

MEETING OF
FINMERE PARISH COUNCIL

Minutes of meeting held on 7th January 2020 in Finmere Village Hall

Present:- Councillors, Mike Kerford-Byrnes (MKB) (Chairman), Mike Kirby (MK), Steve Trice (ST), Peter Goss (PG) and Joanne Brooks (JB)

In attendance:- Sharron Chalcraft (SC) (Parish Clerk and RFO), County Councillor Ian Corkin (IC), District Councillor Barry Wood (BW), Louise Greenwood (LG) and Sarah Kent (SK) (Environment Agency), Adrian Lupson (AL) (AT Contracting), Mark Drury (MD) (Opes 2013 MRF Consultant) and approx. 40 members of the public

1. APOLOGIES (19.31)

Apologies were received from Councillor Katherine Grimston (KG) (Vice Chairman), Councillor Tim Ayling (TA) and Phillip Rushforth, resident.

2. DECLARATIONS OF INTEREST AND INVOLVEMENT (19.32)

ST declared an involvement in issues involving the Village Hall Management Committee (VHMC).

3. LANDFILL OPERATOR AND EA (19.33)

SK introduced herself as the Regulatory Officer for the Finmere landfill site which is currently operated by Opes 2013 MRF on land leased from AT Contracting. There were more reports than usual of onsite odour during November 2019, this then led to many complaints of offsite odour in December. SK increased her attendance at the site in December, offsite odour has to be substantiated in order for action to be taken as it is a breach of conditions. This offsite odour was substantiated, on multiple occasions and in multiple locations. The areas that seemed worst affected were Fulwell Road, Stable Close and the A4421 in the vicinity.

There are two 'Cells' which could be the source of this odour, No's 7 and 10. Cell 7 is at the back of the site near the lagoon, it was fully tipped in 2018 and is now being finally engineered (levelled, capped, grassed etc). These works are at an early stage, there is gas extraction in place in the Cell but there has been some gassy odour on site. Cell 10 is to the right of the entrance road; it is separate from the other cells and no infrastructure for gas extraction was in place in it in early December. There is some pipework in place now and currently gas is being flared from Cell 10. Connection to pipework was made a top priority in the run up to Christmas and the pipes began flaring on December 20th. A permanent gas installation which is connected to the system of the rest of the site is the next objective. There is approval for the fitting of 6 gas wells in Cell 10, the survey has been submitted

tonight at this meeting, drilling can start tomorrow. This may cause a short-term rise in odour but there will be a deodoriser in place. Wells being drilled will be sealed each night during the process.

A compliance report is completed at the end of every site visit by the EA and the site is given a score accordingly. This score starts off at Band A in January and is then changed as appropriate. The site reached Band F, the worst band, in December. It is currently back at Band A but will drop quickly to F if there are still problems at the site. This score affects the fees charged to the site by the EA annually. There is now an ongoing investigation into the problem, this is an enforcement investigation. Odour offsite has been substantiated today in Finmere.

Villagers will obviously have health concerns about this situation. The department responsible is Public Health England (PHE), they have been made aware. They have sent some information to the village, FAQ's regarding this sort of problem. Their statement explains that the nose is far more sensitive to the presence of odour than it needs to be, in other words the human nose can detect pollutants at levels which are not harmful, and which pose no threat. Strong odours in the environment can make people feel unwell, headaches, sore throats etc, but the gas levels present pose no danger to health.

SK explains that the EA are to site a monitoring station in the village (on land at Hill Leys) for the next month, this is incredibly sensitive equipment and will check for and detect multiple gases and pollutants at extremely low levels as well as monitoring weather conditions. This station is for short term deployment in cases such as this but there is a chance that a long-term monitoring station could be deployed in Finmere. The data gathered by the station is sent electronically to specialists for analysis. PHE will also be supplied with this data and analysis.

The meeting was now opened to questions from the floor.

Q Of course there are health concerns, many villagers are feeling ill. Is there any scientific analysis available on the levels of Hydrogen Sulphide (H₂S) that are injurious to health? Is there any possibility that the monitor could be left in place?

A This monitor is the 'roving' monitor used for the maximum of 1 month but there is a case for Finmere to be given a permanent monitor, though there are only 9 of these in the country.

Q How long do you think this has been going on? You talk of December but for a fact there have been severe odour problems off site for much longer, at least 5 months.

A Since our attention has been brought to the situation pipes have been added to Cell 10 and we are monitoring the site daily.

Q Are these really professional operators? This has been going on for many months, there was an EA enforcement notice put on the site in December, what has happened to that?

