

## Minutes of the Health and Care Overview and Scrutiny Committee Meeting held on 26 July 2021

Present: Jeremy Pert (Chairman)

### Attendance

Philip Atkins, OBE	Phil Hewitt
Martyn Buttery	Jill Hood
Richard Cox	Thomas Jay
Ann Edgeller (Vice-Chairman (Scrutiny))	Paul Northcott (Vice-Chairman (Overview))
Keith Flunder	Janice Silvester-Hall

### Also in attendance:

Dr Richard Harling – Director of Health and Care, Staffordshire County Council

Dave Adams - Director Operations, Newcastle-under-Lyme Borough Council

Marc Liddeth - Project Executive, Environment Agency

Dr Nic Coetzee - Public Health England PHE, Dr and Consultant PHE Health Protection team

Katie Spence - Deputy Director PHE West Midlands

Dr Ovnair Sepai – Principal Toxicologist PHE

Jayne Moore – Director Strategy Planning and Performance for 6 CCGs in Staffordshire

**Apologies:** Jak Abrahams, Charlotte Atkins, Rosemary Claymore, Barbara Hughes, David Leytham, Colin Wileman and Ian Wilkes

## PART ONE

### 17. Declarations of Interest

None were received on this occasion.

### 18. Walley's Quarry Landfill Site - Health Implications

The Chair thanked Newcastle under Lyme Borough Council (NuLBC) for hosting the meeting to consider the health and wellbeing impacts of odour emissions from Walley's Quarry Landfill Site, in Silverdale, Newcastle. The joint approach demonstrated that this Committee and the Health, Wellbeing and Partnerships Committee at NuLBC were taking the health, both physical and mental, and wellbeing of all Staffordshire residents very seriously.

The reports previously circulated outlined that the foul odour from Walley's Quarry Landfill Site (WQ) in Silverdale had been associated with health and wellbeing issues for local residents for a significant period of time. The emissions and health impacts were reported as much worse for residents in Newcastle under Lyme and in neighbouring areas since the beginning of 2021. Complaints about WQ had increased in December 2020, but increased substantially in January 2021, almost 2000 complaints were

received in that month alone and in the eight month period to date several further breaches of the WHO acceptable levels had resulted in many more complaints – towards 50,000. Data was collated through a survey, a series health impact statements and a symptom tracker. The data highlighted that the main health impacts for residents were:

- Odour symptoms: headaches, nausea, dizziness, lack of sleep
- Hydrogen Sulphide (H<sub>2</sub>S): eye irritation and mucus membrane irritation, difficulty breathing especially for people with underlying respiratory conditions
- Mental Health affects anxiety, depression, and disturbed sleep and other mental health impacts

It was explained that the issues residents were experiencing could not be calculated with precision, but the issues were considered real and could be serious for the long term health and wellbeing of the residents particularly as the situation was prolonged. Public Health England (PHE) guidance had been updated in July 2021 to indicate that there was a potential risk to long term health with exposure over a longer period. WQ Ltd had been served an enforcement notice and were complying with the requirements, but that had not had a marked effect on exposure and odour levels. Residents remained unhappy and concerned and wanted the situation to be resolved as soon as possible.

A multiagency incident management group was set up in March 2021 to focus on the issues, and in June 2021 this was elevated to a strategic co-ordinating group of key partners from Staffordshire County Council (SCC), Public Health England (PHE), Environment Agency (EA) and Newcastle under Lyme Borough Council (NuLBC).

It was understood that the level of hydrogen sulphide (H<sub>2</sub>S) in the air near to WQ continued to be above the World Health Organisation (WHO) annoyance guideline value for a considerable percentage of the time, this was undesirable due to the effects on people's health and wellbeing.

Representatives from the multi-partner agencies SCC, EA, PHE and NuLBC attended the meeting to provide clarification to the reports and to respond to members questions.

**Lines of enquiry:** Members questioned the multi-partner agencies on seven key themes to develop a clearer understanding of the evidence and the issues, to be able to draw conclusions and make recommendations.

