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Late information for Scrutiny Board (Safer and Stronger Communities) on Monday, 20 April 2015

Pages 1-14: Agenda item 9: Final Inquiry report – Peckfield Landfill Site

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**Draft Scrutiny Inquiry Final report
Peckfield Landfill Site
20th April 2015**



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Desired Outcomes and Recommendations

Desired Outcome – A well-managed site

Recommendation 1 – That the operator gives a commitment to proactively manage the site to minimise odours and litter escape and that the operator agrees an operating protocol with the liaison committee. As a minimum we would expect the operator to include;

- Notification of pending weather conditions and actions proposed to manage adverse weather
- Odour control standards
- A schedule of meetings of the liaison committee
- Regular reviews of the effectiveness of current equipment used, e.g. litter nets
- Regular joint reviews with the Environment Agency and the liaison committee of the actions taken to mitigate litter and odour issues on site

Desired Outcome – Strong written agreements relating to site management

Recommendation 2 – That Planning officers revisit the 'Memorandum on the operation of Liaison Committees for mineral working, waste management and energy sites' to see if it can be strengthened to ensure greater commitment from operators.

That the liaison Committee be consulted on any proposed changes, prior to it being adopted by the Council's Plans Panel

Desired Outcome – Strong pro-active communication/community engagement from Caird Peckfield

Recommendation 3 – That the operator does not rely on the Environment Agency for its community engagement activities and that proactive and timely communications is the norm in its relationship with the residents of Micklefield.

The operator is expected to produce a community consultation strategy to be agreed with the Peckfield Landfill Community Liaison Committee.

Desired Outcome – Readily accessible Caird Peckfield representatives

Recommendation 4 – That an 'Out of Hours Protocol' be drawn up by the operator to be agreed with the Peckfield Landfill Community Liaison Committee. The approved Protocol should be clearly communicated to the residents of Micklefield.

Desired Outcome – Readily accessible Environment Agency representative

Recommendation 5 – That the Environment Agency publishes the name and contact details of their officer responsible for regulation of the Peckfield Landfill site.



Desired Outcomes and Recommendations

Desired Outcome – Clear Restoration and Aftercare Scheme

Recommendation 6 – That Planning officers ensure an acceptable Aftercare Scheme is in place for the landfill site.

That Planning Officers ensure that the landfill site is restored in a timely manner.

That residents be advised of the approved Aftercare Scheme.

Desired Outcome – Collaborative working between LCC Planning and the Environment Agency

Recommendation 7 – That Planning officers and Environment Agency officers build on their good relationship and consider how collaborative working can be extended to ensure better outcomes in relation to the Peckfield Landfill site and future landfill sites. This to include an agreed protocol on formal consultation in respect of planning applications and environmental permits for waste disposal

Desired Outcome – Assurances of health and water quality

Recommendation 8 – That the Environment Agency commission ground water testing in the site area and the testing of the Pit Lane Pond.

Desired Outcome – Assurances over the health consequences of Landfill Sites

Recommendation 9 – That a health study led by Public Health is outlined, scoped and costed by all relevant parties. This to include data collection from all GPs in the area used by local residents.



Introduction and Scope

Introduction

1 At its meeting on 15th September 2014, the Safer and Stronger Communities Scrutiny Board considered a request for Scrutiny from a member of the public in relation to the Peckfield landfill site near Micklefield. The Scrutiny Board was requested to consider the ongoing issues linked to the operation of this site and the role of the Council and the Environment Agency in this regard.

Scope of the Inquiry

2.1 The purpose of the inquiry was to make an assessment of and, where appropriate, make recommendations on the following areas:

- Information surrounding the relevant legislation and general responsibilities of the Council, the Environment Agency and landfill operators in managing landfill sites.
- The specific characteristics of the Peckfield landfill site i.e. land ownership; site operator; proximity to housing; composition of landfill gases; planning permissions and specific challenges linked to the management of the site.
- Restoration/aftercare processes for landfill sites, with particular reference to how Peckfield landfill site will be operated and regulated during the post operational aftercare period.

- General requirements and expectations placed upon landfill operators in communicating with local residents (i.e. through Liaison Committees) and exploring opportunities for more proactive communication measures linked to the Peckfield landfill site.

2.2 In carrying out this Inquiry a site visit was made to the Peckfield landfill site. In addition a residents meeting was held at Micklefield Youth and Adult Centre. This meeting was attended by representatives of the operator, members of the liaison committee (Parish Councillors) and local residents. Representatives from Public Health England, the Environment Agency and Leeds City Council also attended.

