



Minutes of CLG Meeting.

Meeting title	Community Liaison Group – March Meeting
Location	Wyre Council, Civic Centre, Breck Rd, Poulton-le-Fylde FY6 7PU
Date/ time	Thursday 13 March, 10:00-12:30
Originator	Transwaste
Attendees	Andrew Acum – Mercury – AA Helen Ashworth – Lancashire County Council - LA Howard Ballard – Resident - HB Cllr Roger Berry – Wyre Council – RB David Graham – Independent Chair - DG Alex Hornshaw – Transwaste – AH Sam Juggins – Transwaste – SJ Barbara Kneale – Resident – BK Graham Millar – Environment Agency – GM Cllr Richard Rendell – Wyre Council – RR Victoria Wells – Wyre Council and Policy Advisor - VW
Apologies	Lorraine Beavers MP – Fleetwood Town Council / Wyre Council / Lancashire County Council – LB Mark Billington – Wyre Council – MB Jess Brown – Resident - JB Corinne Mason – Wyre Council – CM
Purpose of meeting	Discuss future plans and ongoing operations at the Transwaste Jameson Road facility.
Minute of last meeting	<u>Approved</u>



1.	<p>Chair's welcome and introductions</p> <p>DG welcomed everyone to the meeting, asked for declarations of interest and invited everyone to introduce themselves.</p> <p>DG announced that PD and AT had resigned from the group as a result of online abuse via social media. He explained that the terms of reference were clear regarding behaviours expected at meetings but they needed updating to include behaviour outside of the meetings as well. The purpose of the group is to liaise as productively as possible and overcome any friction. AA reminded the group to be cognisant of potential legal implications when making comments online and via social media. Even if you are the admin of a site or page, you are classed as publisher and can be held legally responsible for content posted, even if you didn't post it yourself. DG said that it was an emotive subject but it was important for the functioning of the group that interactions were based on courtesy and respect.</p>
2.	<p>Minutes of Last Meeting</p> <p>BK asked for clarification on the approved pre-settlement height. HA said it was 30m prior to settlement. The last topographical survey showed the maximum height was 29m. The details were available on the website. BK asked if she could have this in writing.</p> <p>ACTION: HA to confirm the maximum pre-settlement height in writing.</p> <p>The minutes of the last meeting were agreed.</p>
3.	<p>Matters Arising</p> <p>BK said she was expecting someone from the NHS to attend to answer her letter. AA said that CM had been trying to get someone from the NHS to attend. GM said he had received an update from the NHS and they were intending to send someone to the meeting but unfortunately they were ill. He said he would read out their written update at the appropriate section of the meeting.</p>



