

# BRIMROD, MARLAND AND SUDDEN AREA FORUM

Thursday 8 December 2016  
Brimrod Methodist Church, Roch Valley Way,  
Rochdale

## MINUTES

**Present:** B. Hudson (Chair), B. Frost, D. Frost, F. Hamer, M. Hamer, N. Thorndyke, R. Coles, J. Walker, A. Spencer, M. Bibby, D. Logan, I. Birchenough, D. Hall, S. Walker, K. Huggett, J. Welby, S. Whitehead, M. Vautier, B. Goodwin, M.K. Brawn, G. Birch, L. Stansfield, S. Marsh and L. Bamford.

**Officers:** Rochdale Borough Council: S. Hay (Townships), N. Rogers (Business Engagement and Compliance), M. Ashworth (Finance Manager) and Diane Lodwig (Community Safety)  
GMP: Sergeant Rhys Ibbotson

**Councillors:** Jane Howard and Pat Sullivan

**Apologies:** Azizul Hoque, Councillor Ian Duckworth, Councillor James Gartside and Jim Watson

### 1. WELCOME, INTRODUCTIONS AND APOLOGIES

Introductions were made and all were welcomed to the meeting.

### 2. CODE OF CONDUCT

The Chair referred to the code of conduct and asked all to abide by the code for the duration of the meeting.

### 3. MINUTES OF THE LAST MEETING AND MATTERS ARISING

The minutes of the previous meeting on Thursday 8 September 2016 were agreed, noting that in the Springfield Park update the planned work on the Commemorative Gardens should read £12,000 and not £17,000 and the following updates were given.

#### Half Acre Lane

Rochdale Township Action and Resources Committee rejected the scheme to close Half Acre Lane and no alternatives were presented by the Head of Highways. The grass verge work is scheduled by the contractor to start week commencing 16 January 2017.

#### Holborn Street Area

Highways have been chased up several times for a report on the state of the junction at Holborn Street with Mayfair Gardens. Councillor Sullivan has met the Highways Portfolio Holder on site and the junction is to be further inspected pending resurfacing in the 2018-19 Forward Programme.

Further substantial fly tipping has been reported with photographs and it has been all cleaned up again. Many thanks to Bruce Goodwin for his efforts to keep the area clean and tidy. Permanently left out bins were dealt with again. A resident had recovered correspondence from a pile of fly tipping which contains more paperwork that could help identify the fly tippers. The correspondence will be forwarded to Rochdale Council's Enforcement Section with a request to have the fly tipping

inspected and removed together with further fly tipping on Finsbury Street. Diane Lodwig outlined the evidential requirements to make a successful prosecution. Sergeant Ibbotson undertook to place the area in the Neighbourhood Policing patrol plan.

Highway rights to the rear of numbers 2 to 8 Southdown Crescent had been established and the complainant advised on procedures for closure.

#### **4. POLICE AND COMMUNITIES TOGETHER**

Sergeant Ibbotson outlined the crime figures for the last three months. He confirmed his team have had success in tackling burglaries having arrested six prolific offenders, four of whom are remanded in custody, and the team have solved numerous burglaries. The burglary crime figures reflect this as there had been three burglaries in September, two in October and four in November. GMP cadets have been leafleting the area.

Speeding initiatives have been carried out on Bury Road and more are planned including on Southdown Close.

Problem parking at Oulder Hill shops was raised. Councillor Sullivan outlined the plans to properly mark out the highway boundary with the shop curtilages and introduce a Traffic Regulation Order to limit parking to three hours. This plan is supported by GMP and the shopkeepers.

#### **5. POSSABILITIES HOMESHARE**

PossAbilities Homeshare is a three year lottery funded scheme launched on 17 July 2016. Homeshare is a householder who has a spare room plus a home sharer who provides support in return. The householder is willing to let someone live with them in return for ten hours of personalised social support which might be shopping, cleaning, going out for a meal, gardening or whatever the householder thinks would give them a better quality of life. The home sharer benefits from access to cheap accommodation and providing activities that can enhance their C.V. Householders and home sharers pay a small monthly management fee for the arrangement to be supervised and ensure the safety of both parties. A first match has been made in Heywood and it is reported to be going very well with a second imminent. The scheme covers the whole of Greater Manchester and any home owner is eligible. Safety is paramount and all parties are checked, interviewed and two references required before clearance. The first meeting of the parties is supervised and all arrangements are monitored. For more information visit the website [www.possabilities.org.uk](http://www.possabilities.org.uk), telephone 01706 626747 or email [homeshare@possabilities.org.uk](mailto:homeshare@possabilities.org.uk)

#### **6. ROCHDALE COUNCIL BUDGET CHALLENGE**

Rochdale Council Finance Manager, Michelle Ashworth, outlined the current savings proposals and gave a presentation. The proposals can be viewed on the Rochdale Council's website and commented online at [consultation@rochdale.gov.uk](mailto:consultation@rochdale.gov.uk) or by post to Freepost RTKH-UCCB-JSJU, Rochdale Borough Council, Public Consultation, PO Box 100, Rochdale OL16 9NP. Consultation closes on Monday 9 January 2017 at 5pm.