2.3 We would like to thank all those who have participated in this Inquiry. Particularly we would like to thank the Environment Agency who have clearly have gone the extra mile in trying to broker a meaningful relationship between the residents of Micklefield and Caird Peckfield (“the operator”).

Desired Outcomes, Added Value and Anticipated Service Impact

2.4 Dealing effectively with the city’s waste is one of the key objectives set out within the Best Council Plan 2013-17. Linked to this, the key



Introduction and Scope

priorities are ensuring a safe, efficient and reliable waste collection services; providing a long-term solution for disposing of our waste; and increasing recycling and reducing the use of landfill.

- 2.5 It is important to consider how the Scrutiny Board will deem if this particular inquiry has been successful in making a difference to local people.
- 2.6 The following desired outcomes have been identified in relation to this inquiry:
- To build on the existing partnership approach leading to more proactive measures being adopted by the Peckfield landfill operator.
 - To strengthen the commitment of the Peckfield landfill operator to proactively communicate with local residents.
 - To address any identified areas warranting improved enhancements to existing procedures/processes



Conclusions and Recommendations

Introduction

3.1 From the onset it is important for us to stress, (*and this is acknowledged by local residents*), that issues associated with odours and litter will never be totally eradicated, whilst a landfill site of this type is in such close proximity to housing. Our purpose from the start therefore has been to ensure that the operator acknowledges the location of the site in relation to residents and the need for enhanced and increased mitigating measures to ensure that all is being done to lessen those issues and the associated distress they cause to those living in the village. It is within this context that we have formulated our recommendations.

3.2 The Peckfield site is clearly a problematic and complex site. We were advised by the Environment Agency that similar landfill sites would be visited by them around four times a year. 33 separate visits were undertaken by the Environment Agency to Peckfields last year. We were advised that a full time resource has now been allocated to the site to tackle various issues. It would appear that the operator more often than not reacts to Breach Notices issued by the Environment Agency in order to operate the site correctly, rather than run the site from the off in accordance with their permit rules. This almost gives a feeling of the Environment Agency acting as the operator's site manager. We would like to see a commitment from the operator to proactively manage the site so Breach Notices aren't required and that odours and littering is kept to the lowest levels possible.

Recommendation 1 – That the operator gives a commitment to proactively manage the site to minimise odours and litter escape and that the operator agrees an operating protocol with the liaison committee. As a minimum we would expect the operator to include;

- Notification of pending weather conditions and actions proposed to manage adverse weather
- Odour control standards
- A schedule of meetings of the liaison committee
- Regular reviews of the effectiveness of current equipment used, e.g. litter nets
- Regular joint reviews with the Environment Agency and the liaison committee of the actions taken to mitigate litter and odour issues on site

Communications

3.3 It is absolutely clear that the single biggest frustration of local residents is the lack of proactive communication between the operator and residents. This has resulted in the Environment Agency taking on many of the liaison activities which would normally be expected to be undertaken by the operator.

3.4 Whilst a liaison committee exists in line with the 'memorandum on the



Conclusions and Recommendations

operation of liaison committees for mineral working, waste management and energy sites', its effectiveness is questioned, suffering from a lack of administrative support and perceived commitment from the operator. This liaison committee is part of the operator's planning conditions. We recommend therefore that planning officers revisit the memorandum to see if it can be strengthened to ensure greater commitment from operators.

Recommendation 2 – That Planning officers revisit the 'Memorandum on the operation of Liaison Committees for mineral working, waste management and energy sites' to see if it can be strengthened to ensure greater commitment from operators.

That the liaison Committee be consulted on any proposed changes, prior to it being adopted by the Council's Plans Panel

3.5 Notwithstanding the existence of the liaison committee it is apparent that communications between the operator and residents are poor. Whilst the operator has shown signs of improvement, residents describe a lack of proactivity from the operator and a distinct lack of community engagement. In many cases this void has been filled by the Environment Agency. Whilst welcomed by residents it is not the role of the Environment Agency to be the operator's community engagement arm. We would encourage the contractors "to do the thinking" and when, for example, high winds are

expected or higher levels of odour predicted then *they* contact the residents along with remedial action plans.

Recommendation 3 – That the operator does not rely on the Environment Agency for its community engagement activities and that proactive and timely communications is the norm in its relationship with the residents of Micklefield.

The operator is expected to produce a community consultation strategy to be agreed with the Peckfield Landfill Community Liaison Committee.

3.6 Numerous incidents described to us by residents, for example, the noise of a pump being left on overnight, has highlighted how difficult it is for residents to contact the operator out of hours. Some improvements have been made but rely on one person being available. This is unrealistic. We recommend that the contractor establishes an out of hours scheme as soon as possible.

