence obtained to demonstrate a breach of Abatement Notice
1 March 2024	Environment Agency served a Suspension Notice on Walleys Quarry Ltd
12 March 2024	Environment Agency withdrew Suspension Notice
29 July 2024	Consent granted by the Secretary of State to prosecute for a breach of the Abatement Notice
23 July 2024 14 August 2024	Walleys Quarry Committee of Inquiry held over 2 hearing days

25 September 2024	Inquiry report submitted to full Council with a key and fundamental recommendation for the Environment Agency to serve a closure notice to commence the process of the site ceasing to operate as a landfill tip
28 November 2024	Environment Agency served a Closure Notice on Walleys Quarry Ltd
27 February 2025	Walleys Quarry Ltd entered voluntary liquidation
February 2025 to date	Environment Agency undertaking discretionary powers under Regulation 57 of the Environmental Permitting (England & Wales) Regulations 2016 to arrange for steps to be taken to remove a risk of serious pollution.

2. Purpose

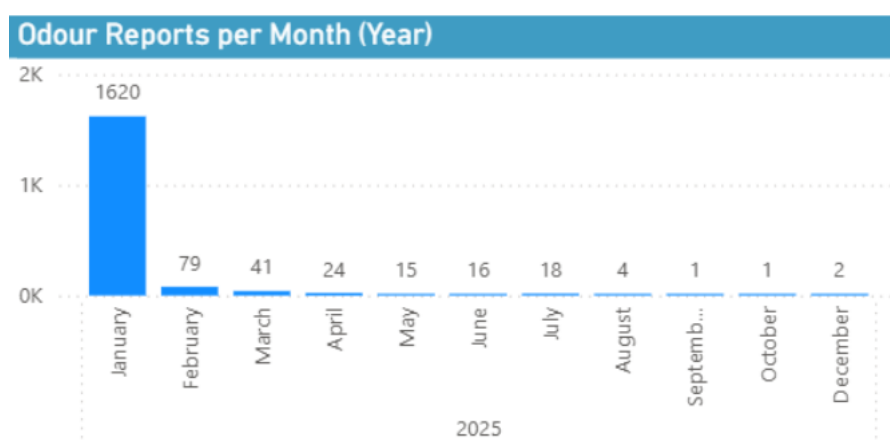
2.1 To provide an update report on:

- the level of impact on the community using data from odour complaints; odour assessments and air quality monitoring and to provide context of the current impact by comparing to historical data;
- the progress of works being undertaken on behalf of the Environment Agency to deal with the risk of serious pollution;
- the work undertaken by the Council and the multi-agency group.

Odour complaints reported to the Council

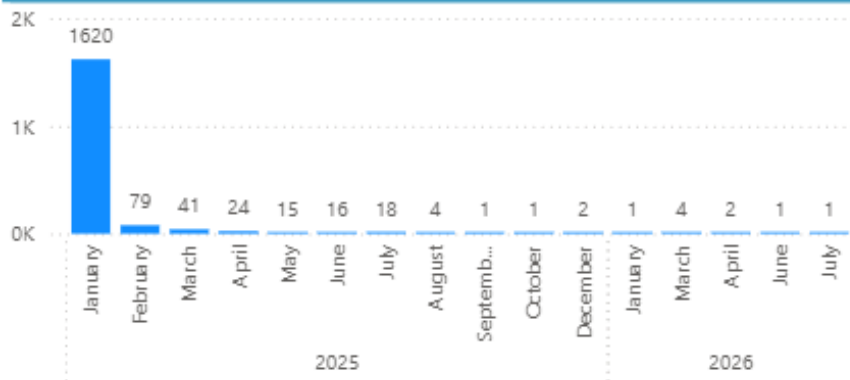
2.2 This updated report shows the data in respect of complaints reported to the Council and officer monitoring through a number of figures shown below.

