

**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

**CORPORATE LEADERSHIP TEAM'S**

**REPORT TO CABINET**

**18 July 2023**

**Report Title:** Walleys Quarry – Odour Issues

**Submitted by:** Chief Executive

**Portfolios:** Sustainable Environment; One Council, People & Partnerships

**Ward(s) affected:** All

**Purpose of the Report**

To update Cabinet on the latest position regarding the problematic odours in the Borough associated with Walleys Quarry including progress in relation to agreement reached following mediation with the operator.

**RECOMMENDATIONS**

**Cabinet is recommended to:**

- 1. Note the contents of this update report.**

**Reasons**

To ensure Cabinet is kept updated on the ongoing work regarding the problem odours associated with Walleys Quarry landfill. To note the current odour complaint and data available, which shows an improvement in the odour issue.

**1. Background**

- 1.1 For a number of years, parts of the borough have suffered from foul odours from the Walleys Quarry Landfill Site in Silverdale operated by Walleys Quarry Ltd, part of the RED Industries group of companies. The Environment Agency (EA) is the lead regulator for such sites, testing and enforcing compliance with the permit under which the site operates. The Council also has a role in influencing the operation and performance of such sites, where an operator fails to comply with actions required under an abatement notice issued by the Council in relation to any statutory nuisance caused by the site.
- 1.2 In March 2021, Council held an extraordinary meeting to receive the report of the Economy, Environment and Place Scrutiny Committee review into the Walleys Quarry issues, and to debate a motion demanding the immediate suspension of operations and acceptance of waste at the Walleys Quarry Landfill site.
- 1.3 Cabinet has received monthly updates on the issues relating to the odours, and Council has also been regularly updated.

## 2. Statutory Nuisance

- 2.1 Following extensive work, officers determined that the odours from the Walleys Quarry site amounted to a Statutory Nuisance and, on 13 August 2021, served an Abatement Notice on Walleys Quarry Ltd. (WQL).
- 2.2 The Abatement Notice afforded WQL a period of 5 months to abate the nuisance, with this timeframe being informed by discussion on the nature and extent of potential works required at the site with colleagues from the Environment Agency and with our own landfill and odour experts.
- 2.3 On 2 September 2021, WQL lodged an appeal against the Abatement Notice with the Magistrates Court. This has the effect of “stopping the clock” on the 5 month timeframe to abate the nuisance.
- 2.4 At the Cabinet meeting on 18 October 2022, Members received a report detailing the outcome of a mediation process that had been undertaken. The mediation process was guided by the former Supreme Court Judge and environmental law specialist the Right Honourable Lord Carnwath of Notting Hill. As a result of that process, the Council and WQL were able to agree terms for a settlement which enabled WQL to withdraw their appeal against the notice.
- 2.5 On 6 October 2022, His Honour District Judge Grego approved the settlement that the parties had reached, and issued a court order upholding the Abatement Notice and dismissing WQL’s appeal.
- 2.6 The 5 month compliance period ended at midnight on 5 March 2023 meaning that the notice can be enforced, should there be evidence to substantiate a breach and Walleys Quarry Ltd are not following best practice in operating the landfill site.
- 2.7 The Council will continue to assess the prevalence of odours off site. In the event that there are further instances of statutory nuisance identified which amount to a breach of the Abatement Notice, the Council’s Enforcement Policy will guide the process to be followed [Reference: [Environmental Health enforcement policy – Newcastle-under-Lyme Borough Council \(newcastle-staffs.gov.uk\)](https://www.newcastle-staffs.gov.uk/environmental-health-enforcement-policy)]. This would determine what action the Council would take, and whether that would be formal or informal. Enforcement is usually considered sequentially but should the circumstances or nature of the breach be such, escalation direct to prosecution is possible. The Council would need to obtain the consent of the Secretary of State before it is able to prosecute an offence of breaching an abatement notice, as the site is permitted by the Environment Agency.
- 2.8 Progress with key elements of the settlement agreement

As part of the Agreement, Council officers, including the Chief Executive are meeting with senior representatives of Walleys Quarry Limited (WQL) to ensure that all aspects of the agreement are implemented. Meetings are taking place on a regular basis with the outcome to date including:

