

Report of the Head of Governance and Scrutiny Support

Report to Scrutiny Board (Environment and Housing)

Date: 8th December 2016

Subject: Peckfield Landfill Site Update

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

1.0 Purpose of this report

1.1 This report sets out the response of the Environment Agency to the issues and requests for additional information made by the Scrutiny Board during its September 2016 meeting in relation to Peckfield Landfill Site. The Scrutiny Board will also receive a general update from the Council's Minerals & Waste Planning Team during today's meeting.

2.0 Background information

2.1 In September 2014, the former Safer and Stronger Communities Scrutiny Board responded to a public request for Scrutiny in relation to the Peckfield landfill site near Micklefield. The Board agreed to undertake an inquiry 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. This inquiry concluded in March 2015 and a report setting out the Scrutiny Board's findings and recommendations was published April 2015. This report is available via the Council's website ([click here for inquiry report](#)).

2.3 It now falls within the remit of the Environment and Housing Scrutiny Board to monitor the implementation of the recommendations arising from this inquiry. As such, the Scrutiny Board has continued to track progress since November 2015, with the latest tracking report being considered at its September 2016 meeting. However, as well as tracking progress with the Scrutiny recommendations, the Environment and Housing Scrutiny Board has also considered more broadly the respective roles of the Council and the Environment Agency in relation to the general management of landfill sites. In doing so, the Board has focused on 3 key areas of interest:

- Communications with local residents in relation to the management of the site;
- Restoration and Aftercare planning;
- Contingency planning in the event of a landfill operator going out of business.

2.4 During its September 2016 meeting, the Scrutiny Board raised a number of issues linked to how well the landfill site is being managed in accordance with the operating permit regulated by the Environment Agency. As such, the Scrutiny Board expressed its disappointment not to have an Environment Agency representative present at its meeting. Board Members therefore requested that the Chair writes to the Environment Agency setting out the Board's issues and requests for additional information.

3.0 Main issues

3.1 The Chair of the Scrutiny Board wrote to the Area Environment Manager (West Yorkshire) at the Environment Agency on 27th October 2016. Within this letter, the following requests for information were made to the Environment Agency:

- Further detail of the number and type of operating permit breaches that have taken place at Peckfield Landfill Site whilst the management of Caird Peckfield Ltd and what enforcement action has been made by the Environment Agency in responding to recent odour and littering complaints;
- A clear explanation why the details surrounding associated financial provisions held by the Environment Agency in relation to the site have not or cannot be shared with the Council;
- An update following the fire incident at the site which commenced on Saturday 8th October 2016, including an explanation of what started the fire; what measures should have been in place by the operator to prevent its occurrence; and what action the Environment Agency is taking with the operator following this incident.

3.2 A response to the Chair's letter was provided by the Environment Agency on 24th November 2016 and this has been appended for the Board's information.

3.3 As well as considering the response of the Environment Agency, the Scrutiny Board will also be receiving a further update during today's meeting from representatives of the Council's Minerals & Waste Planning Team.

4.0 Recommendations

4.1 Members are asked to:

- Consider the attached response of the Environment Agency to the issues and requests for additional information made by the Scrutiny Board during its September 2016 meeting.
- Consider the progress update provided by the Council's Minerals & Waste Planning Team.
- Determine the Scrutiny Board's next steps in relation to this matter.

5.0 Background documents¹

5.1 None.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.