

Waste Lorry Odour Complaints – Guidance for Residents

Background

Stisted Parish Council and local residents have raised ongoing concerns about unpleasant odours from waste lorries travelling along the A120 to the Rivenhall Integrated Waste Management Facility.

Residents living near the A120 have reported that during warmer weather the smell can become so severe that they are unable to open windows or comfortably use their gardens.

Following my enquiries made on behalf of residents, Braintree District Council's Head of Environment, Josie Falco, has provided clarification on which organisations have responsibility and what action residents can take.

Who Is Responsible?

Unfortunately, there is currently no single authority with straightforward powers to deal with odours coming from moving waste lorries.

Braintree District Council

Braintree District Council's Environmental Health team cannot use statutory nuisance powers against moving vehicles. Their powers only apply to fixed premises and not vehicles travelling on public roads.

Essex County Council

Essex County Council's planning enforcement powers relate to the Rivenhall site itself and any planning conditions attached to it. They do not extend to odours from waste being transported on the public highway.

Environment Agency

The Environment Agency regulates the Rivenhall facility through its environmental permit. However, it has confirmed that odours arising from waste being transported in vehicles are outside the scope of that permit.

The Environment Agency has stated:

“Odour from waste in vehicles is the responsibility of the vehicle operators.”

What Residents Should Report

1. Strong Odours

Where residents experience strong odours from waste lorries, they should keep a detailed diary recording:

- Date
- Time
- Location
- Direction of travel
- Name of haulage company (if visible)
- Vehicle registration number (if safely possible)
- Duration and severity of the smell

Although there is currently no direct enforcement route for odour alone, evidence of repeated incidents helps build a picture of the scale of the problem.

2. Leaking Liquids

If residents observe foul-smelling liquids leaking from waste vehicles, this should be reported immediately to the Environment Agency.

Important information to record includes:

- Vehicle registration
- Company name
- Date and time
- Photographs or Ring doorbell footage if available
- Location

Leaking waste liquids may constitute a breach of waste carrier duties under Section 34 of the Environmental Protection Act 1990.

3. Escaping Waste or Unsecured Loads

If waste is blowing from vehicles or loads appear insecure:

- Immediate safety risks should be reported to the Police.
- Incidents should also be reported to both the Environment Agency and the Driver and Vehicle Standards Agency (DVSA).

Waste carriers have a legal duty to prevent waste escaping from vehicles during transport.

Why Evidence Matters

The Environment Agency and DVSA have previously undertaken joint inspections of waste vehicles where repeated and evidenced breaches have been reported.

Individual complaints may have limited impact, but multiple reports supported by photographs, videos, vehicle registrations and diary records are much more likely to trigger enforcement activity.

How I Will Help

As County Councillor for Braintree Eastern, I will continue to raise residents' concerns with:

- The Environment Agency
- Essex County Council
- Braintree District Council
- Waste operators and haulage companies involved in transporting waste to Rivenhall

Residents are encouraged to send evidence and incident logs to me so that I can collate complaints and ensure they are passed to the appropriate authorities.

Where recurring offenders can be identified, I will press for the Environment Agency and DVSA to investigate potential breaches relating to leaking waste, escaping material and vehicle standards.

While the legal powers available in relation to odours from moving vehicles are unfortunately limited, a coordinated approach supported by recorded evidence offers the best opportunity to secure improvements and hold operators to account.

OTHER COUNTY NEWS

LIBRARIES - The new Reform UK administration has reversed the former Conservative majority group's decision to bring in charges for reserving books; I voted against the charge at the February budget meeting.

POTHOLES - Reform UK has announced a "pothole emergency" and £7.5million to tackle the problem. It's not clear if this is old money in the highways budget repurposed or new money, and if so where it's from. The new Cabinet member has asked all members to put forward three roads in each division for repairs.

NET ZERO - Reform UK has scrapped all net zero policies at ECC, which I don't agree with because ignoring climate change isn't a free option.

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