



SUSTAINABLE SOLUTIONS

WALLEYS LANDFILL, CEMETERY ROAD, SILVERDALE,
NEWCASTLE-UNDER-LYME, STAFFORDSHIRE, ST5 6SB

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9th December 2019

Dear Ms Wycherley,

Re: Walleys Quarry Landfill, Cemetery Road, Silverdale.
Permit Variation Application. EPR/DP3734DC/V002

It has been brought to our attention that Mr Martin Hamilton, Chief Executive of Newcastle Under Lyme Borough Council, wrote to you by letter dated 29th November 2019 purportedly objecting on behalf of the Council to variation of our Environmental Permit to increase our annual tonnage.

We appreciate that having received this letter from Mr Hamilton the Environment Agency will give it due regard. Having said this we do not expect the Environment Agency to give any weight to this letter or to the purported objections contained therein. Notably we have a few immediate observations (and reserve the right to expand upon these and add others should the need arise):

1. The letter merely contains assertions about complaints of odours, gulls and tracking of materials from the landfill. The letter contains no evidence or empirical data whatsoever to support these assertions. For this reason alone, the letter has no substance and therefore does not carry any weight.
2. Administratively and procedurally, a Council seeking to respond to an application for a permit variation would do so through qualified officers of appropriate departments of the Council. It is of importance that this is not the case in this instance. Further the absence of any reference by Mr Hamilton to substantiated views of qualified officers of the Council is telling. As far as we are aware Mr Hamilton is not qualified to comment on these matters and thus his personal views are simply irrelevant.
3. Mr Hamilton appears to be highly critical of the Environment Agency. It is almost as if he (purportedly for the Council) has determined unilaterally that he has jurisdiction to judge on the performance of the Environment Agency and that he has (arbitrarily) determined that the Environment Agency has not carried out its role, nor will carry out its role. We do not accept that in doing so Mr Hamilton speaks for the Council. We do not believe that appropriately qualified officers of the Council would write in these terms or support these terms. In our view this completely undermines the credibility of the position advanced by Mr Hamilton (which he says is on behalf of the Council).
4. Neither Mr Hamilton nor any of the officers of the Council (2 of whom we met recently), informed us that the Council would be objecting in these terms to the application for the permit variation. In normal professional relations between a council and a local employer such as ourselves, we would have expected some indication and discussion from a council before an objection such as this was made. It is disappointing that neither the Council nor Mr Hamilton provided us with a copy of this letter. We first became aware of the letter when it was posted by a councillor on social media. This manner of dealing leaves us with questions over the purpose and objectivity of the letter. If an intended audience was the wider community, this perhaps explains the complete lack of any substance in the letter relating to the complaints.

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5. Interestingly Mr Hamilton makes no reference in this letter to a visit (requested by Marrion Reddish - Thistleberry Ward Councillor) which he and Marrion Reddish made to the landfill on 5th April 2019. At the time of this visit the wind was blowing over the landfill towards the viewing platform. Mr Hamilton and Marrion Reddish stood and observed the landfill from this platform and no odour was detected.

It is with regret that the Environment Agency has now to deal with this letter from Mr Hamilton. For the reasons given above and generally because the letter is so patently without merit and, frankly utterly biased, the Company does not expect the Environment Agency to give any weight to this letter. Whilst the Company will work constructively with the Environment Agency in all matters relating to this variation application, the Company reserves its rights in terms of the scope and strength of its response to the objection raised by Mr Hamilton.

Kind regards,

A handwritten signature in black ink, appearing to be "Nigel Bowen", with a long horizontal line extending to the right.

Nigel Bowen
Group Managing Director