A discussion took place on the conflicting demands of an ever increasing population versus the reduction of services. Opinions on what should be cut differed between individuals, hence the need for all to give their views.

#### **7. OPEN FORUM**

Nicola Rogers (Rochdale Council Service Manager for Business Engagement and Compliance) had a survey conducted in to the former High Birch School site and this week posted out the summary of investigations results and recommendations. This information was made available to all at the meeting and Nicola went through in detail as follows:

##### **Background**

The former High Birch School site is in the Marland area of the borough, and measures approximately 1 hectare.

The site was sold by Rochdale Council to a private owner in December 2010.

In 2011 the school was demolished in preparation for a housing development. However, planning permission was declined and the rubble and other waste materials, associated with the former school buildings were left on site.

Following complaints regarding the demolition rubble on site, a record search was undertaken and other enforcement agencies were contacted (the Health and Safety Executive and the Environment Agency). This suggested that some asbestos was removed from site prior to demolition but discrepancies in reports left the possibility that asbestos/asbestos containing materials could be left on site within the demolition rubble.

In September 2016 the Council funded an investigation in accordance with Part 2A of the 1990 Environmental Protection Act, this involved:

- excavating nine pits (up to 1.5m deep) around the site,
- taking samples from the pits and surface for further analyses (14 in total),
- monitoring the air around the pits for any airborne contaminants released by the sampling process.

### **What did the survey find?**

The survey found the presence of asbestos containing materials in four samples from two different locations. These samples were taken from depths ranging from 5cm to 70cm.

In two of the samples the level of asbestos fibres was below detection. The other two contained asbestos fibres above the level of detection.

No airborne fibres were found during air monitoring.

The survey also found elevated levels of another contaminant, benzo(a)pyrene. This is probably associated with the lumps of coal and asphalt which are present on the site.

### **What does this mean?**

The results suggest that the risk of asbestos fibres being released off site is considered low. The chances of fibres being released are reduced due to the asbestos being bound in soil and the vegetation on site.

When making a decision about what to do next we need to consider the potential for:

- Asbestos fibres being transported off the site by wind.
- The public transferring ground materials off the site on their footwear.

During the survey, airborne monitoring did not detect the presence of asbestos fibres. It is therefore considered unlikely that fibres would leave the site during normal conditions.

It is possible that public accessing the site could move soil materials offsite on their footwear.

Therefore precautionary measures are considered appropriate.

### **What precautionary measures are being recommended?**

The best solution for the site would be development, however, until this is undertaken the site should be secured by adequate fencing to prevent public access. It should also break any pathway the contamination could follow from the site to the wider area.

Stopping people from accessing the site would also prevent exposure to the other identified contaminant on the site.

### **What happens now?**

As the site is privately owned it is the responsibility of the site owner to undertake the precautionary works.

The Council has contacted the site owner and requested suitable fences are installed to prevent unauthorised access.

If an agreement is not obtained the Council will undertake work to secure the site and regain its costs.

When the site is developed in future, the results of this investigation will inform the planning process and suitable measures will have to be undertaken to enable the whole site to be developed.

### **What should I do?**

The public are advised not to enter the site. If you know anyone who does visit the site please advise them not to do so.

### **Who should I contact if I have any questions?**

If you have any further questions regarding the survey please contact [HighBirch@rochdale.gov.uk](mailto:HighBirch@rochdale.gov.uk)

The following list of written questions was submitted at the start of the meeting by Ian Birchenough and a copy made available to all:

#### Questions regarding the High Birch Site

In the time between the sale of the property and its demolition, a number of fires were deliberately started in the building:

- a) Is it possible that asbestos fibres were airborne as a result of those fires and if so how large an area might have been affected.
  - b) Since no duty of care was exercised during the demolition, is it possible that asbestos fibres were airborne during the demolition work?
  - c) Since 2011 to date, ie from point of fires being started to the point at which the survey pits were dug, is it possible that asbestos from the site might have become airborne for example on a very windy day or as a result of physical movements by vehicles on the site.
  - d) Since it can take 20 years for the signs of asbestos inhalation to become apparent, how does RMBC intend to ensure that residents' health will be screened and protected going forward?
  - e) As this area now represents a threat to the health and well-being of the local population and the chances of the land ever being used for building seem remote, what steps does RMBC intend to take to reimburse residents for the loss of value and amenity to their properties?
  - f) Given that local residents' fears about asbestos disposal on the site were not taken seriously by RMBC (since it has taken over 4 years to even check out the claims) who has been responsible for the non-pursuance of this case and what disciplinary measures have been taken against them?
  - g) Was there any "prior approval application" before demolition took place? It would appear that asbestos known to be on the site was not properly removed or simply left on site.
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- a) When the site was sold by RMBC, what caveats were included in the terms of sale to ensure the asbestos would be properly and safely removed?
  - b) At the planning meeting in 2012 the authority seemed unconcerned/ignorant of the fact that local residents were convinced that the asbestos had not been properly removed. Why was the work recently carried out, not undertaken at the time? And why was the RMBC representative at the planning meeting unable to satisfy requests from residents to see suitable asbestos removal certificates?
  - c) Did RMBC draw up a suitable "demolition of premises" plan in conjunction with the

new site owner? knowing that there was asbestos present and given the age of the building that there was a probability that benzo (a) pyrene, a carcinogenic (lung cancer) material could well be present in the tar used to surface the school play area which was probably originally made from the residual tar from the local town gas facility?