### **The actual physical health impacts from Walley's Quarry on individuals**

- At the emission levels near the site H<sub>2</sub>S was low level. It was unlikely to be harmful to humans and severe health implications would not be expected, but concern grew when residents were exposed for a longer period of time. H<sub>2</sub>S emission levels were of occupational concern and may impact people who work with it.
- PHE advised that the human health environmental risk assessment looked for guidance levels to compare exposure levels with levels that had been derived to be protective of human health over a period of time. H<sub>2</sub>S was of more concern when people were exposed for a longer period of time and for people with existing conditions, such as asthma, respiratory or lung conditions. PHE advised it would not expect H<sub>2</sub>S in low levels to be harmful to humans if there were no existing conditions.

- H<sub>2</sub>S did not accumulate in the human body, it had an effect when exposed to it. It was an irritant and affected the eyes and respiratory system.
- H<sub>2</sub>S was not considered harmful in other ways, a minimal amount could be absorbed through skin but was unlikely to cause health effects.
- PHE clarified that if a pregnant mother was well and not suffering effects of H<sub>2</sub>S, then it was likely that an unborn child would not be impacted.

### **The site and monitoring requirements**

- Members indicated that the H<sub>2</sub>S gas was listed as a toxic gas which needed controls in place and should not really be in the air. Concerns were raised that regular monitoring was not in place in any landfill site in the UK, only when an issue was investigated.
- Monitoring was in place at Walley's Quarry (WQ) and air quality monitoring assessments completed in 2018-19 were available to view. Also, recent monitoring data was available for most recent issues at WQ.
- Waste description notices identified the waste put in landfill. There was concern that the H<sub>2</sub>S gas had to come from an organic source. The EA as regulator cross checked waste deposits against descriptions and had done so at WQ, it was researching what had happened at WQ,
- The type of H<sub>2</sub>S emissions at WQ was not unique but this was at exceptional levels. The EA was working through actions with the operator.
- EA assured that actions were in place including gas management to address the issues, every possible step was being taken to get the operator to take every possible action to reduce the situation but there was no timeframe in place that the EA could give as to when the situation would end. The gas management contractor was carrying out work for Walley's Quarry. The EA assured that the timeframes had to be reasonable for gas contractor to work safely and work would be carried out in the quickest time possible.
- EA extra gas capping had been delayed due to material supply delays from US causing issues for the contractor, which was out of operator's control. The technology comes from US due to its ability to be placed on a steep bank, it covered a large surface area and had to be transported by ship due to the size and weight of the material. EA were working with government to fast track it through customs once it arrived in the UK.
- The risk of fire on site could occur through extraction of gas from landfill and gas management plant. The level of gas extraction had to be managed carefully to prevent too much oxygen been drawn in, which could increase fire risk.
- Landfill tonnage was at 400,000 tonnes limit per year, the gas management would continue until 2024 as a live landfill site, then it would become closed but would still have to be maintained even when landfill operation cease.
- H<sub>2</sub>S came from the anaerobic decomposition of organic material, members indicated that organic materials should not be on the landfill waste site.
- In terms of the high number of reports in early 2021 it was indicated that the public may have been more aware of where to report issues and high levels of H<sub>2</sub>S had been recorded by the AQ monitoring units at the time which may have been a factor in increased complaints.
- PHE indicated that the effect of H<sub>2</sub>S particularly at spike times. would be a cause of irritation, headaches, and nausea and that H<sub>2</sub>S would ingress into homes. When experiencing odours and feeling the effects of H<sub>2</sub>S residents were advised to close

windows, when odour died down it was advisable to ventilate the house. It was suggested the best course of action would be for residents to remove themselves from the source.

