



Saxon Pit Joint Regulators update meeting

15 September Manor Leisure Centre, Whittlesey

Regulators

- Cambridgeshire County Council's mineral and waste planning team (CCC)
(Deborah Jeakins – Chair, Bill Field, Steve Weemes)
- Regulatory officers from the Environment Agency (EA)
(Ray Reed, Oliver Howes, Bryan Clutterham, Dougie Douglas)
- Fenland District Council Environmental Health (FDC EH)
(Annabel Tighe, Laura Harwood, Paul Knight)

Introduction

The meeting was convened by all three regulatory agencies who are aware that there has been a lack of public trust in the regulatory processes at Saxon Pit and wanted to provide updates on the current situation at the site, what actions have been taken and how the regulators have been working together.

The attending officers would not be answering questions on the status and classification of Incinerator Bottom Ash (IBA) and Incinerator Bottom Ash Aggregate (IBAA) because it is technical scientific information and outside our knowledge and remit. However, the regulators understand the concerns about the status of IBA and IBAA and Public Health have contacted the UK Health Security Agency (UKHSA) who are undertaking a scientific analysis of the public health risks from water and particulate matter associated with the site.

UKHSA had been forwarded the information / documentation from Saxongate on IBA/IBAA but will not review whether the current regulatory limits are "correct". A summary of results of the review will be made public in due course.

The regulators in regular contact, we email each other at least every week and also meet at least once a month to ensure partnership working and that where breaches / issues are reported, the most appropriate regulation is used to address it.

CCC update

Buttressing of the eastern pit face: currently ahead of schedule, the aim is to complete the work in line with the current planning permission for the site (CCC/25/006/VAR) with waste importation finishing by the end of this year and restoration by 1 August 2026.

Application from Johnsons to increase the throughput of IBA: still being considered, more transport modelling and discussion with the transport assessment teams at the CCC and Peterborough City Council taking place. CCC/24/091/VAR will be put before CCC Planning Committee for a decision, there is no date set yet, CCC will confirm the meeting date and share information on right to speak.

Johnsons Liaison Group: only an informative on current permission about a liaison group, not a condition. Liaison group met 26 November 2024 and 21 May 2025. No date set for the next meeting yet. The public are not invited to these meetings, but if CCC/24/091/VAR is approved, it is likely that a condition will be imposed requiring the liaison meeting to include public representatives.

Buttressing of the southern pit face: planning permission CCC/24/078/FUL not yet implemented. Applications to discharge the pre commencement conditions relating to improvements to and resurfacing of the access road, transport routing agreement, wheel, noise management, monitoring and mitigation and a similar scheme for dust, information on biodiversity net gain, a construction ecological management plan and a restoration plan are likely to be submitted soon. Within 3 months of the permission starting the Council needs to approve details of a Site liaison group for which will include the applicant / operator, County, District and Town Councillors, representatives from local residents groups, CCC, the EA and FDC EH.

Metal recycling planning permission: approved by Planning Committee for work within the building, reference CCC/24/048/FUL. CCC reviewing application for discharge of pre commencement conditions and consulting with technical experts (relates to building improvements, the noise and dust management, monitoring and mitigation and outdoor storage). When the permission is implemented, a condition requires a site liaison forum, similar to the one for the southern buttressing which will include public representatives.

Recent unauthorised metal recycling: done without planning permission both outside the building and outside the planning permission area. CCC also investigating the crushing of material without any dust suppression. A planning contravention notice was served, the recycling has stopped and we have made it clear that this was unacceptable and if it restarts we will enforce.

Environment Agency update

Metal Recycling - Johnsons sent metals from their site to East Midlands Waste Group (EMWG) that are stored near lagoon. EA work is complaint led and gathering evidence is lengthy, using the regulatory framework.

Eastern buttress – has a permit from 2012 and compliance centres on the wording of the permit. Officers undertake mostly unannounced visits. Recent soil sampling and water testing taken place. Officers include visiting Snoots Road to take in noise, dust and odour (without monitoring equipment) as part of monitoring the site.

Criminal case re import of non conforming waste 2018-2020 - Crime team dealing with this investigation into buried automotive waste. Decided to leave some of the waste in situ and monitor it with the use of bore hole monitoring and water samples.

Southern buttress - not allocated to an EA permitting officer yet, this may take some time. Will take 7 years to build up / buttress and stabilise area of pit near the railway line using waste soils. Aware that already has frag waste in it, the decision on whether needs to come out will be made by the permitting officer.

Metal recycling – permit issued to operator in April for mainly the covered area and some open ground adjoining, the operator also has a waste exemption T9 (details can be found on a public register) which does not contain dust measures. Both the waste permit and the T9 Waste exemption must have a sealed drainage as part of the conditions of their use.

Will dedicate time to look at enforcement process - All secondary metals (which have IBA in them) will be removed, have written warning letter to Johnsons about selling on the IBA and moving it within the site uncovered and will check weighbridge cameras. Also written to Sean Riley, who owns the site about the metal recycling waste that needs to be moved.

Discharge permit –the lagoon is fed by surface water that drains from Snoots Rd, it has been sampled six monthly since 2021. During the process and application for this permit further sampling work has been undertaken up stream, downstream and at the discharge point and AW discharge point. Will provide a list of what is tested. The application is being made to discharge into Kings Dyke and this has been ongoing for a couple of years. Middle Level Commissioners are objecting, testing will determine how this will be progressed.