- a. WQL have published a comprehensive set of its operational plans on its website in a publicly accessible format. [Reference: <https://walleysquarry.co.uk/site-permits-and-policies#MGMTPlans>]
- b. WQL notify any operational changes that may impact on odour emissions from the site. Notifications are published on the WQL ‘Latest Information’ webpage. In February advance notice was given by WQL of the installation of new vertical wells that had the potential to create short-lived odour emissions. [Reference: <https://walleysquarry.co.uk/#information>]

- c. A set of standard key performance indicators in a score card format monitor the performance of the operator. Further detail is provided in Section 6.
- d. The last Liaison Committee meeting took place on 22 June 2023 and a viewable recording of the meeting is available at the link below. Updates were provided by Walleys Quarry Limited, Environment Agency, Staffordshire County Council, Borough Council, Silverdale Parish Council and resident representatives.  
[Reference: [Walleys Liaison Committee Meeting 22nd June 2023 173150 Meeting Recording - YouTube](#) ] The next meeting is planned for 28 September 2023.
- e. The agreement requires WQL to notify the Council of any written amendments to the listed Operational Plans/Procedures within 48 hours of such notification by the Environment Agency, and this has occurred in line with the agreement. As an example in June 2023 Walleys Quarry Limited notified of the commencement of permanent capping of the eastern flank of Cell 4 (the area nearest to Galingale View).
- f. In April 2023, Officers undertook a site visit and inspection of the landfill site, looking at the current on site operations.

### 3. Complaint Data

3.1 Below is a schedule of complaints received by the Council and by the Environment Agency over the last 3 months, on a weekly basis. Complaints rise and fall broadly in line with the H2S levels recorded at the four monitoring stations around the site, with higher levels of H2S generally causing more annoyance in the community. Historical complaint data is attached to this report as Appendix 1.

	Complaints to NuLBC	Complaints to Environment Agency
<b>April 2023</b>		
03/04/23 – 09/04/23	45	152
10/04/23-16/04/23	11	64
17/04/23-23/04/23	48	101
24/04/23 – 30/04/23	148	278
<b>May 2023</b>		
01/05/23 – 07/05/23	50	150
08/05/23 – 14/05/23	53	164
15/05/23 – 21/05/23	147	320
22/05/23 – 28/05/23	90	210
<b>June 2023</b>		
29/05/23 – 04/06/23	24	43
05/06/23 – 11/06/23	19	75
12/06/23 – 18/06/23	76	154
19/06/23 – 25/06/23	80	170
26/06/23 – 02/07/23	40	99

- 3.2 There are a number of odour events where complaints have increased (10 complaints and above):
- 12 June
  - 16 June

- 19 – 21 June
- 23 June
- 29 June

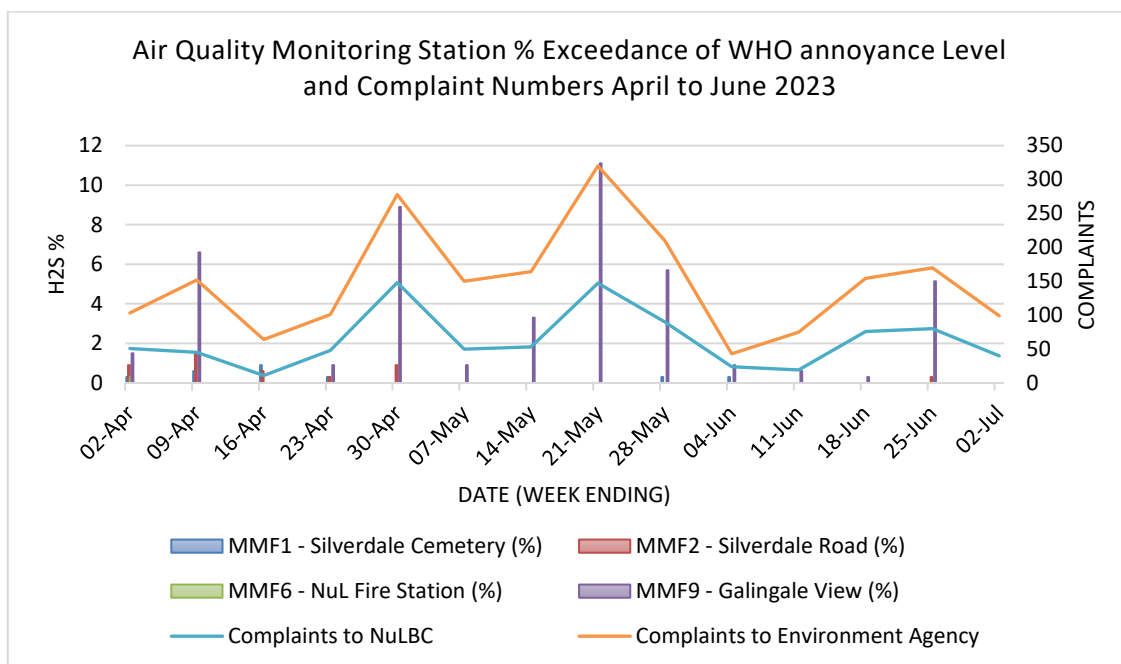
The highest number of odour reports during this period was received on 12 June 2023 when the Council received 26 complaints. The longest period where complaints have been consistently above 10 complaints was from 19 – 21 June 2023 (3 days).