- It was understood that support was available for related mental health issues but none of this would take the problem away, the best way to reduce the issues was to reduce the source
- In terms of air purifying and air filtration there was no evidence that this would have impact on H<sub>2</sub>S as it was a small heavy molecule.
- In terms of odour measurement and monitoring, it was considered that using the human nose as the main measure and then putting the monitoring in place was inappropriate, there were more technical solutions available that should be considered.
- The EA confirmed that it had to work within the regulator code, the framework and the process and had to follow the course of action set out. It was acknowledged that there was frustration from residents that the EA were not doing enough or quickly enough, but assurance was given that EA was doing all it could do within current powers as regulator.
- Benzene as a gas was odourless and was monitored amongst other gases by EA at WQ, but PHE were not receiving the data. It was a concern that partners did not have access to all the same data. PHE had been told that levels were low but did not have empirical data. EA confirmed that data would be shared and going forwards
- EA confirmed that necessary measures were in place, pipes and gas utilisation plant was all on site at WQ and in addition there were plans for other wells to collect gas, move it to engines to turn into energy and put back on the grid, and that surface gas also went through a carbon scrubber to be burnt off at the flares.
- In terms of a 'cocktail effect' of gases on site it was confirmed by PHE that with the data available they would not expect a cocktail effect because the gases acted in different ways.
- It was clarified that SCC gave planning permission for the landfill site and EA issued and monitored the permit to operate. Under the permit to operate EA provided advice and guidance on any breach. Depending on the breach a reasonable timeframe is given to act. The current management plan at WQ required gas management and further capping of the landfill, with timelines. The EA was working with the operator within the powers and duties as a regulator to control the landfill and gas emissions from the site.
- NuLBC had slightly different powers and had considered a report relating to WQ at NuLBC Council meeting 21 July 2021, when it was minded to serve an abatement notice on the site operator, and had to work closely with the regulator and other partners to carry out all possible actions.
- EA advised that the strategic multi – partner agency group was considering what partners could do together to resolve the issues as quickly as possible.

### **Employees health and HSE**

- Concerns were raised relating to the health and wellbeing of employees on site at Walley's Quarry. H<sub>2</sub>S was a toxic gas and at the levels showing may be an industrial health matter and may put employee's health at risk long term.
- EA explained that HSE had been on site and had been part of the strategic partners group. PHE communicated with Health and Safety Executive (HSE), there had

been no feedback on health and safety of employees on site. PHE agreed to provide detail on the level of engagement with HSE relating to employee safety on site.

### **Impacts on mental health of residents**

- The prolonged suffering of residents over 8 months in relation to the physical effect from H<sub>2</sub>S and odour was of concern and there were increasing concerns for residents about when the situation would end. There were numerous and varied reasons why mental health was impacted including lockdown and wider impacts on individual and family lives and their future. Committee considered that the long-term impact of WQ was having a detrimental impact on the mental health and wellbeing of residents.
- Keele University had been commissioned by SCC to carry out a study in terms of quantifying the mental health impact.
- Additional mental health support had been commissioned with NHS Midlands Partnership Foundation Trust and the voluntary sector for people to self-refer relating to mental health matters, and to be referred on for additional support if required. The service would be communicated to residents, there would be targeted communication and Doctors and community groups would be notified via NHS communications team and using social media, uptake would be monitored as implemented.
- There was concern that the inability of the public sector as a whole to do something was of great public concern, the regulatory response was not working and there was no end in sight for residents.
- EA clarified it did not provide health advice to residents but was working with partners and the operator. EA powers did not give ability to address physical and mental health impacts it was to work with the operator and hold them to account on their licence. EA provided data to PHE on air quality to highlight health impacts, so that partners could work with communities to provide health advice.
- EA as the regulator continued to hold the operator to account but could not give a definitive date to get gas under control, this was happening as quickly as possible under the powers they had to bring the gas under control with the contain, capture and destroy strategy in place.
- NHS indicated there were no recorded referrals to serious mental health and that NHS was responding to the needs of the population but could not address the primary cause.

