

Minutes of a meeting of the Regeneration and Environment Overview and Scrutiny Committee held on Wednesday, 21 February 2024 in Council Chamber - City Hall, Bradford

Commenced 5.15 pm
Concluded 10.40 pm

Present – Councillors

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT
K Hussain Mitchell Steele A Ahmed Humphreys Jamil Lintern Wood	Herd Coates Nunns	R Ahmed

Observers:

Apologies: Councillor Anna Watson, Councillor Liz Rowe, Councillor Joe Wheatley and Councillor Taj Salam

Councillor Jamil in the Chair

64. DISCLOSURES OF INTEREST

In the interests of transparency, Cllr K Hussain declared that he was employed in the office of Imran Hussain, MP but had no pecuniary interest in the matter under consideration.

***To be actioned by:* Interim Director of Legal and Governance**

65. REFERRALS TO THE OVERVIEW AND SCRUTINY COMMITTEE

There were no referrals made.

66. INSPECTION OF REPORTS AND BACKGROUND PAPERS

No requests to view documents were received.

67. **WADDINGTON'S ANIMAL BY-PRODUCTS FACILITY - ENVIRONMENTAL EMISSIONS**

The report of the Strategic Director, Place (**Document "AF"**) was presented to the joint Scrutiny Committees of Regeneration and Environment and Health and Social Care Scrutiny Committees as part of the Council's obligation for the regulation of environmental emissions. The company was involved in processing animal by-products (ABP) and had occupied the site for a number of years both in previous and current ownership.

The report provided the legislative background and how the regulatory function was delivered by the Council's Environmental Health Service.

The nature of the work carried out gave rise to complaints from local residents over a significant period of time and it was also requested that the Scrutiny function at Bradford Council look into the situation to provide clarity and transparency for local residents, businesses plus local and nationally elected Members alike.

The number of similar ABP category facilities in the UK was very small with 2 of the 8 plants located in the Bradford district.

The main issue contained in complaints received related to the smells emitted that impacted the adjacent neighbourhoods with a rise in the number of reports during the previous 2 years.

The business was a long-standing operation and was located on the site of a formal municipal slaughterhouse, but the current activity consisted of processing material from slaughterhouses and fallen stock as well as wild animals, deceased zoo animals and road kill casualties. The material processed was frequently decomposed and odorous, particularly in the summer but no slaughtering of animals was carried out on this site.

The operations at the facility were subject to legislation under the Environmental Permitting (England and Wales) Regulations 2016 and the company was required to hold a permit containing legally enforceable conditions. These served to minimise air, land and water pollution, including noise and odour. Permit conditions were derived from statutory guidance notes by the Secretary of State and were not determined at Council level.

Officers from the Environmental Health team attended the meeting as well as 2 representatives from JG Pears who were the current operators (the business was known locally as Waddington's, relating to the former owner who had sold the operation to JG Pears in 2020).

It was explained that there were only limited environmental controls relating to odour control on vehicles, but specially designed vehicles were the type usually delivering to this site. Vehicles were not hermetically sealed as this was not possible due to the gases from decomposition that were given off and could, therefore give off odours during transportation. These odours had the potential to linger in still climatic conditions.

An explanation of the process was given to inform Members and the residents who were also present at the meeting to explain how materials were treated and how odours were controlled as a result of the processes carried out.

The representatives from JG Pears gave an overview of the process and what was produced, these frequently would be used as feedstock for other industries as a fuel (MBM) or sustainable liquid fuel (tallow) often used in aircraft and its crucial role in preventing unfit material entering the human food chain as well as material ending up in landfill.

The report summarised that there was no known health risk in inhalation of odours resulting from ABP activity and that the human nose detects odours of the constituents of rendering odours at levels far below those considered to have a negative effect on health.

Officers explained the regulations relating to the sector and confirmed that these were used by all enforcement agencies and that rendering was an odorous process. Delivery of material for processing was a contended area as there were a number of factors that could affect the impact such as the temperature on delivery day, the condition and age of carcasses and the length of journey from the collection point. Delivery vehicles were well designed but legally were only required to cover their load, sealing was not possible as there was a risk of gas explosion from the decomposing material on board. The plant utilised a negative extraction system to suck odours back inside when external doors were opened to prevent odours from escaping. There was an explanation of odour abatement technologies. Measures used on site were considered to be Best Available Techniques (BAT).