#### 4. Air Quality Monitoring Stations

- 4.1 The Council, Staffordshire County Council, and the Environment Agency are jointly funding a campaign of air quality monitoring utilising four static air monitoring stations. Data from these stations is reviewed to provide information in relation to two standards relating to Hydrogen Sulphide (H<sub>2</sub>S) – the WHO Health threshold and the WHO odour annoyance guideline, with this analysis published by stakeholders. In June 2023 MMF6 at NUL Fire Station was removed by the EA. This is due to it consistently recording low (Zero) results. The following link explains the reasons for the removal of MMF6 <https://engageenvironmentagency.uk/engagementhq.com/air-quality-monitoring/widgets/70807/videos/4024>
- 4.2 Over the last 3 months, no H<sub>2</sub>S concentrations were above the World Health Organisation’s health threshold (150 µg/m<sup>3</sup>, 24-hour average). H<sub>2</sub>S levels were above the odour annoyance guideline level (7 µg/m<sup>3</sup>, 30-minute average) for the following percentages of each week. Historical data is attached to this report in Appendix 2.

Location	MMF1 - Silverdale Cemetery (%)	MMF2 - Silverdale Road (%)	MMF6 - NuL Fire Station (%)	MMF9 - Galingale View (%)
<b>April 2023</b>				
03/04/23 -09/04/23	0.6	1.5	0	6.6
10/04/23-16/04/23	0.9	0.6	0	0
17/04-23/04/23	0.3	0.3	0	0.9
24/04/23 – 30/04/23	0	0.9	0	8.9
<b>May 2023</b>	0	0	0	0.9
01/05/23 – 07/05/23	0	0	0	3.3
08/05/23 – 14/05/23	0	0	0	11.1
15/05/23 – 21/05/23	0.3	0	0	5.7
<b>June 2023</b>	0.3	0	0	0.9
29/05/23 – 04/06/23	0	0	0	0.6
05/06/23 – 11/06/23	0	0	0	0.3
12/06/23 – 18/06/23	0	0.3	0	5.14
19/06/23 – 25/06/23	0	0		0
26/06/23 – 02/07/23	0	0		0

- 4.3 The complaint and air quality data has been combined and shown in the graph below. The complaint numbers and % exceedance of the WHO annoyance level shows good correlation.



- 4.4 In the UKHSA report 'Health Risk Assessment of air quality monitoring results' states 'in May 2023 the concentrations of hydrogen sulphide were above the WHO odour annoyance guideline value for a considerable percentage of the time at one of the monitoring sites, MMF9'.
- 4.5 Each monitoring station (MMF) records the percentage exceedance over a week, which results in 19 readings over a 5 week period. In June, 0% was recorded for 68.5% of the time, a figure of <1% exceedance was recorded for 26.5% of the time and >1% exceedance was recorded for 5%. The peak % exceedance was 5.14%, this is lower than May's peak of 11.1%.

## 5. **Environment Agency Regulatory and Enforcement Action**

- 5.1 The Environment Agency has continued to provide weekly updates on their regulatory activity on the Walleys Quarry Landfill Citizens Space website. Please note that the EA have launched a new website for people interested in the regulation of Walleys Quarry Landfill Site. This will be replacing Citizen Space and can be accessed here: <https://engageenvironmentagency.uk.engagementhq.com/hub-page/walleys-quarry-landfill>.