2.3 Fig 1. Monthly odour complaint data for 2025. In 2025 the total number of complaints received to the Council was 1821.



2.4 Fig 2. Monthly odour complaint data for 2025/2026. The total number of complaints received by the Council from January 2026 to July 2026 is 9.

Odour Reports per Month (Year)



- January 2026 - 1 odour complaint; 04 January 2026
- March 2026 - 4 odour complaints; 19 March, 20 March, 23 March and 28 March
- April 2026 - 2 odour complaints; 04 April and 12 April
- June 2026 - 1 odour complaint; 23 June
- July 2026 - 1 odour complaint; 29 July

Odour assessments

June 2026

- 2.5 11 odour assessments were undertaken on 10 and 24 June 2026. The assessments detected a rating of 0 [no odour].

July 2026

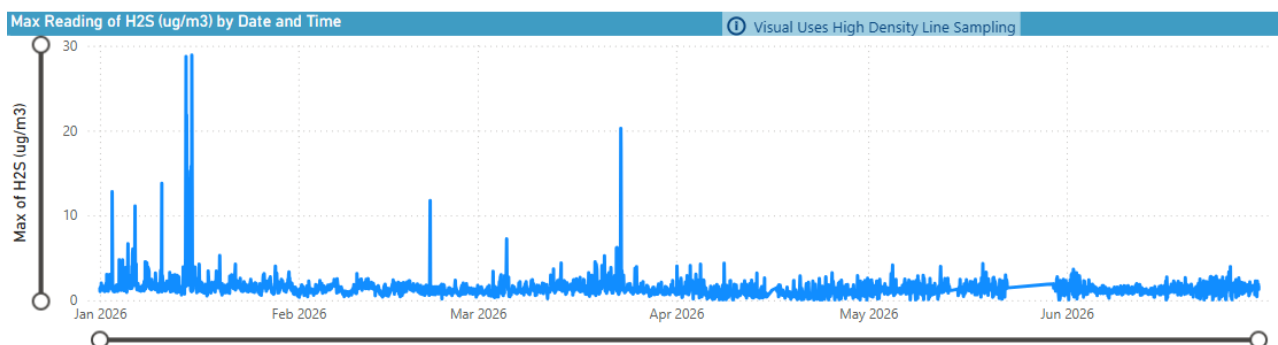
- 2.6 5 odour assessments were undertaken on 14 July 2026. The assessments detected a rating of 0 [no odour].
- 2.7 9 odour assessments were undertaken on 28 July 2026. 1 odour assessment detected a rating of 3 [distinct odour] on Silverdale Road adjacent to STWA Pumping Station. The remaining assessments detected a rating of 0 [no odour].

Hydrogen Sulphide Monitoring [HSM]

- 2.8 Hydrogen sulphide monitoring undertaken using the mobile monitor ['Jerome'] on 28 July. The monitor detected 0 ppb at 4 monitoring locations.

Environment Agency Air Quality Data

- 2.9 The Council, Staffordshire County Council, and the Environment Agency have jointly funded a campaign of air quality monitoring utilising static air monitoring stations. The Environment Agency manage and operate these air quality monitoring stations. Air quality data is routinely published by the Environment Agency.
- 2.10 The weekly exceedance above the World Health Organisation odour annoyance guideline level for May and June was 0%.
- 2.11 The maximum hydrogen sulphide recorded across the monitoring stations [MMFs] from January 2026 to June 2026 is as reported as follows:



Environment Agency Regulatory and Enforcement Action

2.12 The Environment Agency provide updates on its activity on the Walleys Quarry Landfill which can be accessed here:

<https://engageenvironmentagency.uk.engagementhq.com/hub-page/walleys-quarry-landfill>

NULBC Update

2.13 The Council is providing both the Environment Agency and liquidator any support we can within our powers to keep this landfill under control, as it is currently.