	4.	<p>Transwaste Update</p> <p>Operations:</p> <ul style="list-style-type: none">• Continued work tipping into cell 6• Acknowledged odour level has not been acceptable• Gas experts are onsite to investigate the source• New cells would normally gas after 6-12 months, but Cell 6 is gassing after 3 months. The EA says this is a national problem due to change in waste inputs• Over £100k has been spent on sacrificial horizontals and wells to date.• Sacrificial wells don't pull as well as deep wells, but the site hasn't been high enough for deep wells• They had been caught in no man's land – the cell is gassing early - too much for sacrificial wells to cope with, but the site was not high enough for installation of deep wells• It was almost counter-intuitive, but tipping faster would help reach the site to reach height faster so that the deep wells could be installed.• Deep wells are normally installed on reaching final height• The site now at the minimum height to install deep wells• They have stopped waste deliveries to seal Cell 6 with a thick layer of clay – on top and up the flanks• Previously looked at 8 deep wells but have now managed to increase this to 11 to maximise gas extraction• Will start installation from 24 March with the well drilling starting on 25 March• This represents a further £40K investment to try and resolve the issue <p>LCC</p> <ul style="list-style-type: none">• The topographic survey of Phase 2 was now complete• Just awaiting CAD drawing for Phase 1 from Suez to add to the Phase 2 mapping• Will be submitted by the deadline at the end of the month• Landscapers on site next week to conduct works and assess programme for winter restoration
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		<p>Community Fund</p> <ul style="list-style-type: none"> • Landfill Tax is an environmental levy imposed on waste disposal in landfills • Designed to incentivise <ul style="list-style-type: none"> • waste reduction • recycling • sustainable waste management practices • Landfill Tax Credit is a scheme for distribution of funds generated from Landfill Tax in the UK • Established by the Landfill Tax Regulations in 1996 • Designed to help mitigate the effects of landfill upon local communities • It allows Landfill Operators (LOs) to contribute funds (5.3%) to community and environmental projects • Enhance the provision of amenities and protect the environment in the localities of landfill activity • All recipients of funding are not-for-profit organisations. • The scheme delivered by an independent Distributive Environmental Body (not Transwaste) • Applies to capital projects only • Not-for profit, constituted organisations with a bank account can apply • Look to set up a decision panel (approx. 6 people) in conjunction with GrantScape • The panel will be formed from people with varied backgrounds and knowledge of the area • The panel would review and recommend applications for funding • Review by the GrantScape Board of Trustees • GrantScape help successful applicants with their application and deliver funding • GrantScape is a Distributive Environmental Body (DEB) registered with Entrust – the national regulator • It is a charity with over 25 years' experience managing LCF programmes across UK • Also administer the Walney Extension Community Fund - already invests within Fleetwood area • Will attend a future liaison meeting to explain more about: <ul style="list-style-type: none"> • The fund and the criteria • The application process • Timings • The advisory panel
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	<ul style="list-style-type: none"> • The fund is updated on a quarterly basis • Dependent on how much waste is tipped • Fund currently stands at £85,466 • Likely to contribute approx. £200K per year • Looking at grants of £10K - £40K • Two funding rounds per year <p>The LCF is a capital grant scheme funding improvements to public amenity projects.</p> <p>Typical examples include:</p> <ul style="list-style-type: none"> • Community centres / village halls • Playgrounds and parks • Skate parks / MUGAs • Sports ground / pitch improvements • Landscaping of areas for public use • Environmental / biodiversity improvements • Historic / religious / architectural interest buildings • Not-for profit, constituted organisations with a bank account can apply • Anyone within 5-mile radius of the site • Priority given to organisations within 2.5-mile radius of the site • There is a cost to the Landfill Operator to donate into the scheme • Most schemes ask for 11.5% donation to the Landfill Operator to cover these costs • Normally referred to as a Contributing Third Party or CTP • Transwaste has agreed to waive CTP so that the applicants benefit from the full amount <p>GrantScape will attend a future meeting to discuss:</p> <ul style="list-style-type: none"> • The fund and the criteria • The application process • Timings • The advisory panel • Terms of Reference Looking to launch by end of May/June <p>RR said that with the odour being so bad recently, he felt it was time for the EA or Transwaste to write to local residents to explain the situation. He felt it needed more than just online communication as a lot of residents were not online. GM said that the EA would not do a joint publication with Transwaste as they are a regulator and have to maintain independence. He would encourage Transwaste to send a newsletter though as it would</p>
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	<p>reach a wider demographic, but the EA would not be involved with it as they have their own dedicated website and want to focus their time on regulating the site. VW said she felt a newsletter would be helpful in letting residents know what was happening and the work that was going on behind the scenes to deal with the odour.</p> <p>HB asked if the early gassing of Cell 6 was due to different waste being accepted. SJ said that the type of waste being sent to landfill had changed over the last few years. Energy from Waste, anaerobic digestion and recycling meant that there was less biodegradable matter and metals going into landfill. The change in landfill materials had made gas production and quality much more unpredictable.</p> <p>BK asked what “other waste” meant. SJ explained that “191212 Other Mixed Waste” is an EWC code. It is non-hazardous waste which has come from a transfer station where all recyclable materials had been removed – it was generally low-grade, non-recyclable plastics and other non-recyclables. The transfer station will receive all different kinds of waste with different waste codes. They will remove all of the wood, metals, plastics etc, and what is left is a non-hazardous waste classed as 191212 Other Mixed Waste.</p> <p>GM said it might be helpful to explain to the group how they ensure that the waste is as described. SJ explained that for any proposed customer, an assessment is undertaken for their processes to ensure that they are working to the required standards and the relevant compliance testing is taking place. BK asked if she could have a copy of the process Transwaste process for accepting waste. AH agreed that she could.</p> <p>ACTION: Transwaste to supply copy of acceptance process.</p> <p>RB said that the EA suspended the licence for the site last summer due to odour. Nine months later the situation seemed to have returned and the EA seemed to be repeating their advice. He asked if Transwaste was in a position to rectify the problem. AH said they were working with their gas consultants and doing everything within their control to address the problem. The issue is that Cell 6 is gassing much earlier than would normally</p>
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	<p>be expected. This is a national problem with landfill sites as the nature of the waste inputs had changed over the last few years. The site wasn't at its final height so it hadn't been possible to drill the deep wells. The site was now at the correct height so they would be drilling 11 deep well at the end of the month and sealing the site with clay which should address the problem.</p> <p>RB said that he felt that Transwaste and the industry in general was learning on the job and future cells could create further problems.</p> <p>BK said that smell wasn't just gas management but also from the waste. She said Fleetwood was already a vulnerable population due to existing levels of poor health.</p> <p>VW said that it seemed like the operators were damned if they do and damned if they don't – but it was down to a lease being agreed for a landfill site next to homes and caravan parks. LCC had never had a new application for the site, it was just variations on the original planning consent. She agreed that waste had to be managed somewhere, but it shouldn't be so close to houses. She said on the LCC portal there were 15 applications for various waste projects such as incinerators, water treatment, etc. She said this was a deprived area with many people suffering from existing ill-health and that there needed to be more clarity and communication from LCC and WBC on what their waste strategy is for the area.</p> <p>BK said it was a coastal landfill, 600m from the town centre in an area that was susceptible to tornadoes and hurricanes. It may have been suitable in the 1970s but it was the wrong place to reopen a landfill.</p> <p>HB said with reference to the CLF boundary, that he felt the 2.5 mile boundary would be most appropriate. AA said that the boundary would be confirmed by GrantScape and the advisory panel.</p>
5.	EA Monitoring Update



	<p>GM said they had received 1,125 odour reports in February with 994 in March to date, but they had fallen away slightly over the last few days. The reporting tool seemed to be working well.</p> <p>Complaints about the EA were also up as were FOI requests made to the EA. GM said that it may take a little while longer to respond to requests as their primary focus is on regulating the site.</p> <p>Officer had noted odours offsite and there had been an unannounced site inspection this week, with two the week before, along with daily odour checks.</p> <p>They had also audited the odour management and gas management plans.</p> <p>Last week they had met with Transwaste and advised to stop accepting waste whilst they brought the odour issues under control, to which Transwaste agreed, although that wasn't to say that Transwaste were doing nothing before. Persistent odour is not acceptable and escalation would be considered if needed.</p> <p>The EA has an ongoing investigation which means that they may not always be as transparent as people would like, as this could jeopardise the investigation.</p> <p>Officers have been out undertaking odour checks but had been subjected to aggressive behaviour from some members of the public.</p> <p>HB asked whether a deadline had been given to Transwaste for the completion of the work. GM said it hadn't as this was advice so it was voluntary whilst they got the work done. HB asked when the EA would step in. GM said that it was difficult to say specifically.</p> <p>DG asked if Tranwaste intended to resume activities once the odour was under control. AH confirmed they would. HB asked if the group could be notified of this in advance. AH confirmed that they would.</p> <p>BK said that here was a CAR form dating from 2021 which names Suez and Transwaste as the permit holders</p>
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– BK said she didn't think Transwaste were involved at this point. GM said he would have to look into it.

ACTION: BK to supply the reference. GM to look into the CAR form.

BK asked about when the air quality monitoring results would be available. GM said that unit is still in the community and is still monitoring. The unit operates for a period of time, and then they produce a study for that period. This is shared with partners including the UKHSA. An interim report is available which they would like to publish, but they are still deciding whether this would be part of any enforcement investigations. BK asked if there would be a 12-month average of hydrogen sulphide. GM said the interim report of the follow up report would be published.

VW that in August it had started the process of auditing waste being accepted on site to check whether it was compliant with the permits and asked if this linked to the 191212 coding. GM confirmed that it did and there were no permit breaches. VW asked if this could be shared as that was what was promised in August last year. GM said he would not be able to share it if it formed part of an investigation. VW asked when this would be completed so that the group could see the results. GM said that he didn't know but these things often took a good number of months. He said that they were regulating in the background, but they couldn't always make their information public immediately as the public interest was better served by going through the process. BK said there was a lack of confidence in the EA and UKHSA amongst the public. VW said it didn't help when the EA are constantly saying they need more officers and resources, but even describing the process on the website would be helpful in letting people understand. GM said he would feed this back.

DG said it would be useful to publicly confirm that they would be a published outcome, but that it may take a few months for this.

RB said he would like to thank the EA for all the work they are doing.