These updates reflect regular EA officer presence at the site to review progress with the Contain Capture Destroy strategy. Extracts from the recent weekly updates are summarised below:

### **EA Site Visits –**

- 07 June 2023 - unannounced site inspection to carry out a general inspection
- 09 June 2023 - announced site inspection to inspect the capping works being undertaken.
- 12 June 2023 - follow-up site inspection focussing on the geomembrane capping works undertaken since 5 June 2023. Phase 3 is now in progress, with 2000m<sup>2</sup> of geotextile and overlying geomembrane installed to date.
- 19 June 2023 – site inspection focusing on the geomembrane capping works, sidewall clay liner works and general compliance with permit conditions.

**Gas Capture** - Data relating to the gas utilisation plant (GUP) the extraction rate and H2S concentrations are recorded as follows:

News in Brief Date	Extraction Rate (m <sup>3</sup> /hr)	Hydrogen Sulphide Level at GUP (ppm)
01 June 2023	3332	1990
08 June 2023	3345	2120
15 June 2023	3400	2160
22 June 2023	3500	1850
30 June 2023	3400	1930
06 July 2023	3349	1990

## 5.2 **Public Drop-in event**

A public drop-in event for the local community was held on 20 June 2023 at the Newcastle-under-Lyme Community Fire Station, between 3:30pm and 7pm. Representatives from the Environment Agency, Newcastle-under-Lyme Borough Council, Staffordshire County Council, Staffordshire Police and the UK Health Security Agency attended.

This provided an opportunity for members of the community to talk about their experience, and for agencies to talk about their work regarding Walleys Quarry Ltd. Forty-seven people attended the drop-in event.

## 6. **Key Performance data**

- 6.1 Through the settlement agreement both Walleys Quarry Ltd and the Council have developed key performance indicators in relation to relevant data from each organisation. These key performance indicators are shown in Appendix 3 and 4.
- 6.2 The data from the Council covers the period from April to June 2023, and provides complaint numbers, air quality data, H2S and officer assessments. Some of the data for June is unavailable and will be updated in subsequent reports.
- 6.3 The data from Walleys Quarry Limited provides data on waste acceptance, odour management, landfill operations, landfill gas management, leachate management and information relating to the EA regulator as the primary regulator of the site. The data is supported by explanatory notes, is contained within Appendix 4.

## 7. **Proposal**

- 7.1 **Cabinet is recommended to note the contents of this update report.**

## 8. **Reasons for Proposed Solution**

- 8.1 To ensure Cabinet is kept updated of the ongoing work to address the issues associated with the odours from Walleys Quarry landfill and to keep under review opportunities to further action.

## 9. **Options Considered**

- 9.1 To provide regular updates to Council.

## **10. Legal and Statutory Implications**

10.1 Part III of the Environmental Protection Act 1990 is the legislation concerned with statutory nuisances in law. This is the principal piece of legislation covering the Council's duties and responsibilities in respect of issues relating to odour nuisance:-

- The Environmental Protection Act 1990, section 79 sets out the law in relation to statutory nuisance. This is the principal piece of legislation covering the Council's duties and responsibilities in respect of issues relating to odour nuisance.
- The relevant part of Section 79 defines a statutory nuisance as any smell or other effluvia arising on industrial, trade or business premises which is prejudicial to health or a nuisance. The Council is responsible for undertaking inspections and responding to complaints to determine whether or not a statutory nuisance exists.
- Where a statutory nuisance is identified or considered likely to arise or recur, section 80 of the Act requires that an abatement notice is served on those responsible for the nuisance. The abatement notice can either prohibit or restrict the nuisance and may require works to be undertaken by a specified date(s).
- It is then a criminal offence to breach the terms of the abatement notice. Because the site is regulated by the Environment Agency under an Environmental Permit, the council would need to obtain the consent of the Secretary of State before it is able to prosecute any offence of breaching the abatement notice.
- The Act provides powers in respect of a breach. If a person on whom an abatement notice is served, without reasonable excuse, contravenes or fails to comply with any requirement or prohibition imposed by the notice, they shall be guilty of an offence. If this is on industrial, trade or business premises shall be liable on conviction to a unlimited fine. It is a defence that the best practicable means were used to prevent, or to counteract the effects of, the nuisance.

