

Report of:	Councillor J Kraujalis
Telephone No:	
Portfolio Leader:	Cllr C Bennett
Key Decision:	No
Report Track:	

SCRUTINY COMMITTEE 10 April 2014 Air Quality and Industrial Emissions Report

1 Purpose of Report

- 1.1 To provide members of the Scrutiny Committee with an up to date assessment of the air quality issues in the District, identifying any areas of concern for the Local Authority and local residents.
- 1.2 To establish if there are any additional actions this Council can take to mitigate the effect of air quality and industrial emissions within the District

2 Recommendations

- 2.1 That the Council notes the achievements and ongoing work of the Environmental Health Department in regulating, monitoring, mitigating and reporting on the Air Quality of the District.
- 2.2 That the Council continues to work with the Environment Agency in the pursuit of any actions necessary to alleviate odours from the Landfill and Anaerobic Digestion Plants at the Poplars site.
- 2.3 That the Council continues to engage with Biffa and Staffordshire County Council regarding the operation and future life of the Poplars Landfill site and Anaerobic Digester Plant through the attendance of officers and Members at the Poplars Liaison Meetings, raising issues of concern on behalf of local residents, where appropriate.
- 2.4 That Severn Trent Water Company is approached with a request to establish a liaison group attended by representatives of the company, appropriate officers of the Council and residents representatives to consider any concerns regarding the operation and future life of the Waste Water Treatment Works at Longford Road, Cannock.

3 Key Issues and Reasons for Recommendation

- 3.1 Air quality and industrial emissions can make a detrimental and dramatic difference to the quality of life for residents in Cannock Chase.
- 3.2 Concerns have been expressed about long standing issues and the need to resolve these as quickly as possible.
- 3.3 Air quality and emissions from industrial premises are often complex and constantly changing often with a range of different national regional and local agencies being involved in their regulation.
- 3.4 Similarly, economic and market forces frequently impact on way in which businesses operate and may have a significant effect on the degree to which their activities contribute to air quality or provoke complaints.
- 3.5 The Environmental Health Department is responsible for the regulation of a range of industrial installations, the management of Air Quality in the district, which includes monitoring and reporting activities along with the implementation of improvement plans. In addition officers investigate and take appropriate action in relation to statutory nuisances affecting air quality such as smoke, fumes, dust, etc.
- 3.6 Whilst powers are available to take formal action where an activity or operation results in an offence, other options are available and have been used successfully to resolve problem situations that do not warrant legal action, one such example is the establishment of liaison groups.

4 Relationship to Corporate Priorities

- 4.1 This report supports the Council's Corporate Priorities as follows:

(i) Place: Improved Living Environment.

Improve air quality

5 Report Detail

BACKGROUND

- 5.1 The Scrutiny Committee established a Working Group to review Air Quality and Industrial Emissions affecting the quality of life for residents of the and establish

if any additional actions were available to the Council to mitigate any adverse impacts identified.

- 5.2 The Chair of each group prepared a Scoping Brief a copy of which is available at Appendix 1
- 5.3 The Group has considered the recent developments in the range of areas that influence Air Quality within the district to prepare the report and in general was satisfied that the Council and its officers were taking reasonable steps and making good progress in tackling the issues that have the potential to cause poor air quality.

CURRENT SITUATION AND SPECIFIC ISSUES

Air Quality Management

- 5.4 An Air Quality Management Area Action plan was declared in 2007 around the section of the A5 trunk road between Churchbridge and Longford and the A460, Wolverhampton Road Churchbridge. In December 2013 an Action Plan was approved to reduce congestion and reduce emissions in the Bridgtown area by such schemes that encourage cycles, encourage the use away from the A5 to the Toll Road.
- 5.5 Another Air Management Area Action plan is envisaged for another stretch of the A5 which runs through Norton Canes. This action plan is currently out to public consultation.
- 5.6 The Air Quality Management Progress Report for 2013 indicates that there is evidence that measures have resulted in a reduction in pollutants year on year. The Progress Report for 2014 is in preparation ready for submission to the Department of Environment, Food and Rural Affairs (DEFRA).

Industrial Emissions

- 5.7 **Tallent Gestamp** – An Environmental Permit Application has been approved. This should control the level of emissions produced by the factory. The permit also gives the Council's officers the power to intervene if the company do not abide by the conditions set out in the permit.

Councillor John Kraujalis and local residents have already met with senior manager to discuss their concerns regarding odours and the factory management has agreed to take action to address the situation.

- 5.8 **JCB** - An environmental Permit application has been approved and as in the case of Tallent Gestamp, the permit should enable greater control of emissions from the site.