6.	<p>Wyre Council Update</p> <p>DG gave an update from WBC on complaint numbers. In February there were 122 new complaints and 107 second complaints. In March to date there were 104 new complaints and 61 second complaints. Contact had increased in line with the EA experience, but they weren't as high as last year.</p> <p>VW said it was important to emphasize how important reporting was. GM said that it doesn't make any difference to their investigation, but they can use it as intelligence to investigate further.</p> <p>RB said that the issue had been receiving a lot of attention at a high level and the CEO and leader of the council had been speaking to the local MP about it.</p> <p>VW said that further EA regulatory action could be taken for increased odour levels even if site management was deemed appropriate. GM said that it was about how the odour was recorded – it has to be based on fact not on complaint levels. Statutory nuisance is an issue for the council. The permit doesn't say there has to be no odour, but Transwaste must take all appropriate measures to prevent or minimize it.</p> <p>BK said that WBC is landlord with a lease that runs until 2027. Transwaste says that it will take 4-5 years to fill the site and the two dates don't match up. BK wanted to know if there had been any discussion on extending the lease. RB said it would be inappropriate to comment, but they were aware of the situation.</p>
7.	<p>Lancashire County Council</p> <p>BK said that she had seen an FOI response about accepting waste from outside of Lancashire from 31 March. She said there was nothing in the application which prevented this so presumably Transwaste could continue to accept waste from outside of Lancashire. HA said this wasn't a matter that is addressed by planning consent.</p>



	<p>BK claimed there had been three breaches of the planning permission and asked what consequences Transwaste would face. HA said that she assumed BK was referring to the progressive restoration plan, the topographical report and the monitoring report. The monitoring report is required annually with one month of the date of the permission and this has now been completed. Although it was late, enforcement action is a discretionary function and the council would have to consider whether it was expedient to take action. Transwaste didn't have the site in 2023, and didn't have the site at the point the report was due in 2024. Government guidance is always to initially take informal action by liaising with the operator.</p> <p>BK said that the EA was stretched and the LCC enforcement team hadn't been involved. HA clarified that there wasn't an enforcement team – she was part of a team of three officers who dealt with all applications and enforcement, and they had undertaken two site monitoring visits since Transwaste had taken over the site. They were liaising with Transwaste in terms of getting the information that is required. Condition 4 for the progressive restoration of the site was submitted by Suez in 2021. For some reason a formal letter was never issued confirming discharge of this condition. As time moved on, that submission is now out of date as a result of the mothballing of the site. LCC is now in discussions with Transwaste about getting some restoration done and Transwaste have landscapers coming in to look at what can be done next within the appropriate planting season and getting a revised scheme to them to give appropriate timescales. The restoration scheme is agreed, it is just the timescales LCC needs now. The monitoring report is a brief document which flows on from having a topographical survey. As soon as the topographical survey is complete, they would expect the monitoring report from Transwaste. It is unlikely that a breach of condition notice would be issued as government guidance is to take informal action, such as chasing the operator, first. There is an internal legal process for determining whether enforcement action is required. If the information was not forthcoming, like any other site, they would look at the next step but any action would have to be appropriate and proportionate.</p>
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		<p>BK said that they were 18 months down the track and there had only been two site visits. The report that Suez submitted was 83 pages long which isn't brief. AH said that was a different report. BK said she was surprised that an organization as large as LCC didn't have an enforcement team and felt there was a conflict of interest if the same people were deciding planning applications and enforcing them.</p> <p>VW asked if Suez had any ongoing interest in the site. HA said in terms of planning, originally they would have asked Suez to provide the information, but now they ask Transwaste. She couldn't answer any questions about any ongoing interests, only those questions that related to planning.</p> <p>VW said that in one of the historic planning application before the variation, it said that if the site was not tipped for two years, there would need to be a new planning application. VW wanted to know if this period had been exceeded in the process of mothballing. HA said this condition was changed to 10 years when the permission was granted in 2021. BK said the planning consent expired in 2018. HA said she would check this.</p>
	8.	<p>AOB Health Update</p> <p>GM said that the update from the NHS was that there was no apparent increase in presentation with symptoms of odour-related conditions, although as previously mentioned this is extremely difficult to monitor this on the GP IT systems, as GPs have a selection of mandated conditions to choose, rather than free text input. They have asked the primary care teams to refer to the odours as a complaint linked to any deterioration in condition as appropriate.</p> <p>BK asked who had stated this. GM said it was the Head of Emergency Preparedness and response.</p>
	9.	<p>Chair's closing remarks and next steps / next meeting</p> <p>DG thanked everyone for attending and their useful input. Next meeting is proposed for Friday 25 April at 10:30am</p>



Date of next meeting	Friday 25 April at 10:30am at the Civic Centre, Breck Rd, Poulton-le-Fylde FY6 7PU
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Meeting Protocol	
Distribute agenda before meeting	Fix responsibilities for each item
Start on time	Finish on time
Set out your ground rules	Publish minutes / actions
Stick to the agenda	Continuous improvement