A The enforcement notice has been suspended as the site are cooperating and attempting to comply as quickly as possible.

A (AL (AT Contracting on behalf of Opes 2013 MRF)) We are digging up the haul road in order to connect the Cell to the main system and operate gas extraction properly. This will then be connected to the infrastructure in place and used to produce electricity. We are dealing with leachate at the other Cell and drawing it off at other places on site. This work is now completed in the most part. The timescales for compliance need to be reasonable.

Q Villagers are suffering all this time, for months. Decent and professional operators would never have allowed this to happen, and the EA have been as much use as a chocolate teapot.

Q If there is a league table what use is it if all it does is increase the money paid to the EA? Why is there not a system of fines which could be used to help the community? Why is the site not simply shut? Health is not joined up, there was a case in Corby some years ago which gave an example, people were told there was no danger for many years until suddenly the message changed and they were told their health had indeed been affected. People from the village use many different doctors and surgeries in the surrounding area, health signs could easily be missed.

A We have issued a warning to the site, this could indeed involve the closure of the site, permits can be revoked and there can be prosecutions, this matter is not signed off. However, even if the site closes the gas will still be there.

Q This site has been causing problems for the village for at least 14 years now, it is like a boomerang that keeps coming back. Surely there should be a permanent solution?

Q There should be a structured approach. It is no good researching the current problem, the history of the site could provide the root cause, is there any historical data covering the site prior to the last year or two when the current owners/operators came along? There are many more gases that cannot be smelt, what monitoring is being done? The substrate can affect a site, what due diligence was done, were core samples taken? Are there any volatile fault lines on the site?

A The cells are engineered first, before any waste is added.

A (AL) We took over in April 2017, we have no historical data prior to that.

A I think what you are referring to are leachate problems affecting the groundwater below the site. The engineering of the cells is checked, the old cells are capped and leachate is extracted from the site.

Q Many years ago the operators of the site over-tipped for financial gain. There was a public enquiry, which ordered that the mound should be reduced. The EA then said that this was not possible as the resulting odour would be too dangerous. What has changed? How can odour have been dangerous then but not now? Many people are experiencing eye problems, sneezing and headaches, how can you be sure that there is no danger to health?

A PHE do not believe this is unsafe.

Q I suffer from cardiac problems, increased heart rate, I have had many attacks in the last month. Could the pipework not have been fitted first?

A It is not possible to fit the pipework into an empty cell.

Q Why has this caught you by surprise, if the site is being properly monitored?

A We are still looking into the causes of this sudden problem. Our personal alarms are going off in certain areas of the site, but not anywhere else.

Q Can you honestly guarantee that you are doing everything to control this? If not, why not? Why are you even considering further planning applications for the site given the circumstances? My children attend Finmere School and do not want to go because of the smell.

A I have spent lots of time on site, I was there over Christmas and I have cancelled my leave. I assure you I am not happy with the situation.

Q For the operators, is there a qualified person on site who is in overall charge?

A (AL) Yes.

Q Have they been sacked yet?

A (AL) There is a COTC (Certificate of Technical Competence) Manager and an Engineering Manager, not one person is responsible. How they resolve the situation is what matters.

Q No it isn't. A competently run site would not have had this happen.

A (Mark Drury (consultant for Opes 2013) (MD) I am an independent odour consultant brought in by Opes 2013 MRF. I am here to advise and improve the situation.

Q Is anyone from Opes 2013 MRF actually here?

A No.

A (AL) There is a FID machine daily monitoring the site. There is daily monitoring of surface emissions. An operator carries out a round robin of the villages daily to check on the impact.

Q When is the EA monitoring?

A Usually monthly, reported quarterly.

Q Which gases and what levels are checked?

A Methane, then HS, our personal alarms go off at 5ppm, the monitoring stations are far more sensitive.

Q I live in Mixbury where we can smell the site, I can also smell the odour at work in Westbury. My daughter attends the village school and doesn't want to go in as the smell is so bad. You say that odour is bad for our wellbeing but is not making us ill?

A Odour is bad for wellbeing but the gas causing the odour is not enough to make you ill.

Q I have read some research online from Italy which suggests a cancer link with HS, is there any research ongoing?

A PHE say there is no evidence of a link to cancer.

Q I am one of the closest residents to the site. My young children are waking unwell in the night. We really need to solve this. We have all seen our GP who has given us a letter to send off, but we are not sure what happens to the information after that, is anything being done?

A The investigation is ongoing.