### **Impact on young people and those more vulnerable**

- Members raised concerns about the impact of H<sub>2</sub>S on children's health and those most vulnerable with respiratory and lung conditions and how we could be sure that there would not be long term health issues. PH indicated that in terms of vulnerable receptors, or children with pre-existing conditions, initially the risk of long-term impact was likely to be small but the longer it went on the more concern due to the cumulative exposure.
- It was considered that some of the population that lived within 3 miles of the site were starting life with poorer health than average and they were perhaps more vulnerable to long term health problems.
- PHE advised that using the guidance levels that there were at present, the risk assessment was precautionary, but the concern would be for those more vulnerable

and continued exposure at higher levels was where there were concerns. PHE was working with EA to discuss how to reduce the levels as soon as possible.

- PHE advised that it was known that H<sub>2</sub>S does impact on the respiratory system, and it could be inferred that a child, if susceptible and if exposed to levels, H<sub>2</sub>S could have a more severe effect on a child whose lungs were developing, but this was a logical inference and there was no definitive data to prove or disprove this.

### **Wider symptoms being seen by residents**

- PHE advised that there were no studies available that demonstrated what the long-term health impacts arising from lower level H<sub>2</sub>S on a longer term basis. Other studies had been looked into but the published data available was more about higher level exposure scenario, such as hot natural springs where H<sub>2</sub>S levels were much higher than those from Walley's Quarry landfill site. This was why it was difficult to get an exposure scenario that was similar to WQ from which PHE could then extrapolate from, which was why PHE referred to published guidance values to be more confident of the risk assessment they were carrying out.
- PHE confirmed that in reference to the assessment risk, the values changed depending on the duration and level of exposure to H<sub>2</sub>S. Health impacts could not be excluded if the impacts carried on over longer periods especially where there were underlying health risks.
- EA advised that the breaches were not all instances where H<sub>2</sub>S was over WHO nuisance levels, they could have been other breaches not related to odour.
- There were four monitors around the perimeter of the site which gave a good indication of what was 'coming across the fence', and PHE advised that these levels were significantly lower than the acceptable levels and there was no evidence of toxicological impact on health, however the accumulative effect, while still low were eroding the margin of safety built into a very stringent criteria and PHE recommended that they need to reduce those levels as a priority.
- A concern was that the threshold not being hit was not going to appease residents who lived with the effect of the gas and impacts of it. In addition, residents were dealing with unknown timelines, worry and anxiety which added to the cumulative impact on mental health.

### **What can residents expect going forward**

- There were a number of sources of data about the effects on residents, the detail of which was in a more detailed report and a study from Keele University would capture the problems in an accurate summary. The difficulty for local agencies was that the data could formulate a summary of the problem but not the solution, that was where national agencies would need to step in and deal with the problem.
- NHS were responding to the needs of the population but could not actually address the primary cause.
- The EA had requested WQ to carry out actions to deploy the technology to carry out temporary capping of the western flank on the site, a revised gas management plan was prepared by a landfill consultant employed by the operator, with a deadline of 31<sup>st</sup> July 2021, focused on gas extraction and destruction of gas. The gas management company would be installing telemetry to monitor gas 24 hours a day to understand gas emissions and understand if anything else needed to be put in place by end of August 2021. An additional 22 wells and pipework to be able to carry out further gas extraction and destruction of gas, now and in the future was in

progress. Actions and progress could be seen on the resident's page on the website, all happening over next 2-3 months.

- Of great concern to Committee was that residents had no end in sight and ongoing operations to deposit waste did not placate residents. The daily impact on residents did not seem to be taken into account and 18 months on, no end time worsened health and wellbeing implications for residents.

The Chair thanked contributors to the debate and summarised the committee findings.

It was the consensus of the committee that the situation at Walley's Quarry had been going on for too long without a clear, defined end date. Members were not impressed that the resolution to the problem was not further along, particularly because resident's health and wellbeing was being impacted.

It was considered that there were wider and longer-term impacts on individual health that were not understood, including things they could not see or smell – i.e. not just hydrogen sulphide. People were affected in every aspect of their lives: their family, school, work, and community life, but most of all how their physically and mental health has been impacted.