Recommendation 4 –
Recommendation 4 – That an 'Out of Hours Protocol' be drawn up by the operator to be agreed with the Peckfield Landfill Community Liaison Committee. The approved Protocol should be clearly communicated to the residents of Micklefield.

3.7 We would also recommend that the Environment Agency publish the name and contact details of their



Conclusions and Recommendations

officer responsible for the site. In addition we would recommend that a response protocol is agreed between the Environment Agency, Ward Members and the liaison committee to ensure consistency of service.

Recommendation 5 – That the Environment Agency publishes the name and contact details of their officer responsible for regulation of the Peckfield Landfill site.

Restoration and Aftercare Scheme

3.8 Residents are understandably anxious that adequate Restoration and Aftercare Schemes are in place. This is a planning matter and we would recommend that planning satisfy themselves that appropriate actions are in place and set a timescale for these to be submitted by the contractor and approved

Recommendation 6 – That Planning officers ensure an acceptable Aftercare Scheme is in place for the landfill site.

That Planning Officers ensure that the landfill site is restored in a timely manner.

That residents be advised of the approved Aftercare Scheme.

Interdepartmental Working

3.9 We are pleased with the level of cooperation between Leeds City Council and the Environment Agency, however going forward we are of the view that there is greater opportunity for Planning and the Environment Agency to work closer at the planning stage of a landfill application. This will allow both bodies to discuss their respective permit and planning requirements and identify possible concerns at an earlier stage.

Recommendation 7 – That Planning officers and Environment Agency officers build on their good relationship and consider how collaborative working can be extended to ensure better outcomes in relation to the Peckfield Landfill site and future landfill sites. This to include an agreed protocol on formal consultation in respect of planning applications and environmental permits for waste disposal

Health Issues

3.10 We sought the advice of Public Health England with regards to any associated health issues arising from either a well-managed or poorly managed land fill site. We were advised that from the data collected, research could not find any identifiable issues. However it was acknowledged that stresses caused by odour and litter did give rise to wellbeing and mental wellness issues. Further



Conclusions and Recommendations

research in this area would be welcomed

3.11 Residents and the liaison committee also requested that the promised ground water testing in the site area be undertaken.

Recommendation 8 – That the Environment Agency commission ground water testing in the site area and the testing of the Pit Lane Pond.

Recommendation 9 – That a health study led by Public Health is outlined, scoped and costed by all relevant parties. This to include data collection from all GPs in the area used by local residents.

Monitoring arrangements

Standard arrangements for monitoring the outcome of the Board's recommendations will apply.

The decision-makers to whom the recommendations are addressed will be asked to submit a formal response to the recommendations, including an action plan and timetable, normally within two months.

Following this the Scrutiny Board will determine any further detailed monitoring, over and above the standard quarterly monitoring of all scrutiny recommendations.

Reports and Publications Submitted

- Environment Agency – Summary of work at Peckfield Landfill Site
- Community Newsletter, 'Keeping you informed'
- Memorandum on the operation of liaison committees for mineral working, waste management and energy sites

Witnesses Heard

- Carolyn Walker, Micklefield resident, originator of request
- Christine Boothroyd, Micklefield Resident
- Parish Councillor Christine Passingham
- Parish Councillor Michael Czwarno
- Lawrence Backhouse, Local resident
- Dorothy Backhouse, Local resident
- Councillor Mark Dobson, Executive Member for Cleaner, Stronger and Safer Communities
- Susan Upton, Chief Officer, Waste Management
- Andrew Lingham, Head of Strategy & Infrastructure, Waste management
- Stephen Holmes, Business Manager, Environment and Housing
- Catherine Saxon, Area Environment Manager, Environment Agency
- Robin Bispham, Regulatory Officer, Environment Agency
- Max Rathmell, Minerals, waste & Contaminated Land Manager
- Louise White, Senior Minerals Planner
- Alex Hornshaw, Director, Caird Peckfield
- Steve Sharp, Site Manager, Caird Peckfield
- Anna Frearson, Consultant in Public Health
- Mike Gent, Public Health England

Dates of Scrutiny

- **15th September 2014 – Scrutiny Board**
- **16th September 2014 – Working Group**
- **17th November 2014 – Working Group**
- **26th January 2015 – Working Group – Peckfield Landfill Site visit**
- **30th March 2015 – Working Group, Residents meeting, Micklefield**
- **20th April 2015 – Scrutiny Board meeting**

**Scrutiny Board (Safer and Stronger Communities)
Peckfield Landfill Site
April 2015...
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