

Amenity issues briefing - October 2023

Introduction

We are sorry to hear that residents are still experiencing problems with flies in the local area. Please be assured that the Environment Agency (EA) and Warwick District Council (WDC) are working in partnership to investigate this issue.

We hope our briefing will answer some of your questions. Thank you for taking the time to read this update.

Background

WDC first received a fly complaint on 26 June 2023. Over the following weeks it received an increase in complaints from homes and businesses, the majority of these from the Heathcote and Whitnash areas.

WDC contacted the EA on 19 July 2023 to advise it had received fly complaints in the area and had visited an EA permitted site called Plasgran Limited (also known as Berry Circular Polymers) and considered it could be the cause.

Since being notified by WDC in July, the EA has received 67 reports from members of the public regarding flies, odour and noise in the area. These are summarised below:

- August 2023 - 22 fly reports (including 1 report mentioning odour)
- September 2023 - 25 fly reports (including 2 reports mentioning odour and 2 reports mentioning noise)
- October 2023 - 12 fly reports, 6 odour reports, 1 noise and 1 report mentioning all three (up to 15 October 2023)

What action has WDC taken?

WDC investigations have considered several potential sources/causes, particularly as flies can disperse a number of kilometres from a breeding site. 'No mow May', and the recent change to the 123 domestic waste collection service were considered as possible contributing factors, but we felt these would have led to a more widespread issue rather than this relatively localised problem. A sewer blockage on Tachbrook Road was brought to our attention but also discounted as the fly problem continued after the blockage was cleared. Agricultural sources such as storage or spreading of manure were also explored, but as most complaints were concentrated well within the built-up area of Heathcote and Whitnash, a source closer to those affected seemed more likely. We have inspected food businesses and ruled them out as the source.

Two waste recycling facilities were identified in the local area, one of which, Plasgran Limited (PL), had become operational earlier this year and was located within 500 metres of a significant proportion of the complainants. We visited PL on 12 July and identified flies on site. As PL is permitted by the EA, we reported this issue to the EA for further investigation under the permitting regime.

What action has the EA taken?

The EA has 2 permitted sites in the area with the potential to attract flies, PL and Fortress Recycling and Resource Management Limited (FRRM). We have visited both facilities and witnessed flies whilst on site. As a result, we have increased our regulation at these 2 sites. We have not seen any evidence of fly breeding at either site during our inspections, which suggests these are not the source of the flies. However, we do recognise that these sites are contributing to the fly issue in the area as the sites are bringing them closer to residential areas.

PL is a permitted site that produce plastic flakes and pellets which are used for the production of new products and food packaging. The EA issued PL with an Environmental Permit on 17 April 2023.

FRRM is a permitted site that processes and segregates mixed recyclable waste. The EA issued FRRM with a Standard Rules (SR2015 No 6) Environmental Permit on 9 September 2016.

Flies

After receiving the initial report from WDC on 19 July 2023, we attended PL on 24 July 2023. During this inspection we did identify flies inside the building in the bale storage area. We did not see any flies outside the building in the waste storage area. As there were a noticeable number of flies in the building, we requested the operator provide us with an updated Pest Management Plan for assessment. We also requested staff training records for pest management.

Since our initial inspection to PL on the 24 July 2023, we have undertaken additional site inspections on 16 August, 1, 14 and 29 September and 12 October 2023. We have asked the operator to carry out a number of actions and improvements following our inspections, which PL is in the process of completing. To date, the main actions and improvements in relation to fly management completed (and in progress) by PL include but are not limited to:

- Provide evidence of the training given to staff on fly/pest management (requested 07 August, implemented 15 August)
- Implement fly monitoring on site (requested 11 August, implemented 14 August)
- Improve its existing Pest Management Plan and Odour Management Plan (requested 07 August, in progress). We reviewed the updated plans received on 15 August and on 12 September provided PL with feedback on further amendments needed to manage pest and odours on site.
- Store out-throws (e.g. metal cans, paper, labels, non-plastic packaging) from the sorting process inside the building, or in dedicated bays (requested 15 September, in progress)
- Store waste from the water treatment process in a sealed container, skip or trailer under the water treatment plant (requested 15 September, in progress)
- Store all inbound waste, including waste that has fallen off inbound waste, inside the building (requested 15 September, implemented 29 September)
- Store plastics and compactor waste in enclosed containers (requested 15 September, implemented 29 September)

