

Amenity issues briefing - November 2023

Introduction

We are sorry to hear that residents are 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 have not yet identified the source of this fly infestation.

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

In November, the EA received 1 fly report and WDC received none (up to 27 November 2023).

What action has WDC taken?

WDC inspected 5 further, non-permitted sites at locations close to where complaints have been concentrated. None of these have been identified as a source of fly breeding and no other issues were found. While reports of flies have reduced, WDC are continuing to receive and investigate complaints of noise and odour.

The noise reports include an incident on 16 November where noise and steam were reported to be emanating from the Plasgran Limited (PL) site. This was investigated and the source was confirmed to be a different premises near to PL. WDC understand this particular issue has been resolved.

What action has the EA taken?

The EA investigated 10 sites in the Leamington Spa area that are registered as having waste exemptions. Exempt sites are low-risk waste operations that can operate without the need of an Environmental Permit. However, these sites must comply with a set of conditions/restrictions to be able to operate. The EA did not find any issues at the exempt sites visited, including flies, odour and noise.

The EA continue to regulate the 2 permitted sites in the area with the potential to attract flies, Plasgran Limited (also known as Berry Circular Polymers) and Fortress Recycling and Resource Management Limited (FRRM).

PL is a permitted site that produces 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

Following our previous briefing in October 2023, the updated main actions that the EA has requested of PL are:

- Improve its existing Pest Management Plan and Odour Management Plan (requested 12 September 2023, received 3 November 2023 for assessment)

- 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 2023, implemented 12 October 2023)
- Clean plant so that no waste residues are left (requested 15 September 2023, implemented 12 October 2023)
- Store processed plastic waste (“lump waste”) inside the building (requested 25 October, implemented 30 October)

The updated main actions that the EA has requested of FRRM are:

- Require key staff to undertake fly management training and provide evidence of this (requested 6 October 2023, implemented 25 October 2023)
- Conduct weekly checks for larvae and/or pupae (requested 6 October 2023, implemented 25 October 2023)
- Include a fly check as part of its waste acceptance procedure (requested 6 October 2023, implemented 25 October 2023)

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

Odour and noise

The EA will continue to assess noise and odour during future inspections at these permitted sites as part of its routine assessment. The EA has received noise and odour complaints however, during inspections at PL and FRRM it has not perceived any odour or noise to be at levels likely to cause pollution outside the site.

PL has confirmed it does not use a tannoy/public address (PA) system on its site.

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. The EA will monitor progress with the actions and improvements it requires for both PL and FRRM to ensure they are implemented.

WDC will continue to investigate possible fly sources in the area, as well as any complaints of noise, odour and any other matters that could be considered as potential statutory nuisances.

Roles and responsibilities

The EA has provisions under the Environmental Permitting Regulations (2016) to regulate sites permitted by the EA. 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, WDCs 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**. 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. It is important that you report any fly issues you are experiencing.

Although fly reporting has reduced during the cooler months, the EA will continue to regulate PL and FRRM and ensure all measures are taken by the operator to prepare for future hotter months.

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.

We will continue to investigate all reports received.

Future updates

We have created an online information page to help share our updates on the fly issue with the wider community. The link to this page is: <https://consult.environment-agency.gov.uk/west-midlands/leamington-spa-fly-issues/>

This update, along with previous updates, can be found on this online information page. We will update this page monthly. If this frequency changes, we will let you know.

We will also provide our latest updates in a briefing note; paper copies of these will be available to view in local buildings for people unable to access this online page. These buildings are:

- Whitnash Civic Centre, Acre Close, Whitnash
- Heathcote Community Centre, Cressida Close, Heathcote
- Brunswick Hub, Shrubland Street, Leamington Spa
- The Sydni Centre, Cottage Square, Sydenham.

Please do not remove these paper copies from the buildings.