Officers stated that the complaints they receive were all investigated and BAT measures checked. There were also pro-active odour checks carried out by Environmental Health Officers. A once-a-year check of odour abatement technology employed on the site was also carried out by a third party and it was stipulated that the inspection takes place during the summer, under observation by Environmental Health Officers with consistent materials being processed. Officers visit the site as soon as possible whenever a complaint is made. The community was not confident that the relevant legislation was being adhered to but the site was obliged to work within legislation with enforcement action taken if it was believed that BAT was not being followed.

The DEFRA guidance was subject to an ongoing review, which was supported by EH Officers. There was no indicative timescale for when it would be completed or what the likely outcome would be. With the upcoming City of Culture year, the concerns of the local community were understood but Officers emphasised that they could only work within current legislation.

The Chair then asked about the most recent visit and Officers observations. The site had been visited earlier in the week but the plant was not rendering due to maintenance, but odour abatement technologies were operational. During another site visit, arising from a complaint in the same week, a visit was carried out and the issue was addressed on site.

A Member asked about the 2 odour control measures and where the offensive odour was coming from and whether the causes had been pinpointed. Officers stated that it was likely coming from 1 of the 2 'scrubbers'. A Member asked if the efficiency levels which stood at 91 and 93% were acceptable and was advised that they were working efficiently based on current technology.

There was a discussion between residents, Members and Officers in relation to legislation and the number and manner of complaints and how they were reported. When asked about a particular spike in complaints, it was confirmed that, at the time materials were processed during a bird flu epidemic as well as a large number of poultry deaths due to excessive heat weather conditions. All complainants were written to in order to explain this as the processing was particularly odorous at that time.

An enforcement visit during 2023 resulting in an abatement notice related to the dosing systems of the scrubbers having hypochlorite levels that were too low which had not been picked up. The action directed use of an amended system alarms to prevent levels dropping, which would be addressed when and if the alarms sounded alongside an associated automatic recording system of any such activation.

Officers confirmed that their visit from the day before did not give rise to any enforcement and the plant was operating within permitted parameters.

A Member asked if an odour was present in Eccleshill, was this a problem or was it within permitted parameters and was advised that Officers had not been notified or were not aware of any complaint from Eccleshill. They would endeavour to identify the source in response to any future report.

The Chair sought clarification relating to an inspection visit in May 2023 whereby a performance issue relating to the smell abatement process was identified and whether processing was suspended as an enforcement notice was issued. Officers advised that operations were not suspended, but there was a notice period for remedial work to be completed by. The work would be checked and if the plant operation was not compliant, legal proceedings would be instigated. In relation to the incident in question, equipment needed to be imported and fitted. Whilst the processing operation was not suspended, increased on-site checks were carried out to ensure all appropriate measures were implemented.

There was a brief discussion regarding health risks due to long term exposure to emissions for both residents and employees and whether Public Health were involved. Officers informed Members that independent, third-party company carried out annual emission testing and provided details of compounds levels found at a number of points in the processing. All those present were within acceptable levels with the exception of 1 which was only slightly higher than recommended at the outlet to the thermal oxidiser. Officers explained that those emissions were released via a tall chimney and mixed with the surrounding atmosphere and were, therefore, not released at ground level and the dilution was such that there was no health risk. The question of advice for local residents and the operators relating to odour prevention was discussed as no advice was given by Environmental Health Officers. The very low levels of emissions being released were far below acceptable limits but were still evident due to the low

levels that were detected through smell.

The representatives from Waddingtons were asked if diseased carcasses were processed at the Bradford plant and were informed that they were accepted and were cooked to sterilise them. They confirmed that they processed diseased materials such as foot and mouth as well as deceased cruelty cases. They were also asked if they processed materials which were used in experiments but stated that they were not aware of any. They also confirmed that animals such as 'road kill' were processed at their plant.

The question of investment to improve odour prevention was asked as Members and residents wanted to know if the company would invest proactively. However, the representatives from the plant stated that they were already working within the current legislation and guidance but would invest should that change. They did not anticipate doing so under the current circumstances as they were in competition with other companies and the additional costs could render them uncompetitive and customers would go elsewhere.

The question of the number of complaints made at another rendering site (Thornton) was discussed, what type and how many had been made.

A Member asked how infected animals were moved and was concerned that this was allowed to take place. Members were advised that it was legal to do so and it prevented entry into the human food chain.

The plant representatives were asked about control measures for unsafe deliveries and spillages and whether staff changed their footwear on entry and exit to the processing area. Members and residents were advised that there were different areas that were separated and classed as clean or dirty. Foot dips were used by staff when moving from one to another with separate clothing worn. Any unsafe deliveries were reported back to their source as it presented a risk to them and the operator.

