



BRYN COMPOST LIAISON GROUP

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON WEDNESDAY 31ST JULY 2013 AT 3:00PM.

PRESENT:

Councillor D. V. Poole Chairman

Councillors:

Mrs A. Blackman, H. David, W. David and G. Hughes

Together with:

Residents: Mr. W. Griffiths, Mrs G. Davies, Mrs A. Gray, Mr. W. Griffiths, Mrs P. Lapsa, Mr G. Reynolds and Mrs C. Woods.

Gelliargwellt Farm: Mr. P. Colley and Mr. R. Thomas

Natural Resources Wales: Mr. P. Burgess and Mr. A. Carter

Environmental Health: Ms C. Edwards, Mr J. Geer and Mr G. Mumford

Public Health Wales: Ms T. Deacon

Officers: Mrs E. Sullivan (Democratic Services Officer)

APOLOGIES

Apologies for absence were received from Councillors A. Angel, D. Bolter, S. Morgan, M James and Mrs J.A. Pritchard. Residents Mr J. Cuthbert, Mr M. Davies, Mr T. Matthews and Mr R. Matthews. Dr G Richardson, Mr H. Brunt and Mrs M. Bowley (Public Health Wales) and Mr J. Harrison (Natural Resources Wales).

1. MINUTES 13TH FEBRUARY 2013

Subject to the amendment (minute no. 2 page no. 2) that the operator was permitted to bulk up materials it was

RESOLVED that the minutes of the Bryn Compost Liaison Group held on the 24th April 2013 be approved as a correct record.

2. MATTERS ARISING

Clarification was sought in relation to the Councils still contracted to Bryn Compost for food waste disposal and these were confirmed as Caerphilly County Borough Council and Merthyr Tydfil Council.

Members requested an update on the present position of the investigation and prosecution report and the deliberations of the Natural Resources Wales (NRW) Legal Team. Mr Burgess confirmed that the matter was still with the NRW Legal Team and would be progressed over the next few weeks.

Members expressed their concern and frustration regarding the length of time this process was taking, given that the last serious breach had taken place in September 2012. Mr Burgess confirmed that the length of time required was entirely dependent upon the complexities of the individual case being put before the legal team and advised that it was not unusual for these matters to take this amount of time.

Councillor W. David confirmed that Jeff Cuthbert AM had written to Mr Emyr Roberts, Chief Executive of Natural Resources Wales requesting an explanation for the delay and the **Chair requested Cllr David forward the response to the Committee Clerk and then circulated to all Liaison Group Members for information.**

3. UPDATES FROM NATURAL RESOURCES WALES

A breakdown on odour complaints from 1st January 2013 to the 30th July 2013 was distributed and the analysis methodology was detailed.

The number of substantiated odour complaints for that period was confirmed and Members noted that despite the previous downward trend, the number of complaints received had risen sharply in July. The impact of recent weather conditions was noted as a contributing factor but this did not detract from the fact that operations should run effectively irrespective of the weather conditions. Members were advised that various odour sources had been identified at this time and of the 141 complaints received 56 had been substantiated as compost odours.

Clarification was sought as to the origins of the odour. The enquirer had been given the impression that a bio-filter on site had been allowed to dry out; resulting in the odour experienced in July and asked that this be verified. Mr Carter confirmed that a colleague had visited the site and noted a number of different odour sources, including the windrows and advised that work had been undertaken to improve the bio-filters however he was not in a position to say definitively that the bio-filter was responsible.

Reference was made to an odour incident that occurred on the 22nd of July and a subsequent email by Councillor W. David to Natural Resources Wales requesting further information which had gone unanswered. Mr Carter was unable to confirm receipt of the correspondence and asked that this be resent. The Chair requested that the Committee Clerk and Ms Edwards be copied in to verify its content as sent. Concerns were expressed that communication with Natural Resources Wales had deteriorated to an unacceptable level.

Members expressed their frustration at the lack of progress and felt that Natural Resources Wales had grown complacent over these issues, which seemed no closer to resolution.

Mr Burgess disagreed with the accusation of complacency and emphasised the ongoing commitment of Natural Resources Wales and confirmed that they would continue to work with the operator to ensure permit compliance. However each case must be developed on its own merits and investigations conducted within the framework of the legislation.

Clarification was sought as to whether the odour incidents experienced in July had been recorded as breaches of permit.

Mr Carter confirmed that in July, 1 breach had been recorded as a category 3, minor impact, however he was unable to present any information at this time, pending further investigation. Members asked if any enforcement action would be taken as a result of this breach and were advised that this case would be looked at on its own merits, further investigation would be needed as to the cause and once established this would determine the action to be taken.

Mr R. Thomas advised that Bryn Compost had not been informed of any breaches of permit.

Members accessing the NRW website expressed concern that it had not been updated for some time and were advised that due to its lack of use an internal decision had been taken not to continue with the site. Members asked if regular newsletters could be circulated in order to keep residents up to date and were advised that NRW had taken a decision to issue a newsletter only when there was something to report as this would ensure that only relevant and up to date information was sent out to residents. Members asked if a newsletter would be issued to reflect the odour problems experienced in July and were advised that a report would be made to the next liaison group meeting, but there were no plans to issue a newsletter at this stage in the process.