## **11. Equality Impact Assessment**

11.1 The work of the Council in this regard recognises that the problematic odours in the area may impact on some groups more than others. The work is focussed on minimising this impact as soon as possible.

## **12. Financial and Resource Implications**

12.1 Dedicated officer resource has been allocated to continue the Council's work regarding Walleys Quarry Landfill.

12.2 From April 2023 there is £100k reserved for legal action associated with Walley Quarry landfill site. In the event that formal action is required, a separate report will be brought to full Council to approve additional funds.

## **13. Major Risks**

13.1 A GRACE risk assessment has been completed including the following main risks:

- Failure to achieve a reduction in odour levels;
- Community dissatisfaction at odour levels;
- The ability to take enforcement action against abatement notice;
- Failure to evidence a breach of the abatement notice;

- Secretary of State refuses permission to undertake prosecution proceedings.

13.2 Controls have been identified and implemented in order to control these risks, the main controls include:

- Provisions in settlement agreement ensures greater transparency for public;
- Provisions in settlement agreement ensures regular meetings with Walleys Quarry which enable issues to be discussed;
- Dedicated officer resource for Walleys Quarry work has been secured;
- Continued air quality monitoring provision;
- Robust procedure for investigating complaints with experienced officers;
- Specialist expert advice maintained;
- Multi-Agency partnership working continues.

#### 14. Unsustainable Development Goals (UNSDG)



#### 15. Key Decision Information

15.1 As an update report, this is not a Key Decision.

#### 16. Earlier Cabinet/Committee Resolutions

16.1 This matter has been variously considered previously by Economy, Environment & Place Scrutiny Committee, Council and Cabinet on 21 April 2021, 9<sup>th</sup> June 2021, 7<sup>th</sup> July 2021, 21<sup>st</sup> July 2021, 8<sup>th</sup> September 2021, 13<sup>th</sup> October 2021, 3<sup>rd</sup> November 2021, 17<sup>th</sup> November, 1<sup>st</sup> December 2021, 12<sup>th</sup> January 2022, 2<sup>nd</sup> February 2022, 23<sup>rd</sup> February 2022, 23<sup>rd</sup> March 2022, 20<sup>th</sup> April 2022, 7<sup>th</sup> June 2022, 19<sup>th</sup> July 2022, 6<sup>th</sup> September 2022, 18<sup>th</sup> October 2022, 8<sup>th</sup> November 2022, 6<sup>th</sup> December 2022, 10<sup>th</sup> January 2023, 7<sup>th</sup> February 2023, 13<sup>th</sup> March 2023, 5<sup>th</sup> April 2023, 6<sup>th</sup> June 2023.

#### 17. List of Appendices

- 18.1 Appendix 1. Historical Complaint data
- 18.2 Appendix 2. Historical Monitoring Station data
- 18.3 Appendix 3. NUL Key Performance Data
- 18.4 Appendix 4. WQL Key Performance Data



**Appendix 1.** Historical Complaint Data

	Complaints to NuLBC	Complaints to Environment Agency
<b>January 2022</b> 3/1/22- 9/1/22	73	352
10/1/22 -16/1/22	258	1045
17/1/22 -23/1/22	134	651
24/1/22 – 30/1/22	25	139
<b>February 2022</b> 31/1/2 – 6/2/22	16	64
7/2/22 – 13/2/22	31	120
14/2/22 – 20/2/22	49	166
21/2/22 – 27/2/22	40	264
<b>March 2022</b> 28/2/22 – 6/3/22	118	571
7/3/22 – 13/3/22	72	285
14/3/22 – 20/3/22	224	1126
21/3/22 – 27/3/22	412	1848
28/3/22 – 3/4/22	243	1072
<b>April 2022</b> 4/4/22 -10/4/22	132	895
11/4/22 – 17/4/22	156	752
18/4/22 – 24/4/22	65	310
25/4/22 – 1/5/22	49	213
<b>May 2022</b> 2/5/22 – 8/5/22	39	193
9/5/22 – 15/5/22	35	160
15/5/22 – 21/5/22	43	134
22/5/22 – 29/5/22	20	81
<b>June 2022</b> 30/5/22 – 5/6/22	27	169
6/6/22 – 12/6/22	42	234
13/6/22 – 19/6/22	25	263
20/6/22 – 26/6/22	28	208