Officers were also asked if they thought the regulations needed to be reviewed but they did not feel that they could answer comprehensively but noted that standards had not changed since Brexit and the statutory guidance from the Secretary of State was currently under review. There was no obligation for BAT review to be carried out but the Government, through the Environment Agency was now engaged in a review.

A Member asked if annual complaint figures provided could be broken down into shorter periods and was advised that figures were available on a monthly basis but were presented as annual statistics for the purposes of the report.

The representatives from Waddingtons were asked if staff were affected by emissions whilst working at the plant and they confirmed that there no impacts on staff, even in summer months. The question was then put as to whether there was a responsibility to report processing of diseased or large shipments of materials to the Council. It was confirmed that any obligation notification rules were decided and controlled by central Government.

A Member asked if there was any more that the operators could do, given the

location of the plant and was advised that the company had invested in newer machinery and more efficient BAT which was equal to or better than what had been required when subject to EU legislation. Other equipment would cost ten's of millions of pounds and the plant was already 99% compliant with newest EU legislation. The company was a family business that operated a number of sites and significant investment has been made since the plant was acquired.

A Member asked how standards compared with international operators and was advised that the UK had used the EU model to formulate the Environmental Permitting legislation and BAT. They had also visited sites overseas who did not have the same level of equipment and most UK plants had evolved when the UK was still part of the EU.

A Member asked about licensing and whether it operate in a similar way to planning. Members were advised that the appeal process for permitting would go to the Secretary of State.

It was then suggested that a site visit might be helpful to Members so that they could gain a better understanding of what was done and the purpose of rendering.

A Member then asked about running costs and turnover and were advised that this was commercially sensitive information. The plant was processing a large volume of materials per year which was an essential part of industry and prevented waste becoming smelly, decomposed, dangerous and a disease risk. The company did sympathise with residents but repeated that they were compliant with legislation and would remain so should legislation change.

A Member asked if there were any guarantees that there were no airborne spores and enquired as to where materials were being sent from, whether locally or from across the UK, if these included marine and zoo animals. Members and the public present were informed that they could not provide guarantees during transit and again stated that rendering was considered the acceptable process.

The site operator was then asked about staff sickness and turnover and were able to confirm that there were no notable health issues and most staff worked at the plant for a number of years, if they were able to cope with the odour on site.

There was a discussion regarding complaints from schools but Environmental Health Officers were not aware of any and that improvements had been made to improve handling and to minimise spillages during transportation.

The operators were asked how many vehicles they operated, how many visited the site, whether they were covered and how often vehicles were inspected. They were also asked about the water vapour emitted from the chimney and where emissions went. In response to these, the operators informed Members and residents present that the water vapour emitted from the chimney was dispersed into the atmosphere with the height of the chimney designed to significantly dilute emissions and therefore minimise the risk at ground level. In terms of transportation, most vehicles were of a new design with a retractable roof and all were covered as this was a legal requirement. The number of trucks delivering each day varied from 20 to 40 with a variety in size and weight per

vehicle.

A Member asked about odour leaks occurring before material was processed and was advised that the plant had fast acting doors that worked like an airlock.

A Member commented that the odour impacted residents who could not open their windows or enjoy outdoor spaces and did not want the situation to continue. A Ward Councillor asked whether BAT methods had improved or evolved and linked the problem to mental health issues. He also questioned whether the Council was holding the company to account adequately, were Officers following guidance correctly with visits and enforcements etc. Officers responded to say that BAT was very clear in terms of odour abatement technology using the current equipment. Other technologies may be available but no enforcement was appropriate as the current equipment and processes were compliant. The review would provide guidance for any new equipment, technologies and processes going forward, once published. Officers further stated that every complaint was investigated, odour control measures were checked and that the same standards were applicable for both sites in the District.

The Ward Councillor still contested the BAT as being a commercial decision and the impact on residents should determine that odours were contained within the site. He wanted to see pro-active action being taken, rather than waiting for legislation to be introduced that may address the issue.

There was then a brief discussion relating to another company operating in the same sector and how the Bradford site compared but there was a limit to the information available as the company was a competitor. However, the representative from Waddingtons did say that the thermal oxidiser used by them was from the same manufacturer as the one used in the other rendering facility in the District. The question of bio-filters to treat odours, rather than the use of hypochlorite scrubbers was raised but was considered a backwards step by the operator.

Members again raised concerns regarding transportation of diseased animals and whether the Council had adequate resources to carry out its regulatory function.

Following this there was a more informal question and answer session as residents were permitted by the Chair to ask questions directly to the Waddingtons representatives and Council Officers.