Q Will we be odour free any time soon?

A (AL) We are doing what we can. The connection should be in place by next Friday for Cell 10, then we are looking at the others, it should all be done within a month to six weeks.

Q Is Hill Leys the right place for the monitor? Isn't the school a better location, as it was used in the past?

A We have had the national specialist team out today to look at where to site the station, the conditions in many spots are very windy. The checks carried out suggest that Hill Leys is the best place.

Q Is over-tipping still going on?

A No. There was some last year, but this was removed. The engineering soil is being moved as Cells are completed but it is put back.

Q The hills are still massive, are you still selling stuff from the site?

A The landscaping is within planning permission levels.

Q That still means we have this huge mound near the village, why could it not have been flattened and used for grazing as happened at Ardley?

Statement (IC) As County Councillor for the village I was prepared to give the new operators a clean slate and a new chance to make a success of the site. All those I met seemed very positive and engaging but it is obvious that the policy endemic in the company is to do the very minimum required. OCC is fully aware of the situation and is working with PHE and other agencies to ensure that the situation is monitored and resolved. I would appeal to the company to sort this problem out because it is the right thing to do, not because they are forced to.

A (AL) I originally thought that this meeting was in order for us to invite the village to an open day at the site which we propose to hold. We are happy to open the site for the day to anyone who would like to see how we operate and get a better understanding of what goes on at the site.

A (MD) I would urge all in the village to change their attitude to the situation, it is no good complaining on Facebook and being confrontational. It is best if we all work together.

Q How dare you presume to speak to the village in this way? You have no idea of the suffering imposed on the village by unscrupulous operators over the years and no conception of the sense of betrayal we all feel.

Q Is there a long term solution?

A There is a condition in the permit for the site. Offsite odour is not to cause substantiated odour pollution. This has now happened. Odour does happen occasionally; the current levels are pollution. There will have to be a long-term solution.

Q With regard to Facebook, one of the operators at the site put a very rude and nasty comment on the page the other day, something about the 'same old faces' and 'nobody is ill on site so how can it be really affecting the village'. It was both rude and patronising. My daughter, who is a scientist, explained that gas rises when it first leaves the waste mound, then it cools and sinks again, over the village, so levels can be much worse there.

A (AL) Can someone send me that post so that I can see who said what?

A It has been deleted but I may have a record of it.

Q Would it be possible for villagers to have a personal monitor? How much do they cost? Perhaps we could be given one at the open day?

A Personal monitors cost approx. £600.00. They should be issued to all workers on the site and would certainly be needed for any members of the public visiting the site.

Q Perhaps the EA could pay for ours out of their extra money from the site.

A No, the extra money is for the EA to perform their regulatory function.

Q What is the situation regarding the next Cell, Cell 11?

A There is a small amount of initial engineering to complete. A CQA (Certificate of Quality Assurance) has been applied for and a validation report produced. It will be about 4 weeks before this is issued.

Q Surely the operators themselves should be here?

Q Sites shouldn't smell. If they do it is down to bad management or inefficient procedures. What measures are going to be put in place for the future?

A (MD) I have been brought in to try and correct these problems.

A (AL) It is true Opes 13 should be answering these questions. Lessons have been learnt. When it comes to Cell 11 these lessons will be applied.

Q What lessons can you learn from other sites?

A (MD) There are several mitigation systems that can be put in place. Odour mitigation systems (such as the RAIN).

A There have been worries in the village that the RAIN system was producing gas, it is not, it produces deodoriser.

A (MD) In the last six weeks we have had a lot of rain, this can have an input around gas wellheads. The operators have been packing the wellheads with Bectonite in order to stop any odour and have succeeded, on the whole. There will be recommendations to come on the best alleviations for the site. It will always smell sometimes, operations on site can cause problems on occasion.

Q If you want cooperation from the village could you cooperate by producing a regular report with information as to what is happening on site and what the operators are doing to correct problems? Perhaps the EA could coordinate that? The quarry liaison committee would of course be part of that network, they have done a great job over the years trying to hold the operators to account.

A As regulators we need to keep a distance from the operators. They could put such a report on their website if they have one.

A (AL) If they don't have one then we will get one set up. A regular report should be possible.

Q How do you tell the village if the monitor alarms go off?

A There is only odour affecting the village, not gas itself. The monitors report directly to experts for analysis.

The EA would like to thank the villagers for all the information they have provided over recent weeks. Please continue to contact EA so that a complete picture of the situation can be built up.