26/6/22 – 2/7/22	9	54
<b>July 2022</b> 3/7/22 – 9/7/22	4	34
10/7/22 – 16/7/22	14	72
17/7/22 – 23/7/22	21	52
24/7/22 – 30/7/22	12	93
<b>August 2022</b> 31/7/22 – 6/8/22	22	124
7/8/22 – 13/8/22	32	133
14/8/22 – 21/8/22	11	79
22/8/22 – 28/8/22	12	89
29/8/22 – 4/9/22	10	30
<b>September 2022</b> 5/9/22 – 11/9/22	9	64
12/9/22 – 18/9/22	13	83
19/9/22 – 25/9/22	14	79
26/9/22 – 2/10/22	13	58
<b>October 2022</b> 3/10/22 – 9/10/22	42	102
10/10/22 – 16/10/22	52	165
17/10/22 – 23/10/22	73	186
24/10/22 – 30/10/22	30	82
<b>November 2022</b> 31/10/22 – 6/11/22	27	116
7/11/22 – 13/11/22	23	86
14/11/22 – 20/11/22	60	113
21/11/22- 27/11/22	28	70
28/11/22 – 4/12/22	19	47
<b>December 2022</b> 5/12/22 – 11/12/22	43	163
12/12/22 – 18/12/22	22	114
19/12/22 – 25/12/22	12	45
26/12/22 – 01/01/23	11	39
<b>January 2023</b> 02/01/23 – 08/01/23	12	32

09/01/23 – 15/01/23	13	25
16/01/23 – 22/01/23	47	118
23/01/23 – 29/01/23	51	149
<b>February 2023</b> 30/01/23- 05/02/23	13	66
06/02/23-12/02/23	26	115
13/02/23-19/02/23	7	39
20/02/23- 26/02/23	3	15
<b>March 2023</b> 27/2/23 – 05/03/23	7	13
06/03/23 – 12/03/23	12	74
13/03/23 – 19/03/23	23	63
20/03/23 – 26/03/23	19	56
27/03/23 – 02/04/23	51	103
<b>April 2023</b> 03/04/23 – 09/04/23	45	152
10/04/23-16/04/23	11	64
17/04/23-23/04/23	48	101
24/04/23 – 30/04/23	148	278
<b>May 2023</b> 01/05/23 – 07/05/23	50	150
08/05/23 – 14/05/23	53	164
15/05/23 – 21/05/23	147	320
22/05/23 – 28/05/23	90	210
<b>June 2023</b> 29/05/23 – 04/06/23	24	43
05/06/23 – 11/06/23	19	75
12/06/23 – 18/06/23	76	154
19/06/23 – 25/06/23	80	170
26/06/23 – 02/07/23	40	99

**Appendix 2.** Historical Monitoring Station Data - Weekly percentage of time that each monitoring station location has recorded hydrogen sulphide concentrations above WHO odour annoyance guideline level (7 µg/m<sup>3</sup>).

Location	MMF1 - Silverdale Cemetery (%)	MMF2 - Silverdale Road (%)	MMF6 - NuL Fire Station (%)	MMF9 - Galingale View (%)
19/4/21 – 25/4	18	8	4	21
26/4 – 2/5	4	10	13	35
3/5 – 9/5	6	21	6	48
10/5 – 16/5	15	20	1	10
17/5 – 23/5	1	9	10	53
24/5 – 30/5	7	15	16	47
31/5 – 6/6	30	1	6	18
7/6 – 13/6	1	10	10	19
14/6 – 20/6	11	7	9	13
21/6 – 27/6	2	1	4	12
28/6 – 4/7	1	8	8	10
5/7 – 11/7	5	18	3	17
12/7 – 18/7	0.4	2.4	2.1	23
19/7 – 26/7	3.6	0	3.6	16
27/7 – 1/8	1.8	1.5	11	26
2/8 – 8/8	1	4	5	10
9/8 – 15/8	0.3	7	3	6
16/8 – 22/8	1	1	4	6
23/8 – 29/8	0	0	1.5	17
30/8-5/9	0	0	0.3	2.1
6/9 -12/9	0	1	13	18
13/9 – 19/9	0	0.6	7.3	11.7
20/9- 26/9	3	2	6	11
27/9-3/10	0	0	0	0.3
4/10 – 10/10	0	0	0.3	5
11/10 – 17/10	0	0.5	1.5	9
18/10-24/10	0	0	0	1.5
25/10-31/10	0	0	0	0
1/11 – 7/11	2.9	0	3.3	13.5
8/11 – 14/11	0	0	1	10
15/11 – 21/11	0	0	0	1.2
22/11-28/11	0	0	0	11
29/11-5/12	0.6	0.9	0	9
6/12 – 12/12	0.6	0	0.9	2.4
13/12-19/12	0.9	0	3	18.5
20/12-26/12	0	0	0	3
27/12-2/1	0	0	0	2.4
3/1-9/1	1.2	0	2.1	16.2
10/1-16/1	14.9	11.9	21.4	53.3
17/1-23/1	6	7	10	41
24/1 – 30/1	0	0	0	5.1
31/1-6/2	0	0	0	0