2.14 Officers will continue to monitor the data in relation to the landfill.

2.15 The undertaking of odour monitoring and assessments in the community continues to provide data, intelligence and community reassurance.

2.16 The Council continues to urge 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](#).

2.17 A cross-party working group is being established at the Council with the objective of ensuring regular political oversight, information-sharing, and scrutiny of progress. The initial meeting will be held in September 2026.

2.18 A full planning application has been submitted by Persimmon Homes Ltd for the erection of 114 dwellings with landscaping and sustainable drainage, public open space including play space, and vehicular access off Galingale View, Dill Close, and Gadwall Croft. For further details follow the link: [26/00429/FUL](#).

Multi-Agency Working

2.19 The Council is working with partners to review:

- the ongoing work by the Environment Agency to minimise emissions off site;
- the future of the site considering the availability of any funding and the potential routes to delivery

2.20 Further details of this work will be provided in a future report following the establishment of working groups.

2.21 Health and Wellbeing Scrutiny raised the following questions (in bold) at its meeting on 11 June 2026. Responses are shown below.

If the Council could provide an update from the multi-agency working group regarding progress on the capping and restoration of Walley's Quarry, in particular with regard to the depth of soil in the capped area;

The EA are currently undertaking discretionary works to prevent serious pollution; this has included the temporary capping of the landfill site.

If the Council could clarify whether the capping was progressing in accordance with agreed specifications;

There is no longer a permit that sets out conditions for this landfill site.

However, the works undertaken on behalf of the EA follow the principles/procedures contained in the relevant guidance.

What monitoring or independent verification was being undertaken to ensure the capping was adequate;

The EA has appointed contractors to undertake surface emission surveys following any significant work to the capping.

Whether the council was satisfied that sufficient material had been placed across the capped areas to ensure long-term effectiveness and environmental protection.

The site has both permanent and temporary capping. The monitoring data in this report demonstrates that the capping is being effective at controlling the odour.

UK Health Security Agency [UKHSA]

2.22 The UKHSA health update for Walleys Quarry landfill site is published monthly on the Environment Agency engagement webpage [Air Quality Monitoring | Engage Environment Agency](#)

2.23 The UKHSA Position Statement is:

Whilst the risk to long-term (lifetime) health cannot be excluded, currently this risk is likely to be small and will continue to be so while hydrogen sulphide concentrations remain around the current level. Reductions in hydrogen sulphide are anticipated to continue to improve.

2.24 The report will be updated should this change.

3. Strategic Approach

3.1 Walleys Quarry is a corporate priority project for the Council and is specifically detailed in the Council Plan 2022-26.

4. Finance & Resources

Staffing

4.1 Dedicated officer resource has been allocated to continue the Council's work regarding Walleys Quarry Landfill.

Technology

4.2 The Council part funds the provision of the mobile monitoring air quality stations.

Asset Impacts

- 4.3 The Council has hydrogen sulphide monitoring equipment which requires servicing and calibration each year. This is delivered from Walleys Quarry existing budgets.

Accounts Receivable

- 4.4 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 primarily 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.
- 4.5 On 13 April 2026, the Liquidator published a notice of progress report in voluntary winding up for the period 27 February 2025 to 26 February 2026 on Companies House. The Council is not a preferential creditor and is referred to as an **unsecured creditor**. The executive summary states: '**it is highly unlikely that the unsecured creditors will receive a dividend**' and the report clarifies: 'as there are insufficient floating charge assets.'

5. Legal & Governance

- 5.1 Part III of the Environmental Protection Act 1990 is the principal piece of legislation covering the Council's duties and responsibilities in respect of issues relating to odour nuisance.
- 5.2 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 is a nuisance. The Council is responsible for undertaking inspections and responding to complaints to determine whether a statutory nuisance exists.
- 5.3 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).
- 5.4 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.
- 5.5 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 are guilty of an offence. If this is on industrial, trade or business premises the penalty upon conviction is a fine; the Act sets no limit on the fine which can be imposed. It is a defence that the best practicable means were used to prevent, or to counteract the effects of, the nuisance.
- 5.6 Walleys Quarry Ltd in February 2025 entered voluntary liquidation. 12 months on, the company status is 'Liquidation' on Companies House.
- 5.7 Upon the liquidation of Walleys Quarry Ltd, the abatement notice and the legal requirements in respect of odours, cease to be enforceable and so legal proceedings had to cease.