MKB sums up the Q & A session. This has been like the Curate's egg, good in parts. We don't know precisely why this problem has occurred; therefore, we can't guarantee that it will never happen again. Even if the site is closed down the waste will still be there, rotting and producing gas. The EA's recommendations are to be published; we hope they get it right and pray that they don't get it wrong! We can't be sure that this will solve it, we just have to hang on in there. We all need to cooperate to make sure that this doesn't happen again.

At this point Cllrs Corkin and Wood, the EA representatives, AT and AL as well as the members of the public present left the meeting.

4. MINUTES (21.30)

The minutes of the meeting of 3rd of December 2019 were approved with corrections.

5. MATTERS ARISING (21.31)

- 5.01 **Sports Pavilion Issues** There has been a meeting with the Sports Club Chair, the committee will be meeting soon and will be in touch with the PC. There is a plan to make some improvements to the internal condition of the pavilion and once the quotes are in place the PC will contribute toward the cost, some £350, proposed MKB, seconded ST, carried unanimously. c/f
- 5.02 **Spinney Acquisition Funding** There is no further news. c/f
- 5.03 **Defibrillator Guardianship** A guardianship check has been received from SCAS. SC and MKB are the officially designated guardians. SC is to forward the email to MK so that he can check the smartphone app for accuracy. Nothing has been heard from the school. SC is to chase up this issue as it is important that the defibrillator cabinet is made more visible and also that there is sufficient light for users to see and use the keypad. c/f
- 5.04 **Trees of Remembrance** The issue of plaques is being dealt with by KG. c/f
- 5.05 **Dog mess problems** The signs have been put up around the field. The PC will wait to see if they solve the problem.
- 5.06 **Carol Service and Christmas Lights** Ms Caroline Tucker, Headteacher at Finmere School turned on the lights and a lovely service followed. A fault developed in the lights subsequently which was partially sorted out by JB and her family. JB is to return the lights and obtain replacements as they are still under warranty.
- 5.07 **Dog bin in Fulwell Rd** ST has ordered a replacement part and fitted it and the bin is now functional. The invoice has arrived in the sum of £48.05 and this is to be paid by bacs, proposed MKB, seconded ST, carried unanimously.
- 5.08 **Bench by Cross Tree** SC has added the bench to the asset register at the value of £1. People are still using the bench but on closer inspection it is felt that there is no way that it can be saved. The PC will look into obtaining funding for a replacement, this will be on the February agenda. c/f
- 5.09 **Stable Close Play Area Refurbishment** SC has been contacted by concerned residents of Stable Close but has reassured them that the only plans are to remove the ride-on animals and make good the surface of the area. The working party will be planned for March so that any waste can be placed with the spring clean collection in April.
- 5.10 **19/02117/F – Grafton House – single storey extension** – this was dealt with under urgent business – the PC made no objections subject to the Arboricultural Officer’s

concerns regarding the adjacent tree being overcome and a satisfactory tree protection plan being produced.

- 5.11 **Invoices for training and Clerk's manual** These have been paid.
- 5.12 **Direct debit for ICO** A form has been received but needs two signatures. MKB and MK sign the form. SC is to return it. c/f
- 5.13 **HS2 Archaeology Works** SC could not get the link to work on the website. The works are out near Warren Farm and at Turweston and do not seem to be having an impact on traffic. There seems no need to ask Paul Nash, former administrator, for help with this.
- 5.14 **Local resilience plan** Nobody has had chance over the holiday to think about this yet. c/f

6. FINANCIAL REPORT (22.05)

The quarterly financial report was presented.

It was reported that there was £10,399.62 in the Treasurer Account and £4,819.41 in the Business Money Manager Account.

October and November's transactions have been covered at previous meetings. The following had been paid out during December:

£52.30 to SLCC – general administration – Clerk's expenses – Clerk's manual
£60.00 to OALC – general administration – Clerk training – training course
£303.95 to SC (general admin – for Clerk and RFO duties and internet and website costs)

The quarterly bank reconciliation was presented and signed.

7. S19/S137/URGENT BUSINESS (22.09)

No requests for funding had been received. 19/02117/F – Grafton House – single storey extension was dealt with under urgent business, see Section 5.10 above.

8. FINMERE LANDFILL SITE UPDATE (22.10)

This had been dealt with under Section 3 above.

9. PLAYING FIELD PROGRESS AND CONDITION (22.11)

The sorting out of the leases is still ongoing.

MK confirms that he has walked the field this month and all is well.

ST has seen some shallow rabbit holes on the play area which will need to be repaired in the near future.