Members raised the concern that once again home address information rather than the actual location of the odour incident was being recorded. Mr Carter confirmed that the call centre system did record the two separate locations.

Members again expressed frustration with regard to the telephone helpline service and particular reference was made to delays of between 5 and 10 minutes being experienced by callers trying to get through to an operator. Mr Burgess acknowledged that there had been teething problems with the new call centre and service levels had suffered, however this was being worked on and improvements had been made.

Clarification was sought with regard to other composting sites and whether the problems experienced here were reflected elsewhere in the country. Mr Carter confirmed that NRW met up with other area odour specialists on a 3 monthly basis in order to share information and best practice and confirmed that there were sites in other areas with similar problems. Mr Carter confirmed that this group was working on new techniques to regulate odorous sites, however odour was particularly difficult to identify and substantiate due to the subjective nature of the problem. Members asked if it would be possible to have a list of the other sites and Mr Carter confirmed that he would not be willing to prepare such a list and suggested that Members make a Freedom of Information request in this regard. Members discussed with Officers the reasons for collating such a list and Members hoped that this would help them to identify whether the situation at Bryn Compost was unique or shared by other operators. Ms Edwards confirmed that given the different typography, wind and weather elements as well as other variations that had the ability to affect odour levels, it would very difficult to make any worthwhile like for like comparison. Members asked if it would be possible to receive the minutes from these area meetings and were advised that they were internal technical briefings and as such the minutes were not available to the public.

A Member requested that consideration be given to revisiting the terms of reference for the liaison group, given the length of time it had been meeting and the lack of positive outcomes for residents. Members were also asked to consider whether another avenue should be explored that would be better placed to take these issues forward. **The Chair requested that the terms of reference be circulated to Members and an item placed on the next agenda in order to discuss their continued relevance.**

Members discussed the impact of changing farming practices and the move to more intensive forms of farming cattle was noted as a contributing factor to increased levels of odour. Members advised that as a farming community they had no issue with the agricultural odours generated at the site, the problem was the composting odour, which they felt had a very different and distinctive smell. Clarification was sought with regard to the farm's muck spreading processes and in particular the use of the injection system. Ms Edwards advised

that a substantial area of the farm was covered by the umbilical system and confirmed that the operator was looking to increase this facility **and agreed to circulate the coverage details to Members**. Previously circulated information on the farms manure-handling plan was referenced and Ms Edwards confirmed that there was sufficient land to safely accommodate the amount of slurry produced. Members were also concerned that there was a risk of contamination to local water courses and Ms Edwards explained that these had been tested by the EA with the results previously presented to the group by Mair Davies. Ms Edwards would **re-circulate information on the watercourse samples to Members**. It was also noted that a recent breakdown of the injection system had seen the farm temporary revert back to using the splash system and this may have increased odour levels in certain areas.

A Member advised that white flecks had been noticed in the slurry recently spread and referenced a previous incident when MDF had been found in the mix. Clarification was sought with regard to the practice of pulverising timber for animal bedding. Mr Carter advised that as this was a farming concern he was not prepared to respond to the query and requested that Members limit their questions to those directly concerning Bryn Compost.

Ms Edwards accepted that although this was not strictly the remit of the group, these farming related questions had been addressed at previous meetings and as she was aware of the issue raised would be happy to answer. Ms Edwards confirmed the details of the previous incident and the subsequent action taken by the operator to ensure this was not repeated. She advised that no further incidents had been recorded and confirmed that the much of the alleged white MDF deposits were in fact seagull droppings. The matter of using shredded wood as bedding is associated with the waste wood permit, which is regulated by the NRW. A member referred to an email exchange with Mr Carter during which Mr Carter had indicated that the legislation relating to wood intended for animal bedding may change. The member asked Mr Carter for clarification on the date the legislation will change. Mr Carter replied that he was not prepared to answer this question. The question was posed several times, however Mr Carter advised that not able to answer as he did not know that date as this was not the remit of the group therefore he did not have the information to hand.

Concerns were expressed with regard to vehicle movements on to the site outside conditioned hours. **The Chair requested that the dates and times be forwarded to Ms Edwards for further investigation.**

Members noted an increase in odours in the early hours of the morning and sought clarification as to the operations on site at that time. Mr Colley confirmed that at this time it could only be a farming activity, in all likelihood the stirring of the slurry mix.

The Chair expressed his disappointment at the lack of openness and defensive responses from Natural Resources Wales during discussions and advised that he would take these concerns forward.

Mr Carter emphasised how important it was that the group concentrated its efforts on composting issues and did not deviate into other areas. Mr Carter reminded Members that Bryn Quarry was a complex site and felt that if any progress was to be made the group needed to place their focus on the composting facility. He would be happy to respond to the other queries raised outside the meeting.

Members noted their dissatisfaction at the way in which communication with Natural Resources Wales had deteriorated and referenced the loss of the website, newsletters and the reluctance of its Officers to respond to Members questions and felt that the NRW was not as open as it had previously been.

The Chairman closed the meeting at 16:25