7/2 – 13/2	0	0	0.9	2.4
14/2 – 20/2	0	3.6	0.3	2.4
21/2 – 27/2	0	4.8	0.6	8.0
28/2 – 6/3	2.4	0	0.3	15
7/3 – 13/3	0.3	3.3	4.2	6.0
14/3-20/3	3.3	8.1	10.8	21.2
21/3-27/3	6.8	10.1	21.1	43.2
28/3 – 3/4	1.9	9.3	18.8	25.2
4/4-10/4	1.8	2.5	6.1	26.0
11/4 – 17/4	11.9	6.6	9.6	19.7
18/4 - 24/4	7.1	1.8	2.7	10.4
25/4 -1/5	5.1	0	1.5	9.0
2/5 – 8/5	2.7	4.8	n/a	n/a
9/5 – 15/5	0.9	1.2	0	1.8
15/5 – 21/5	0.6	2.1	0	2.7
22/5 – 29/5	0.3	0	0	0.9
30/5 – 5/6	0.3	0	1.2	7.4
6/6 – 12/6	0.3	0.6	2.1	3.6
13/6 – 19/6	0	0.6	0.6	11
20/6 – 26/6	0	0.9	0.3	15.5
26/6 – 2/7	0	0	0	0
3/7 – 9/7	0	0	0	0
10/7 – 16/7	0	0	0	0.9
17/7 – 23/7	0	0	0.3	1.5
24/7 – 30/7	0	0	0.3	1.2
31/7 – 6/8	0	0	0	1.5
7/8 – 13/8	0	0	0	1.8
14/8 – 21/8	0	0	0	0.6
22/8 – 28/8	0	0.3	0	0
29/8 – 4/9	0	0	0	0
5/9 – 11/9	0	0	0	4.2
12/9 – 18/9	0	0.3	0	2.9
19/9 – 25/9	0	0	0	1.8
26/9 – 2/10	0	0	0	4.2
3/10 - 9/10	0	0.4	0	3.7
10/10 – 16/10	0	1.9	0	0
17/10 – 23/10	0	0.6	0.3	1.5
24/10 – 30/10	0	0	0	0
31/10 – 6/11	0	2.2	0	1.8
7/11 – 13/11	0	0	0	0
14/11 – 20/11	4.5	1.2	0	0
21/11 - 27/11	4.5	0	0	0
28/11 – 4/12	0	0	0	0.6
5/12 – 11/12	1.5	5.1	0	14.3
12/12 – 18/12	1.2	3.6	0	11.6
19/12 – 25/12	0.6	0	0	0
26/12 – 01/01	0	0	0	0

02/01 – 08/01	1.8	1.2	0	0
09/01 – 15/01	0	0.3	0	0
16/01 – 22/01	0.3	0.3	0	11.1
23/01 – 29/01	0	0	0	4.8
30/01- 05/02	0	0	0	0
06/02-12/02	0	0.3	0.9	3.6
13/02-19/02	1.8	0	0	0
20/02- 26/02	0	0	0	0
27/2 – 05/03	0	0	0	0
06/03– 12/03	0.3	0	0	5.1
13/03 – 19/03	0.6	0	0	0.3
20/03 – 26/03	0.6	0	0	1.5
27/03 – 02/04	0.3	0.9	0.3	1.5
03/04-09/04	0.6	1.5	0	6.6
10/04-16/04	0.9	0.6	0	0
17/04-23/04	0.3	0.3	0	0.9
24/04-30/04	0	0.9	0	8.9
01/05–07/05	0	0	0	0.9
08/05–14/05	0	0	0	3.3
15/05– 21/05	0	0	0	11.1
22/05–28/05	0.3	0	0	5.7
29/05 – 04/06	0.3	0	0	0.9
05/06 – 11/06	0	0	0	0.6
12/06 – 18/06	0	0	0	0.3
19/06 – 25/06	0	0.3	0	5.14
26/06 – 02/07	0	0		0

**Appendix 3 – NUL Key Performance Indicators**

NULBC		Information	Measurement	April 2023	May 2023	June 2023
KPI 1	COMPLAINTS	Complaints reported to NULBC	Number	<p>253</p> <p>Number of unique properties = 203</p> <p>Rating 0 = 0 complaints Rating 1 = 0 complaint Rating 2 = 1 complaints Rating 3 = 40 complaints Rating 4 = 57 complaints (22.5%) Rating 5 = 71 complaints (28.1%) Rating 6 = 84 complaints (33.2%)</p> <p>% of complaints reporting odour entering the property = 194 complaints (76.7%) % of complaints reporting health effects = 200 complaints (79.1%)</p>	<p>353</p> <p>Number of unique properties = 276</p> <p>Rating 0 = 0 complaints Rating 1 = 0 complaints Rating 2 = 8 complaints Rating 3 = 39 complaints Rating 4 = 64 complaints (18.1%) Rating 5 = 118 complaints (33.4%) Rating 6 = 124 complaints (35.1%)</p> <p>% of complaints reporting odour entering the property = 315 complaints (89.2%) % of complaints reporting health effects = 235 complaints (66.6%)</p>	<p>230</p> <p>Number of unique properties = 93</p> <p>Rating 0 = 0 complaints Rating 1 = 0 complaints Rating 2 = 3 complaints Rating 3 = 32 complaints Rating 4 = 58 complaints (25.2%) Rating 5 = 61 complaints (26.5%) Rating 6 = 76 complaints (33.0%)</p> <p>% of complaints reporting odour entering their property = 204 (88.7%) % of complaints reporting health effects = 184 complaints (80%)</p>
KPI 2		Complaints reported (daytime 07:00-23:00)	Number	199	271	188
KPI 3		Complaints reported (night-	Number	54	82	42

		time 23:00-07:00)				
KPI 4		Highest number of complaints during the period	Date (number of complaints)	25/04/23 (47 complaints)	21/05/23 (34 complaints)	12/06/23 (26 complaints)
		<b>Information</b>	<b>Measurement</b>			
KPI 5	AIR QUALITY	Percentage exceedance Odour Annoyance Guideline (Hydrogen Sulphide 30 minute average)	%	0.2	0	Awaiting data
				0.8	0	
				0.3	0	
				3.8	5	
KPI 6		Monthly Average H <sub>2</sub> S	ug/m3 over the month	1.1	0.9	Awaiting data
				0.9	0.7	
				0.5	0.4	
				1.2	1.5	
KPI 7	H <sub>2</sub> S PEAK LEVEL	Level measured over a 5 minute period Date & Time	ug/m3	32.85 (09/04 04:40)	9.08 (22/05 04:40)	Awaiting data
				20.50 (25/04 06:00)	16.15 (08/05 23:55)	
				6.47 (04/04 05:30)	10.06 (21/05 05:10)	



				58.83 (25/04 23:10)	52.41 (12/05 01:55)	
		<b>Information</b>	<b>Measurement</b>			
KPI 8	OFFICER ASSESSMENTS	Odour Rating - Officer odour assessment (5 minute)	Max Odour Rating	8 assessments 04/04 1 assessment 06/04 1 assessment 08/04 12 assessments 27/04 3 assessments 29/04	4 assessments 5/05 1 assessment 6/05 2 assessments 13/05 2 assessments 18/05 1 assessment 19/05 17 assessments 21/05 2 assessments 25/05	1 assessment 11/06 1 assessment 12/06