10. NEW RESIDENTS NOTIFICATIONS (22.13)

There are no new residents this month, Cypress Cottage has been sold to HS2 and may have residents soon.

11. GDPR – AUDIT QUESTIONNAIRES AND INTERNAL REGISTER OF PROCESSING ACTIVITY SHEETS (22.14)

This item is carried forward to next month due to the lateness of the hour.

12. ROAD REPAIRS (22.15)

This item is also carried forward to the February meeting due to the lateness of the hour.

13. PARISH CLERK HOUR'S DIARY (22.16)

The hours worked for the quarter were some 10 less than last year at 64.5, this being due to the workload from the introduction of GDPR last year. Over the 9 months the hours are in line with the annual amount paid.

14. PARISH PRECEPT REVIEW (22.20)

A revenue and expenditure estimates sheet had been produced and circulated with explanations of the various headings.

Income has increased on expectations due to the contribution to grass cutting from the Sports Club, the monies received from CDC for the clothing bin and donations. Next year the grass cutting contribution will rise by £100.

Outgoings have been lower than expected overall, despite a rise in admin costs and running costs there has been less expenditure on S137 and no legal fees have been paid out. Next year there will be rises in running costs, staff costs and admin costs and the PC will want to keep an amount spare for any S137 requests. There may well be legal costs next year also.

There will be a considerable grant from HS2 next year which will result in much larger VAT returns, though none of this money will be available to the PC as all is to be spent on the village hall.

A reserve of one year's precept is recommended for PC's. Although still short this year the PC has moved closer to this ideal.

After consideration it was decided that there is sufficient flexibility in the budget for next year and the precept should remain unchanged at £11,330, proposed JB, seconded MKB, carried unanimously. SC is to submit the precept request.

15. PLANNING APPLICATIONS (22.35)

19/02840/AGN – Finmere Grounds Farm – storage building for agricultural goods and machinery – at this point JB declared an interest and left the room. The PC had no objections to the application, MKB is to check with neighbours and submit comments under urgent business. JB then re-entered the room.

16. CORRESPONDENCE (22.40)

Correspondence for meeting –

Direct debit form from ICO – see Section 5.12 above

Fireworks for VE75 flyer – taken by MK for TA

Citizens Advice appeal – the PC will donate £75 as last year, proposed MKB, seconded ST, carried unanimously

Glasdon invoice for bin lid – see Section 5.07 above

Emails printed –

Issues above

Emails from residents regarding a memorial bench – the PC approves of the siting of a bench on the amenity land in Chinalls Close, advice will be given on fixings if needed once the bench has arrived, proposed MKB, seconded MK, carried unanimously.

Councillor's priority fund reminder – this could be used to fund a replacement bench at Cross Tree, SC is to check on availability.

Email from residents regarding Stable Close play area – see Section 5.09 above

Greatworth PC letter regarding the HS2 objection letter – a copy of the letter and the list of signatories has been requested by both Victoria Prentis MP and Andrea Leadsom MP. SC is to circulate this email so that all have a copy of the letter and the list of signatories.

CDC planning comments acknowledgement – see Section 5.10 above.

Emails forwarded –

Issues above

Chesterton PC – request for support on planning application response re Bicester Golf Course – it was not felt that input from Finmere PC would be relevant.

OALC December update – there were no issues raised in this edition.

HS2 Common Design Element consultation news – for information

Usual reports

17. ANY OTHER BUSINESS (22.45)

HS2 Funding press release ST will circulate a copy of the press release that has been drafted as part of the compliance with the HS2 grant application.

Burns Night There are ten more tickets available for the Burns Night supper fundraiser for the Church, Cllrs are asked to let everyone know.

Dog bin on playing field There has been a suggestion that this should be moved nearer to the play area. Usage of the bin has declined since the play area was relocated. This is to be considered at the February meeting, under the playing field progress and condition section.

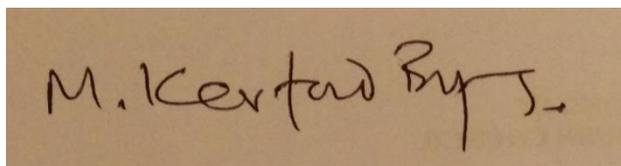
18. DATE OF NEXT MEETING (22.49)

The date of the next meeting is February 4th 2020. Meeting closed at 22.50.

CORRESPONDENCE CIRCULATED

Clerks and Councils Direct January 2020

Parker Bulbs catalogue



M. Kerford By J.