- 5.8 The Council also continues to engage with the Crown Estate and the Environment Agency regarding any future plans for the site.
- 5.9 Health and Wellbeing Scrutiny raised the following legal questions (in bold) at its meeting on 11 June 2026. Responses are shown below.

Why the cost order awarded against Walleys Quarry was not enforced;

The order was against the company Walleys Quarry Ltd. Following voluntary liquidation of the company, there is no longer a legal route to enforce the order against Walleys Quarry Ltd.

If consideration was given to pursuing recovery of those costs;

The Council's debt recovery policy has been followed in successfully recovering a significant portion of the costs awarded to the Council. £358k of the £460k costs have been recovered. Alvarez and Marsal Europe LLP were appointed as joint liquidators of the company in February 2025, and a creditor claim for outstanding costs (£102k) and unpaid Business Rates (£30k) has been submitted by the Council against the administration estate.

Whether legal advice was obtained regarding enforcement;

The Service Director – Legal & Governance has been actively involved throughout the Council's involvement with Walleys Quarry Odour.

Whether the Council intended to seek recovery of any outstanding costs in the future;

Alvarez and Marsal Europe LLP were appointed as joint liquidators of the company in February 2025, a creditor claim was submitted by the Council for outstanding costs (£102k) and unpaid Business Rates (£30k) against the administration estate. Based on current estimates of the liquidators, it is considered highly unlikely that any dividend will be available for distribution to unsecured creditors.

If the Council got any part of the costs awarded.

As above, £358k of the £460k has been successfully recovered from Walleys Quarry Ltd.

6. Supporting Information

- 6.1 This matter has been variously considered previously by Economy, Environment & Place and Health, Wellbeing & Environment Scrutiny Committee, Council and Cabinet:

[Health Wellbeing & Environment Scrutiny Committee](#)

2022	23 June 2022, 5 September 2022, 28 November 2022
2023	6 March 2023, 14 June 2023, 7 September 2023, 27 November 2023
2024	26 February 2024, 03 June 2024, 16 September 2024, 25 November 2024
2025	3 March 2025, 12 June 2025, 15 September 2024, 24 November 2025
2026	09 March 2026, 11 June 2026

Council

2021	18 March 2021, 21 July 2021, 17 November 2021
2022	23 February 2022, 06 July 2022
2023	05 April 2023
2024	14 February 2024, 10 April 2024, 25 September 2024, 20 November 2024

Cabinet

2021	21 April 2021, 09 June 2021, 07 July 2021, 21 July 2021, 08 September 2021, 13 October 2021, 03 November 2021, 01 December 2021
2022	12 January 2022, 02 February 2022, 23 March 2022, 20 April 2022, 07 June 2022, 19 July 2022, 06 September 2022, 18 October 2022, 08 November 2022, 06 December 2022
2023	10 January 2023, 07 February 2023, 14 March 2023, 18 April 2023, 06 June 2023, 18 July 2023, 19 September 2023, 17 October 2023, 07 November 2023, 05 December 2023
2024	16 January 2024, 06 February 2024, 19 March 2024, 23 April 2024, 04 June 2024, 16 July 2024, 10 September 2024, 15 October 2024, 05 November 2024, 03 December 2024
2025	09 January 2025, 04 February 2025, 18 March 2025, 06 May 2025, 03 June 2024, 08 July 2025, 02 September 2025, 14 October 2025, 04 November 2025, 02 December 2025
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