The subjects covered included investment patterns, energy efficiency, to which the company was able to confirm that they had installed an alternative to mains gas. They were also asked about the bio-fuel produced (tallow) and whether it was used in other industries and where it was used. It was confirmed that some was retained for use in the UK and some was exported for use abroad. An explanation of the other main end product was given with an explanation of the process to obtain bonemeal.

A resident asked for details of operating permits and what had been processed. There were a number of permits which were issued under separate legislation and a brief explanation of material categories was then given.

The question of what particles were in the airborne emissions was asked again and Officers again explained that third party checks were carried out annually by independent inspectors who were specialists in their field. There was some challenge presented as to the independence and competency as inspections were paid for by the operator. Officers did also state that inspections were observed by them and that they were satisfied with the knowledge, impartiality and competence of the specialists in question.

There was a brief discussion focussing on odour units and the Ward Councillor requested that a solution to the situation be found.

Councillor Hayden then read out a statement from Imran Hussain, MP that reflected the concerns raised by residents and the hope for a solution and end to the odour nuisance.

A number of residents and local business owners were present at the meeting and were given the opportunity to address Members and the company representatives. The main issues they raised seemed to centre around reporting odour incidents and the difficulties they faced as a result of bad smells. They also stated that the smell had already impacted on business and house prices and that they were embarrassed by it.

Concerns were also raised in relation to airborne diseases and the perceived reluctance by the operator to make any changes to improve the situation due to the costs involved.

A resident proposed that the company should work together with them to do the right thing and tackle the problem permanently.

Following residents and business owners' contributions, the Chair opened up the floor to Members for any further questions or comments.

A Member asked if there was any other legislation that could be invoked and was advised that the Environmental Protection Act related to statutory nuisance but they were not aware of any other relevant legislation and the 2016 Regulations were the correct legislative control. Planning conditions or controls could possibly be explored.

In response to what else could be done, the representative from Waddingtons stated that new fans and alarms had been installed, they had used consultants to explore other odour treatment possibilities but moving animal waste products was a smelly process but they were happy to work with the Council, Environmental Health and residents.

A Member asked whether they could determine that all trucks had a sliding roof and was advised that even tarpaulins were of a special design and were the type recommended by DEFRA.

The company was asked if it was viable for them to relocate but it was beyond their means to do so and financial assistance would be needed.

Cllr Khan addressed everyone present and stated that it was the start of a

process as everyone wanted it to get better but there was no quick fix. Councillors would continue to do whatever was possible to reach a solution to this longstanding problem.

Resolved –

- 1. That officers, residents, local business owners and representatives of Waddington's (JGP Group) be thanked for their attendance and participation at the meeting**
- 2. That it be noted that Members were not confident that the BAT (best available techniques) for addressing the odour problem were fit for purpose. Whilst Members noted that the Statutory Guidance was set by Government, they requested that Bradford Council actively engage with the Department of the Environment, Food and Rural Affairs (DEFRA), work collaboratively with other Councils who also have animal by product rendering plants in their District to expedite the completion of the national review as soon as possible to ensure that higher standards are introduced; and that in addition, recommend that the Leader of the Council write to the Secretary of State to request the prompt introduction of higher standards that successfully address long standing problems.**
- 3. That officers be requested to investigate any relevant planning history of the Waddington's (JGP Group) facility to discover whether any legislative breaches had occurred which would support further investigation to resolve problems caused by odour.**
- 4. That the joint Scrutiny committee requested a full investigation by an industry recognised, independent inspector be undertaken to address the health concerns raised by residents relating to the impact of the plant on their health and wellbeing. It is further requested that this investigation be funded by Waddington's (JGP Group) but must be commissioned by Bradford Council to ensure transparency and credibility. In the event that this is not agreed upon by Waddingtons (J G Pears), that this be referred to the Executive Committee, Bradford City Council for consideration of action to be taken to facilitate the provision of the independent inspection report.**
- 5. That it be noted that Members supported the concept of a community action group being formed comprising of local residents and businesses who would act as monitors of the plant to provide information when odours occur, their duration and the tangible impact they have on residents. Waddington's (JGP Group) are requested to engage with the group and thoroughly investigate their concerns in a transparent manner. It is also recommended that the community action group consider the means for residents to raise complaints regarding odours when they occur in the most informative, constructive and efficient manner that is easy for them to access.**
- 6. That the Committee welcomed the offer by Waddington's (JGP Group) to visit the facility and that the necessary arrangements be made**

through the Chair.

7. That all stakeholders liaise with the Chair (Cllr Jamil) to ensure that the above are actioned, wherever possible and that the progress and outcomes be monitored by the Chair.

To be actioned by: Strategic Director, Place

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Regeneration and Environment Overview and Scrutiny Committee.

THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER