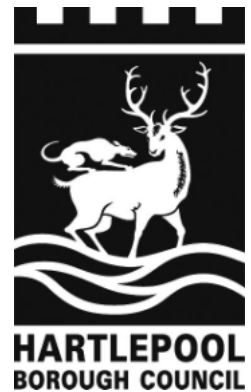


# **COMMUNITY SAFETY AND PLANNING PORTFOLIO DECISION SCHEDULE**



**Friday 11 May 2012**

**at 9.30 a.m.**

**in Committee Room C, Civic Centre, Hartlepool**

The Mayor Stuart Drummond, Cabinet Member responsible for Community Safety and Planning will consider the following items.

**1. KEY DECISIONS**

No items.

**2. OTHER ITEMS REQUIRING DECISION**

No items.

**3. ITEMS FOR INFORMATION**

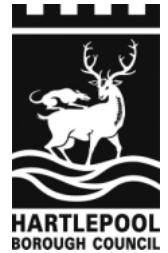
3.1 Management of Waste Sites in Hartlepool – *Assistant Director  
(Regeneration and Planning)*

**4. REPORTS FROM OVERVIEW OF SCRUTINY FORUMS**

No items.

## **COMMUNITY SAFETY AND PLANNING PORTFOLIO**

Report to Portfolio Holder  
11<sup>th</sup> May 2012



**Report of:** Assistant Director (Regeneration and Planning)

**Subject:** MANAGEMENT OF WASTE SITES IN  
HARTLEPOOL

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### **SUMMARY**

#### **1. PURPOSE OF REPORT**

This report seeks to provide an update to the Portfolio Holder on the actions taken and the progress made by the multi-agency waste sites management group over the last twelve months.

#### **2. SUMMARY OF CONTENTS**

This report sets out the background to the waste sites management group, setting out the details of those agencies involved, the scope of the work carried out by the group, and details of the results of the actions taken by the group in last 12 months.

#### **3. RELEVANCE TO PORTFOLIO MEMBER**

The portfolio holder is responsible for matters in respect of the environment.

#### **4. TYPE OF DECISION**

Non-key.

#### **5. DECISION MAKING ROUTE**

Portfolio holder meeting on 11<sup>th</sup> May 2012.

**6. DECISION REQUIRED**

The Portfolio Holder is requested to note the progress set out in the report for information.

**Report of:** Assistant Director (Regeneration and Planning)

**Subject:** MANAGEMENT OF WASTE SITES IN  
HARTLEPOOL

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**1. PURPOSE OF REPORT**

- 1.1 This report seeks to provide an update to the Portfolio Holder on the actions taken and the progress made by the multi-agency waste sites management group over the last twelve months.

**2. BACKGROUND**

- 2.1 The waste sites group was set up in 2010 in response to a growing number of problems associated with the increasing number of waste related sites being set up within the Borough. The purpose of the group is to bring together representatives of the various agencies with an interest in waste sites in order to co-ordinate joint site visits, share information and co-ordinate appropriate action to tackle legislative breaches and on-site management issues. Waste sites have the potential to create significant on and off-site impacts on the public environment and in recent years a number of sites within Hartlepool have given rise to such impacts due to varying levels of on-site mismanagement and breaches of legislative control.

- 2.2 The agencies involved include representatives from:

- Hartlepool Borough Council
  - Economic Development
  - Legal Department
  - Planning Services
  - Public Protection
  - Waste and Environmental Services
- Cleveland Fire Brigade
- Cleveland Police
- Environment Agency

- 2.3 Joint multi-agency site visits are carried out on a regular basis, ensuring all waste sites within the Borough are inspected by the group at least once per calendar year. Visits entail monitoring operations for compliance with relevant legislation such as planning permissions, environmental permits and fire safety legislation.

- 2.4 The group meet on a monthly basis, to share information, to discuss issues arising on sites and to co-ordinate any necessary action, whether it is to be taken collectively or individually.

### **3. ACTIONS AND IMPACTS**

- 3.1 The key actions and impacts in the last twelve months include the following cases.
- 3.2 Despite broader legal issues relating to the planning history and environmental permitting of the site, the Council, working closely with the Environment Agency managed to successfully agree to the completion of land filling of waste at a landfill site within Hartlepool.
- 3.3 The site subsequently closed to waste deposits in July 2011, with waste being deposited beforehand to establish a satisfactory land form and to ensure that the landfill closed in a finished form. Joint work is now ongoing between all parties to ensure that the landfill is satisfactorily restored and it is anticipated that work on capping and planting of a large section of the site will commence in spring 2012.
- 3.4 As a result of the site closure, the level of complaints has significantly reduced. For the calendar year of 2010, 67 complaints were received by the Council's Public Protection section. Complaints received were largely in relation to alleged odours, noise and dust issues from the operation of the landfill. For the period of January 2011 – July 2011 prior to the site's closure to waste, 13 complaints were received. Following the site's closure, no complaints have been received. The group continues to monitor the site on a regular basis.
- 3.5 Significant quantities of waste had accumulated on a site within an industrial estate identified for general commercial and industrial uses. The site did not benefit for either planning permission or an environmental permit. The stockpile of waste had become significant, being visible throughout the wider industrial estate and posing a risk to surrounding environment.
- 3.6 Legal action was pursued by the Environment Agency, assisted by the Council and other members of the working group for a number of years. Ultimately, both the company and the individuals involved were convicted at Crown Court, fined and sentenced. The Court accepted a timeframe for clearance of the site by the owners. In the last year the owner has since worked to process the waste and dispose of it through licensed operators. The site is close to full clearance of the waste and the owner is in discussions with the various agencies, including the Council, regarding alternative, appropriate uses to be brought forward on the site. In the interim the owner intends to install new perimeter fencing and gates on the site to mitigate security and visual amenity impacts.

- 3.7 The same operator used a 1.25 acre site elsewhere on the estate in contravention of previously granted planning permission for waste processing and recycling. The site had again been unlawfully filled with significant quantities of waste.
- 3.8 Enforcement action was taken by the Council in the form of Breach of Condition Notices in 2009. Four notices were served, three of which were complied with. The fourth related to waste heights. The failure to comply was summoned to Hartlepool Magistrates Court and a trial held in December 2009. The Director of the company was subsequently fined a total of £215, including costs.
- 3.9 Following continued increases in the quantities of waste stored on the site, and the lack of transfer activities being carried out, a stop notice and enforcement notice relating to the alleged unauthorised use of the site as a waste repository were served in 2010.
- 3.10 However, the business subsequently went into administration in October 2010. The Council negotiated with the administrators to purchase the land for a nominal sum, before undertaking a formal tender process for the sale of the land to interested parties. The key requirement of the process was to identify a suitable owner that would clear the site in a lawful manner and then bring the site back into commercial use.
- 3.11 A locally based waste management company acquired the land following a tender process and the transfer of the land and all waste liability has since been completed. The company are currently undertaking clearance of the waste and intend to extend their existing site to expand their own operations and create further employment. Both the Council and the Environment Agency continue to monitor progress.
- 3.12 Following a large fire at a waste paper site on Sandgate Industrial Estate, all businesses on both the Longhill and Sandgate Industrial Estates were written to and advised that illegal fires on the site would not be tolerated, including the use of braziers.
- 3.13 Furthermore, a number of sites had planning conditions in place which prohibited the burning of waste material.
- 3.14 The level of complaints regarding fires has since significantly reduced following the joint action taken. Complaints to Cleveland Fire Brigade have been reduced, and complaints to the Council's Public Protection and Planning Services teams have also reduced significantly. There have been no complaints received by the Planning Services team regarding breach of conditions on waste burning since September 2009.

**4. BACKGROUND PAPERS**

- 4.1 No background papers

**5. RECOMMENDATIONS**

- 5.1 The Portfolio Holder is requested to note the progress set out in the report for information.

**6. CONTACT OFFICER**

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