

Extraordinary Meeting of Buckland Parish Council

Held on 30th July, 2018 at Buckland Village Hall – commencing at 7.30 pm

Attending:

Cllr Nigel Hayward (Chair)	Cllr Mrs Paternoster	Cllr A Penn
Cllr Mrs S Gillingham	Cllr H Caglayan	Cllr C Tufnell MBE
Catherine Kelham (BCC)	Mitchell Pugh (BCC)	4 x members of the public

Clerk: Mrs F Lippmann

The Chairman welcomed everyone to the Extraordinary Meeting, the purpose of which was to support the community of Buckland Village in their complaints against the noxious odours emanating from the plants Olleco and Arla.

18.E01 Apologies

No apologies were received

18.E02 Declarations of Interest

There were no declarations of Interest

18.E03 Olleco

A resident has received a letter threatening legal action, should he keep complaining to Olleco about the smells emanating from their site.

This action was discussed in detail, comparing feedback received from the EA; Olleco were seemingly making progress in reducing the odours, but during meetings, Olleco had admitted there is an odour problem. It was deemed, 'atrocious' that a large company wrote such an aggressive letter to an individual, basing their argument on wind directions and other third party activities.

It was pointed out that the EA exists as a Government body which is underpinned by legislation with the purpose to protect people. It is a busy Agency, but having 20 – 30 people a day ringing up and registering complaints, will stir them up. It was **agreed** to work within the law and with the EA, who are impartial.

The Chairman put to the members that the Parish Council would write on behalf of Mr Wallis to Clyde & Co., questioning the perceived threats should complaints still be received that were based on the request that members of the public contact Olleco directly when odours are detected. This was **agreed**.

Concern was aired that information gathered from the EA is now being used against complainants and contravened GDPR. A Freedom of Information Request (FOI) would be sent to the EA, to understand the mapping of the odours' strength, dates and areas of all complaints.

It was quoted that planning consent was given to Olleco by BCC for zero emissions beyond the site boundary, the representatives from BCC advised that planning permission can only be enforced within the limits of the advice given to them by the Environment Agency (EA). Zero odours beyond a boundary are very difficult to maintain and the planning consent approved stated, 'under normal working conditions there should be no odour beyond the site boundary..' Members were concerned that the word 'should' might give Olleco leeway in law.

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It is believed that there will be an 'acceptable level of odour' threshold set, before the EA will deliver action, but there will be a 'buffer' which is believed to be, 1.5 odour units at the boundary. The Parish Council are unable to purchase expensive equipment to measure odour units, and are unsure what level of smell this is, or to whose sense of smell it is calibrated as odour is subjective. The EA will be asked for technical advice as any formal action has to be led by the EA.

It was proposed and **agreed** that a meeting would be arranged where the EA and BCC's Planning Enforcement officer would attend.

During a meeting between residents and Olleco, Mr Ring (Olleco) stated that there will be odours as, 'it is the nature of the beast'.

The way forward **agreed** will be not to contact Olleco. Contacting the EA is technically and legally the way forward. Attendees noted that in 2017, the EA received over 130 complaints about Olleco vs the 2 that Olleco, through their solicitors, raised from Mr Wallis.

The Parish Council **agreed** to put out the following to all residents of Buckland Village:-

When you sense a smell, you contact the EA.

and copy: David Lidington, Bill Chapple (BCC) and the Parish Clerk into every complaint

This will enable a data base be formed and maintained by the Parish Office, which can be matched to lists obtained from the EA quarterly.

Members were sorry to hear that there may have been a trade deal with Olleco whereby in exchange for planning being granted, Olleco would take on 'x' amount of tonnage from BCC. A permit for all types of waste as now been granted by BCC.

The Chairman felt strongly that there was an individual that had let down the village, being the local County Councillor Bill Chapple. The community was fed up with his lack lustre approach and constant stance that there was no issue with Olleco. It was felt that ultimately BCC should be held to account for smells causing nuisance to residential properties 200 – 500m from the boundary. During the hot weather the smell is intensified, even though it was reported the site is currently only running at 40% capacity.

A vote of no confidence in Cllr Bill Chapple was called for, which was passed, with one abstention.

The representative from BCC wished it noted that he had worked alongside Bill Chapple for the last 7-8 months and Cllr Chapple has continually asked for advice on how to move this forward.

However, Buckland Parish Council had not received any correspondence, or updates, from Cllr Chapple.

The Chairman stated that the biggest problem will be complacency and the Parish Council will not stop notifying residents on how to complain, maintaining the momentum and taking advice.

The Parish Council will have drafted a letter in response to Clyde & Co. by the next Parish Council Meeting on 13th August, 2018.

The meeting closed at 20.42.