

# **SCRUTINY BOARD (SAFER AND STRONGER COMMUNITIES)**

## **PECKFIELD LANDFILL SITE**

### **DRAFT TERMS OF REFERENCE**

#### **1.0 Introduction**

- 1.1 At its meeting on 15<sup>th</sup> 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.
- 1.2 In consideration of this request, the Scrutiny Board acknowledged the significant level of regulatory work undertaken by the Environment Agency, in conjunction with the Council, over the last 12 months in ensuring that issues linked to the site were being effectively raised with the site operator to prompt remedial action.
- 1.3 Whilst the Scrutiny Board emphasised the importance of building on the existing partnership approach being adopted in Peckfield, it also recognised the need for more proactive measures being undertaken by the landfill operator in demonstrating a commitment towards securing long term improvements for the residents of Micklefield over the remaining lifespan of the landfill site and the post-closure care period.
- 1.4 As such, the Scrutiny Board agreed to accept the request for Scrutiny. In doing so, the Scrutiny Board also agreed to explore where lessons could be made in terms of enhancing existing procedures and processes linked to the general management of landfill sites.

#### **2.0 Scope of the inquiry**

- 2.1 The purpose of the inquiry is 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.

### **3.0 Desired Outcomes and Measures of Success**

3.1 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 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.

3.2 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. Some measures of success may be obvious, linked to desired outcomes identified by the Scrutiny Board, and others may become apparent as the inquiry progresses and discussions take place.

3.3 At this stage, 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, including lobbying for any proposed legislative changes.

### **4.0 Comments of the relevant Director and Executive Member**

4.1 In line with Scrutiny Board Procedure Rule 12.1 where a Scrutiny Board undertakes an Inquiry the Scrutiny Board shall consult with any relevant Director and Executive Member on the terms of reference.

### **5.0 Timetable for the inquiry**

5.1 The Inquiry will take place over a number of sessions. These sessions will involve smaller working group meetings or visits with stakeholders, which will provide flexibility for the Board to gather and consider evidence.

5.2 The length of the Inquiry is subject to change. However it is anticipated that a final report will be produced by March 2015.

## **6.0 Submission of evidence**

### **6.1 Session one – November 2014**

To develop an understanding of the relevant legislation and general responsibilities of the Council, the Environment Agency and landfill operators in managing landfill sites.

### **6.2 Session two – December 2014**

To undertake a visit to the Peckfield landfill site;

To consider 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.

To consider 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.

### **6.3 Session three – January 2015**

To consider the general requirements and expectations placed upon landfill operators in communicating with local residents (i.e. through Liaison Committees).

To explore opportunities for more proactive communication measures linked to the Peckfield landfill site, particularly in terms of health related communications.

### **6.4 Session four – February 2015**

To consider the findings and potential recommendations arising from this inquiry.

## **7.0 Witnesses**

7.1 The following witnesses have been identified as possible contributors to the inquiry, however others may be identified during the course of the inquiry:

- Executive Member Cleaner, Stronger and Safer Communities
- Chief Officer Waste Management
- Head of Strategy & Infrastructure, Waste Management
- Business Manager, Waste Management Services
- Area Environment Manager, Environment Agency
- Regulatory Officer, Environment Agency
- Minerals, Waste & Contaminated Land Manager, City Development

- Senior Minerals Planner, City Development
- Public Health/Public Health England representation
- Caird Peckfield Ltd representation (landfill operator)
- Resident representation
- Ward Members

## **8.0 Equality and Diversity / Cohesion and Integration**

- 8.1 The Equality Improvement Priorities 2011 to 2015 have been developed to ensure our legal duties are met under the Equality Act 2010. The priorities will help the council to achieve it's ambition to be the best City in the UK and ensure that as a city work takes place to reduce disadvantage, discrimination and inequalities of opportunity.
- 8.2 Equality and diversity will be a consideration throughout the Scrutiny Inquiry and due regard will be given to equality through the use of evidence, written and verbal, outcomes from consultation and engagement activities.
- 8.3 The Scrutiny Board may engage and involve interested groups and individuals (both internal and external to the council) to inform recommendations.
- 8.4 Where an impact has been identified this will be reflected in the final inquiry report, post inquiry. Where a Scrutiny Board recommendation is agreed the individual, organisation or group responsible for implementation or delivery should give due regard to equality and diversity, conducting impact assessments where it is deemed appropriate.

## **9.0 Post inquiry report monitoring arrangements**

- 9.1 Following the completion of the Scrutiny inquiry and the publication of the final inquiry report and recommendations, the implementation of the agreed recommendations will be monitored.
- 9.2 The final inquiry report will include information on the detailed arrangements for how the implementation of recommendations will be monitored.