It was understood that H<sub>2</sub>S emissions from landfill sites was not unique, but that the level of H<sub>2</sub>S at Walley's Quarry was at exceptional levels and the Committee was minded that the regulatory response to address these emissions had not demonstrated the same level of exceptional activity to respond.

It was understood that the H<sub>2</sub>S gas caused low level physical health irritants, that the impact would be different for each person and that the regulator was working to try to reduce the risk to health through planned actions but it was of great concern to the Committee that the H<sub>2</sub>S gas had on numerous occasions over the last eight months exceeded the acceptable levels and that residents had suffered as a result of this. The actions to reduce the emissions and risk to health of residents and potentially employees on site so far had not been successful.

The Committee was unanimous that intervention was required and that the issue be escalated to the highest level to expedite actions to alleviate the health and wellbeing impacts on residents of emissions from Walley's Quarry.

Resolved:

1. The Chair of the Health and Care Overview and Scrutiny Committee to write to the Prime Minister, the Secretary of State for Health and Social Care and the Secretary of State for Housing, Communities and Local Government to raise the concerns of the Health and Care Overview and Scrutiny Committee relating to the length of time odour emissions from Walley's Quarry Landfill site have had and continue to have adverse impact on the health and wellbeing of residents in Staffordshire and to request intervention in this matter.
2. That the Chair of the Health and Care Overview and Scrutiny Committee write to the Minister for Local Government and the Minister for the Environment to raise

the concerns of the Health and Care Overview and Scrutiny Committee that there is a lack of co-ordination in the approval and regulation of quarry landfill sites, and that for those sites that have significant problems, as is the case for Walley's Quarry Landfill site, one body should have the authority to resolve those issues quickly and effectively.

3. That the Chair of Health and Care Overview and Scrutiny Committee write to George Eustace MP to advise that at a meeting of the Health and Care Overview and Scrutiny Committee on 26 July 2021 to consider Walley's Quarry Landfill Site and health implications, the Committee had noted and supported the recommendation from PHE that affected residents would benefit from respite from the issues and that they supported a letter from Newcastle under Lyme Borough Council to the Secretary of State for Environment, Food & Rural Affairs relating to the provision of respite opportunities for those residents affected by the impact of odour emissions from Walley's Quarry to reduce exposure to the source.
4. That Public Health England be requested to provide a written response to the Health and Care Overview and Scrutiny Committee to confirm the Health and Safety Executive position relating to safety of employees at Walley's Quarry.
5. That the Health and Care Overview and Scrutiny Committee request the following reports to be circulated to members:
  - a. Air quality monitoring report 2018-19 (Environment Agency)
  - b. Report from Keele University quantifying the mental health impact when the report is available (SCC)
6. That the Health and Care Overview and Scrutiny Committee request the Environment Agency to share all monitoring data at Walley's Quarry with Public Health England and that all monitoring data sharing continue between agencies.
7. That Health and Care Overview and Scrutiny Committee request the Environment Agency:
  - a. To maintain ongoing monitoring of gas emissions at Walley's Quarry Landfill Site.
  - b. To give consideration to the installation of technical monitoring equipment to monitor gas emission on all Quarry Landfill sites, when required and at the operators cost.
  - c. To provide a written briefing of emission levels from Walley's Quarry to the Health and Care Overview and Scrutiny Committee on a monthly basis.
  - d. To provide an update report to the Health and Care Overview and Scrutiny Committee in October 2021 to detail the range of works completed to reduce the risk to resident's health and the impact of those works on local resident's health through emissions reduction.
8. That the Health and Care Overview and Scrutiny Committee request the Accountable Officer of the CCGs Staffordshire and Stoke to write to GPs and

Pharmacies to make them aware of the health effects and referral pathways for those requiring support in relation to health impacts associated with Walley's Quarry Landfill Site.

9. That the Health and Care Overview and Scrutiny Committee request the Director of Strategy Planning and Performance CCG's Staffordshire and Stoke to provide a written response to detail the referral pathways into local services, in particular the mental health support services for local residents.

**Chairman**

