

Walleys Quarry – Respite Accommodation

Context

1. During the spring & early summer of 2021 the Council has jointly funded air quality monitoring in the vicinity of Walleys Quarry together with the Environment Agency and Staffordshire County Council. As part of this work Public Health England have evaluated the data collected to identify the associated health impacts.
2. The data provided to Public Health England (PHE) has been compared to available health-based air quality guidelines and standards or assessment levels for hydrogen sulphide, particulate matter, nitrogen dioxide, and methane. Their analysis has shown two isolated instances where concentrations of H₂S was above the World Health Organisation (WHO) 24-hour average guideline value for hydrogen sulphide. This is the guideline above which there is an increased risk to health. Their analysis identified that across the four monitoring sites there are frequently concentrations in excess of the WHO “annoyance” threshold, above which the noxious odour will be noticeable to residents.
3. Public Health England have concluded that the risk of long term harm to physical health is low, but that short term problems such as irritated eyes, nose and throat, nausea, headaches or dizziness are of increased likelihood. PHE acknowledge that this kind of persistent, unpleasant odour can affect people’s mental wellbeing, causing stress, anxiety, problems sleeping and disruption to general activities. This is borne out by the direct reporting to the Council by residents, with an analysis of 750 on-line Impact Statements showing:
 - 46% reporting Mental Health generally (feeling low due to lack of sleep/feeling drained), depressed, anxious, stressed, feeling trapped
 - 49% reporting Migraines/Headaches/Dizziness
4. In addition to the PHE position, there have been representations made by some local GPs and consultants regarding the adverse impact of the odours on their patients locally.

The Case for Respite Accommodation

5. The current situation regarding Walleys Quarry is such that there is a credible prospect of residents living with problematic odours for some time. As such, at its June meeting, Cabinet agreed to evaluate the option of securing provision of respite accommodation.
6. The concept of respite breaks, and their positive impact on mental health and personal resilience, is well understood in the arena of social care. Providing an opportunity for a person dealing with a significant stressful situation with some time, even if only 3 or 4 times a year, to have time away from that situation, is recognised to have a positive impact.
7. In the case of individuals living with the persistent foul odours associated with Walleys Quarry, the Council is keen to find some mechanism to enable those most at risk from

the potential mental and physical health impacts to be afforded some respite from the odours with the objective of increasing their resilience and ability to cope.

Scheme Outline & Scope

- Scheme open to any Newcastle-under-Lyme resident, and any family members with whom they live, whose GP confirms they have a health condition which is being adversely impacted by the odours from Walleys Quarry to the extent that short term respite is required;
- Respite for 1 two day break in any 6 month period;
- Respite accommodation to be in Staffordshire, to support local economy;
- Respite accommodation to be either 2-3 Star on Dinner, Bed, and Breakfast basis OR 2-3 Star Self Catered;
- Scheme to run for one year.

Likely Demand

8. The Council has received complaints from just over 7000 individual households during 2021. A number of sources indicate that approximately 50% of people impacted by the odour report significant health impacts:
 - a. On line Impact Statements indicate that c.50% report some form of health impact;
 - b. A Survey by Aaron Bell MP found that c.50% felt the odour had either a severe or significant impact on their physical health; c.60% felt the odour had either a severe or significant impact on mental health; c.60% felt the odour had a severe or significant impact on their sleep.
9. This analysis would suggest that there are c.3500 households who *MAY* benefit from some form of respite accommodation, although this is difficult to assess with any accuracy. Equally, ahead of consulting directly with GPs it is difficult to assess the extent to which they would “prescribe” respite breaks, or what the take-up would be by the individuals concerned. For the purposes of estimation, assume:
 - Of the 3500 households reporting health impacts, assume 20% take up respite – 700
 - Of the 700, assume 50% require one room; 50% require 2 rooms. c. 1050 rooms;
 - Assume all two night respite breaks, repeated twice during programme = 2100 2 night breaks
 - Basic DBB or Self Catering available at c.£250 per two night stay per room – Budget in respect of the assumed 20% take up will be c. **£525,000** (Note – this is a very basic cost per stay, and may increase - a 30% margin of error would increase cost to c.£680,000);
 - Note, if take up is 30%, rather than 20%, costs rise to **£787,500 - £1,023,000**

Budget Provision for respite accommodation would need to be in the range £525,000 - £1,000,000 if wholly funded for participating households. This can only be an approximation as there is no way of knowing at this stage quite what the take up would be.

Legal Basis

10. The Council does not have a duty to provide respite accommodation in this circumstance, but does have the discretionary power to do so. The Council could adopt a policy to provide respite from nuisance/annoyance using its powers of general competence under S2 of the Localism Act 2011. That provides a power to Councils to do anything (lawful) to promote the social, environmental or economic wellbeing of its area. Subject to the views of the Director of Public Health, provision of respite to its residents from environmental annoyances could be capable of qualifying as a social wellbeing improvement.
11. The scheme as designed is not to respond to a specific incident, but rather to an ongoing situation. As such it is not a scheme which could be progressed under Civil Contingencies powers, or be funded through the Belwin scheme which protects Council's from the resource demands of the immediate response to an emergency.
12. The detail of the scheme will need to be worked up to ensure clear and consistent parameters:
 - To the public, in explaining the rationale for the scheme, and its limits;
 - Around Means Testing of applicants – there could be no case for using public funds to provide respite to households with the means to provide such relief for themselves, therefore some parameters for means testing will be required;
 - To GPs who will be assessing eligibility on behalf of the Council, and to ensure robust assessment by GPs, and consistent application of the scheme to avoid any actual or perceived abuse;
 - To define a rationale for this scheme to be restricted to impacts of Walleys Quarry – in the normal run of events, the Environmental Health Service receive numerous representations each year from people expressing a wish to be rehoused, or have a break from whatever nuisance they are experiencing, and make one or two referrals per year to Social Services relating to suicide threats. If the scheme is limited to those suffering due to Walleys Quarry, there is a reasonable risk of complaint or challenge from others who would consider their situation to be analogous. A challenge on this basis would be difficult to defend without a clear policy position as to why this particular nuisance was being prioritised.

Budget Provision

13. The Council does not have budget provision for this scheme. If minded to progress such a scheme a proposal would need to be made to the Government to fund the scheme. The financial risks associated with such a scheme include the unknown numbers of take up by residents. In addition to the numbers of take up there are financial risks associated with the length of time the scheme runs for. As previously noted in the report, the expected duration of the scheme will be for one year, however there is a risk that the odours, and therefore demand for such a service continue for longer, requiring consideration to be given to extending the scheme. These unknown risk areas could see the estimated costs of between £525,000 - £1,000,000 increases significantly, therefore funding such a scheme would need to be via a ring financed government grant.