

Report of Head of Governance and Scrutiny Support

Report to the Environment and Housing Scrutiny Board

Date: 23rd May 2017

Subject: Scrutiny of Peckfield Landfill Site – draft position statement

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

Purpose of this report

1. Since April 2015, the Environment and Housing Scrutiny Board has been committed to monitoring the implementation of the recommendations arising from an earlier Scrutiny inquiry into Peckfield Landfill Site. In doing so, it has continued to raise concerns regarding the lack of progress linked to particular recommendations directed at the operator which had aimed to improve the management of the landfill site and also strengthen communication with local residents. In September 2016, it was also reported by Council waste planning officers that there were concerns over the phasing of landfill operations and the general slow pace of restoration at the landfill site, in addition to some associated access issues. Such concerns led to further scrutiny of the respective regulatory roles of the Council and the Environment Agency in relation to the management of landfill sites generally.
2. The latest update on this matter was received in late February 2017 via a special meeting held with the Environment Agency's Area Environment Manager for West Yorkshire. At that stage, Board Members received details of an existing regulatory investigation linked to a marked increase in the number of odour reports made during the January 2017 period. This had resulted in the operator being issued with a Regulation 36 Notice in line with the Environmental Permitting (England and Wales) Regulations 2016.
3. During this meeting, Board Members also received an update from the Council's Minerals & Waste Planning Team Leader regarding planning compliance matters. It was relayed that a planning application proposing to vary the extant planning permission for the landfill site would be submitted by 31st March 2017. The options

available to the Council should the operator fail to submit an application within the reasonable timeframe set by the Council was also discussed.

4. At that stage, Board Members agreed that the ongoing monitoring of outstanding recommendations arising from the previous Scrutiny Inquiry should cease in recognition that this matter now warrants further escalation. It was also acknowledged that local residents have now taken this next step and engaged the local MP in escalating this matter at a ministerial level and also directly with the Environment Agency and the Department for Environment, Food and Rural Affairs (Defra).
5. However, Board Members also reflected on the broader issues that had been raised by Scrutiny in relation to the existing legislative and regulatory framework associated with landfill sites and felt that these warranted further attention too. As such, it was agreed that the Scrutiny Board would produce a position statement in relation to Scrutiny of Peckfield Landfill Site, which would also include its views around what further action is needed to strengthen the current regulatory framework so that environmental issues linked to the management of landfill sites can either be alleviated or enforced more robustly in future.
6. This position statement has now been drafted and is attached for the Board's consideration and formal approval.

Recommendations

7. Members are asked to consider the attached draft position statement of the Scrutiny Board for formal approval.

Background documents¹

8. None used.

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.