- Carry out more regular and improved checks of material to prevent the acceptance of contaminated loads, including checking for flies and fly eggs (requested 15 September, implemented 25 September)
- Clean plant so that no waste residues are left (requested 15 September, in progress)
- Install at least 2 additional fly monitoring boards inside the building and record weekly figures (requested 15 September, implemented 29 September)
- Cover any containers being used to store waste outside with lids or sheeting or replace them for enclosed skips (requested 15 September, implemented 29 September)

We record our inspections on a Compliance Assessment Report (CAR). The permit holder has 28 days from receipt of our CAR in which they can challenge any findings within the report. There are additional actions that we have asked PL to implement, but at this information falls within the 28-day challenge period, we will include it in next month's briefing note.

We have inspected FRRM on 16 August, 29 September and 12 October 2023. As with PL, we have identified a number of actions and improvements the operator needs to complete. To date, the main actions and improvements in relation to fly management completed (and in progress) by FRRM include but are not limited to:

- Implement fly monitoring on site (requested 16 August, implemented 6 September)
- Include a Pest Management Plan as part of their Environmental Management System (requested 16 August, implemented 13 September)
- Count and record flies on adhesive fly trap weekly and replace this weekly (requested 6 October, implemented 12 October)
- Conduct regular cleaning to remove accumulations of waste in the building, in particular the bale storage area and underneath/behind plant (requested 6 October, implemented 12 October)

We have requested further actions be taken, but as this information is within the 28-day challenge period, we will include it in next month's briefing note.

Odour

During our inspections at PL since July and FRRM since August, we have not perceived any odour to be at levels likely to cause pollution outside the site. At PL we identified an odour associated with the washing and waste water treatment but could not detect this odour outside the site boundary. Odour we identified at FRRM was localised around the waste storage areas and not detectable outside the boundary of the site.

Noise

We investigated the noise pollution event reported on 17 September at PL, which the operator confirms was caused by an engineering failure in the early hours of 11 September. We have not received any further reports of noise pollution for this site (as of 10 October 2023), or substantiated noise outside the site boundary during our inspections.

We will continue to assess noise and odour during future inspections at these permitted sites and investigate any reports we receive.

Next steps

The EA will continue to inspect PL and FRRM, as well as any other permitted or exempt site in the area it considers may be a potential source of flies or contributing to the issue. Exempt sites carry out low-risk waste operations without the need of an environmental permit but must comply with a set of conditions/restrictions. The EA will monitor progress with the actions and improvements it requires for both permitted sites to ensure they are implemented.

WDC will continue to investigate possible fly sources in the area, as the source of this fly infestation has yet to be confirmed.

We appreciate this is not something that will be resolved quickly and understand it has already been an issue prior to us being informed. We are grateful for residents who have taken the time to report this issue and provided additional information to us.

Roles and responsibilities

The EA has provisions under the Environmental Permitting Regulations (2016) to investigate EA permitted facilities. Under Part III of the Environmental Protection Act 1990, WDC must investigate complaints about issues that could be considered as a 'statutory nuisance'.

Matters that can be considered as potential statutory nuisances include noise, artificial light, and insects from industrial, trade or business premises. However, WDC's ability to take legal action against an EA permitted facility is limited. WDC will take over the investigation if a fly breeding site is identified in a non-permitted site.

We will continue to work together to ensure we use the most appropriate powers available to deal with this issue.

Incident reporting

Please continue to report any fly issues, odour or noise linked to EA permitted sites to the 24-hour EA incident hotline on **0800 80 70 60** so it can continue to map areas impacted. Your reports help build a picture of the issue, inform our investigation and allow the EA to feedback to permitted sites the effect any measures being implemented are having.

Please do not try to contact officers directly - the EA cannot guarantee that your report will be logged and dealt with in a timely manner unless it is made through the incident hotline.

WDC is also keen to identify any possible fly sources and understand more about any issues relating to odour or noise in the area. If you have any information, please contact WDC via its website <https://www.warwickdc.gov.uk/info/20501/pollution> or by emailing Pollution@warwickdc.gov.uk.

Due to the large number of complaints received by WDC to date, it is not feasible for the lead case officer to contact everyone with ongoing updates. Therefore, updates are currently being added to the pest control pages of the WDC website here www.warwickdc.gov.uk/info/20467/pests_and_nuisance

Future updates

We are in the process of setting up an online information page to help share our updates on these amenity issues with the wider community. Once this site is 'live' in November, we will share the link with you so you can access the page.