Noise, dust and odour monitoring – many noise sources from the site, welcome all reports that come in and we do act on reports. The dust monitoring does not show IBA coming out of pit.

Johnsons crack in concrete base – British standard, independently checked, latest repairs – awaiting report

Engagement HQ platform – sign up to it for residents and like you to look at site page and get back by end of September.

Fenland District Council Environmental Health update

Noise from the site is not meeting threshold for statutory nuisance (determined by current assessments) - the EA permit includes noise and their regulation takes precedent and priority over statutory nuisance provisions, we can provide EA information and evidence, can determine if noise impact assessments in planning are being complied with but we can't duplicate or contradict each other. If noise issues fall outside of planning or permitting then they fall to EH.

Reporting noise: The EH legislation is very specific, there has to be 'substantial interference with reasonable use of your property', there is case law and national policy and guidance on this so need a complainant and need to know their address and how substantial the issue is to you, the impact on you personally. As this is a mixed industrial site, you will hear noise from time to time, but EH need to know when the balance is tipped and its having an impact.

EH have to gather information in stages, there is a four step procedure which is on the website and copies were available at the meeting. Log sheets (which can be modified) should detail about what you hear, this is most suitable form of monitoring. Go to FDC '*report it now*' function on website which makes sure the complaint is recorded. This is held on our database for 7 years. EH has team members qualified in acoustics and actively monitor noise for a number of residents, using noise mapping and patterns to work out when most likely to hear noise. EH can build on partial information but in order to further investigations with operators we must have substance to the complaint and details.

Case law states that we cannot ask people to make complaints.

Under S82 of the Environmental Protection Act, residents can take their own action on statutory nuisance under civil law where the burden of proof is lower.

Local Air Quality (AQ) management - meter at Hallcroft Road was placed there because of proximity to the school and receptors in that location. There are also monitors for NO₂ in 15 locations to assess transport emissions as well as 2 MCerts which are maintained by an acoustic consultant to monitor SO₂ and NO₂. Legislation on particulate issues changed recently. When compared with national levels, AQ in Whittlesey classed as good but monitor it as want to keep it there. AQ dropped in pandemic and coming back up but still below 2020 levels. When respond to consultations on planning applications, EH request traffic surveys and AQ impact assessment to see how it will impact on this. We produce an annual screening review on website.

Environmental Permitting locally – split on complexity and scale EA do type A, EH have part B sites – e.g. petrol stations, mobile machinery (crushers / screeners).

Contaminated land under environmental protection act it is where this has the potential to cause significant harm to people. Use of the Saxon Pit site is fit for purpose, provided it is contained on that site.

Questions from the attendees

Who is monitoring and controlling the cumulative effect?

Not possible to look at cumulative effect through the EA or CCC planning. EH advised that a statutory nuisance can be from combined sources but would have to take legal advice on that. The baseline feeds in to the BS4142 standard which relates to industrial and residential noise. World Health Organisation also has community noise levels. In terms of statutory nuisance, businesses have a defence that they have taken Best Practicable means – i.e. that they need to do the work and they have taken all reasonable steps to control this e.g. for quarrying which the buttressing falls under, they need to do the work with the machinery they use.

Who is looking at Johnsons and dust control and what is in it, if the public know what is being done then they can check it?

All the information on monitoring and the results has been sent to UKHSA to consider, they will report on what they looked at

Why was an AQ monitor installed at Hallcroft Lane, can't rely on it as it has not been working?

This location was not chosen from any FDC EH concern but raised by residents and elected members. The monitor does work but it was away for 6 months for servicing and had to be sent abroad.

Have any Health impact surveys been taken in that area – e.g. GP surgery results and health of employees (who is their occupational health provider)?

No work has been undertaken in relation to the vulnerable receptors near the site but the start of this is the UKHSA review which was initiated as a result of concerns about nose bleeds in children in the area being raised by Public Health. There may be outputs from that work that relate to gathering more information but it is not in the scope of the current review. The aim of the review is to give reassurance and provide open information, there is no reason to think that particulates are getting into the community but the results of the review will inform the next steps.

In relation to the staff on site and their health, we do not know their Occupational Health provider – the health and safety of staff has already been referred to the Health and Safety Executive as they are the regulator for that but they work on a risk based approach and so we are not aware they followed this up, again, if the results of the UKHSA review indicate there is an issue then further referrals and actions might need to be undertaken.

Where is the independent layer of scrutiny, can you require and enforce an internal audit (comparison with Red Tractor scheme and ISO standards). Is the work undertaken by regulators proactive or reactive, can there be auditing by a government body?

No independent layer of scrutiny outside the regulators, these are waste businesses and regulators are not legally able to require audits, legislation is specific on what we can and can't do. The other layers of scrutiny referred to may be industry or consumer

led but there is not an equivalent in the waste industry. CCC will ask Johnsons about what (if any) auditing / ISO standards they work to.

Currently, nothing is working as it should. Where operators do not comply with conditions, the EA are starting to do something about it but need to get the public to understand the process.

Noted, the effective partnership working between the agencies is paying off.

There have been complaints about noise for four years and it has not been established where this is coming from

EH still investigating and pursuing operational noise and reporting will help FDC EH map it.