- 5.9 **Norton Aluminium** – the casting plant has been decommissioned and the operation has been relocated to another site outside the district, greatly reduced the likelihood of odour nuisance to local residents.
- 5.10 **Augean** – have reduced their activity on site drastically and now use the site mainly for storage. The site could be turned back into a processing site in which case it may have a detrimental effect on the area as most of the land surrounding the site has in recent years been used to build new housing.
- 5.11 **Waste Water Treatment Works, Longford Road, Cannock** – Councillor John Kraujalis and local residents requested that Severn Trent Water set up a liaison committee to meet with interested groups on a regular basis to consider odour complaints arising from operations at the site affecting residents of the Mosswood Estate.
- 5.12 **Biffa – Landfill** - There is a history of concern about the location of the landfill site in the district adjacent to residential areas and the period of time that it will remain operational. Recycling has led to an extension of the life of the site and more recently, municipal waste has transferred to the Four Ashes site which could increase the life of the Poplars further. The Working Group felt that despite these changes, the Council's position should be to reduce and end, at the earliest possible time, the activities on site and the whole site should be returned to the green belt as soon as possible.
- 5.13 **Anaerobic Digester Plant** – The working Group carried out a site visit of the facility to ascertain how the plant worked and assess the extent of the nuisance to local people.
- 5.14 Whilst the Councillors' felt that the company had made every effort to control the odours from the plant, they felt the close proximity to local residents would not prevent all of the odours from reaching them. Despite those works the Council have continued to receive a small number of complaints and on several occasions councillors have witnessed the smell in the surrounding area.
- 5.15 Although the visiting Councillors want to see action taken to alleviate the situation, they are only too aware of the limited influence they have on the operation at the site. Biffa are a private company and are not subject to regulation by the District Council. They are monitored and regulated by the Environment Agency who cannot act against Biffa unless they clearly breach the terms of their Permit. However, we feel it is incumbent on the District Council to do whatever is possible to alleviate the nuisance to local residents and the District as a whole.
- 5.16 The Environment Agency has the power to close the Biffa operation down if the circumstances justify this course of action. Complaints about the odour continue to be reported to the Council and the Agency and the Agency's officers are continuing to monitor the situation.

5.17 As a Group, we feel that action should be taken to reduce or eliminate the odour and prevent it reaching local residents. The Group felt that the facility is too close to a local housing development and should probably never been built. However, we accept that it is unlikely to be shut down in the near future, but we want to see stronger action taken to stop the nuisance to local residents.

Agricultural Emissions

5.18 It was also noted that the spreading of the digestate produced by the AD plant gave rise to odour complaints from residents of the district in late 2013. Local farmers were using the digestate as fertiliser. We acknowledge that following the intervention of the Environmental Health Department it was agreed that the digestate would not be used locally.

6 Implications

6.1 Financial

None

6.2 Legal

The Council has statutory powers which it is obliged to fulfil in connection with a range of issues relating to the regulation and management of air quality.

6.3 Human Resources

None

6.4 Section 17 (Crime Prevention)

None

6.5 Human Rights Act

None

6.6 Data Protection

None

6.7 Risk Management

None

6.8 Equality & Diversity

None

6.9 **Best Value**

None

7 Appendices to the Report

Appendix 1	Scrutiny Review Scoping Brief – Air Quality and Industrial Emissions
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Previous Consideration

13 February 2014 (Scrutiny Committee)
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Air Quality and Industrial Emissions Interim Report

Background Papers

None

APPENDIX 1

Scrutiny Review Scoping the Brief



Subject of the Review	Air Quality and Industrial Emissions
Chairman	Cllr Mr John Kraujalis
Working Group Membership	Cllr. Jodie Jones, Cllr. Mike Sutherland, Cllr. John Bernard
Officer Contact	Victoria Mason – Executive & Civic Support Manager Mike Walker – Environmental Protection Manager
Purpose of the Review (reasons for undertaking the review, including where the ideas have come from)	Scrutiny Members were conscious that air quality and industrial emissions can make a detrimental and dramatic difference to the quality of life for residents in Cannock Chase and expressed concerns about long standing issues and the need to resolve these as quickly as possible. The purpose of the review is to establish if there are any additional actions this Council can take to mitigate the effect of air quality and industrial emissions within the District
Terms of Reference	<ul style="list-style-type: none"> • Examine current complaints and actions already implemented / taken to mitigate poor air quality and industrial emissions • Establish the statutory powers of the Council and how these can be used to best effect regarding prospective and actual air quality and industrial emissions • To consider historic data and frequency of related to complaints of air quality and industrial pollution and identify trends • Ascertain whether there are additional actions that could be taken by the Council to mitigate the quality of air and industrial emissions • To understand the process for residents to make the Council aware of their complaints when incidents of air pollution and industrial emissions take place • Establish how this Council may better engage with the Environment Agency and other external agencies and organisations to reduce air pollution and industrial

	emissions for the good of local residents
Overall Aims / Objectives	<ul style="list-style-type: none"> • Identify additional actions that can be taken by the Council to • Identify opportunities for improved engagement with the Environment Agency and organisations that may contribute to matters of air quality and emissions • To review, if appropriate mechanisms for residents to contact the council about incidents of air pollutions and industrial emissions
How will the public be involved?	Through direct contact. The group will meet with local residents and their representatives.
What is the potential impact of the review on:- <ul style="list-style-type: none"> • Residents • Equality issues, e.g. access to services, vulnerable groups • Health inequalities • Adding value to the organisation • Partners 	<p>The impacts are as follows:</p> <ol style="list-style-type: none"> 1. Improve the air quality in their area and the rest of Cannock at the same time. 2. Clarify lines of communication between residents the polluters and protecting agencies. 3. Address concerns about the nuisance and hopefully improve health issues if they can be quantified. 4. To add value to the Council in addressing a major concern for local people. 5. Partners would be engaged by the process, lines of communication and responsibility established.
Link to Council Corporate Priority	Health
Key issues for the review to address	<p>Establish the source of the smells Assess the potential health risks Establish a process for dealing with incidents Put pressure on those identified as responsible to deal with the situation</p>
Methodology	Consultation with various interested bodies.
Key Background Papers	None
Use of demographics/data required	None
Written evidence required	None
Oral evidence required	<ul style="list-style-type: none"> • Presentation received from Mike Walker – Environmental Protection Manager @ meeting of Scrutiny, 20 November 2012 • Visit to Poplars Landfill Site • Consultation with local residents • Consultation with the relevant Portfolio Leaders at the Council

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Potential partner involvement	Giving of evidence
Resources Required	The efforts of the members of the sub - group
Timetable	A report to be produced at the Autumn meeting