- d) What COSH requirements were put on the developer in terms of his use and storage of diesel and other chemicals on the site as a condition of sale?
- e) Did RMBC take into account the proximity of a nearby secondary school in its demolition requirement plan, ie by stopping demolition at times when children were arriving or leaving school?
- f) Following the demolition of the school, the site owner started a large fire on-site on 5th November 2012 or thereabouts (residual burnt timbers could be seen for many months afterwards). Is it possible that a large bonfire could cause asbestos fibres to become airborne?
- g) Several trees with protection orders have been badly damaged or cut down entirely, what correspondence has RMBC had with the developer about this abuse and what legal steps have been taken against the site owner as a result?

### **What happens now?**

- a) Is it the opinion of RMBC that this site can be made suitable for housing development? And if so at what cost?
- b) Since the planning meeting, has any employee of RMBC had a face to face meeting with the site owner?
- c) How many times has RMBC written to the site owner regarding the site and received no response?
- d) Has RMBC taken any legal action of any sort against the site owner?
- e) Is RMBC concerned that a large amount of the demolition spoil has been dumped on land not owned by the site purchaser?
- f) Residents have been well aware of the inadequate if not dangerous condition of the fence erected around the site several years ago by the site owner. What measures have been taken to require the site owner to comply with basic and essential health and safety requirements regarding this fence in the last 48 months? And how do RMBC explain that no remedial action has been taken despite pieces of the fence being blown onto the local footpaths and roads?
- g) Residents have made council officials aware on several occasions that the site has been used for tipping which continues to be the case. What steps have RMBC taken with the owner of the site to prevent this illegal tipping and what has the owner done in response to those requests?

Marland Fold Resident's question: Concerned that the water running off the High Birch site, onto her garden and then down onto her actual property may contain hazardous materials - what are you doing about checking this?

Some of the submitted questions and history of the site was discussed, such as the numerous setting of fires, the manner of demolition, the degree to which the site owner complied with regulations and differing asbestos surveys. The question of whether or not residents should be entered on a register of exposure to asbestos was raised which will be checked.

Residents expressed their frustration and disappointment at Rochdale Council's handling of the site over a number of years, perceived lack of action, felt that property values will go down and complained that it had taken five years to get to this stage. The Health and Safety Executive are the regulating body and all concerns were raised with them at each stage.

The site owner will be required to fence the site off properly and securely, to prevent trespassing and disturbance of the site, and will be required to regularly maintain and monitor. The site owner has a Right of Appeal. If the site owner does not comply Rochdale Council will do the work and bill the owner.

Nicola's contact details are available to all and she will answer all points submitted in writing direct

to Ian Birchenough and anyone else who wants them. A separate meeting dedicated to this issue can be arranged.

### **Greater Manchester Spatial Framework**

The Greater Manchester Spatial Framework has been launched and is out for consultation. The plan sets out a strategy to grow the economy, accelerate development and investment and manage the supply of land for jobs and new homes across Greater Manchester. Bamford residents have set up an Action Committee against the development of Green Belt land in Bamford.

All the Spatial Framework documents can be viewed on Rochdale Council's website or in Libraries. The Council has organised Spatial Framework consultation events with the last one arranged for Monday 12 December 2016 at 3.30pm to 6.30pm in Middleton Library.

Consultation ends at 5pm on Friday 23 December 2016. Comments should be submitted to [strategic.planning@rochdale.gov.uk](mailto:strategic.planning@rochdale.gov.uk) or telephone 01706 924252 or post to Strategic Planning, Number One Riverside, Smith Street, Rochdale OL16 1XU.

### **Gracie Fields Statue**

A plaque is to be installed on the Gracie Fields statue.

### **Springfield Park Toilets**

Dave Logan clarified that the toilets in Springfield Park open and close according to Heywood Cemetery opening times.

Ward Councillors contact details are available on the Council's website:

Councillor Ian Duckworth  
Telephone: 01706 648393  
Email: [ian.duckworth@rochdale.gov.uk](mailto:ian.duckworth@rochdale.gov.uk)

Councillor Jane Howard  
Telephone: 07870 172144  
Email: [jane.howard@rochdale.gov.uk](mailto:jane.howard@rochdale.gov.uk)

Councillor Pat Sullivan  
Telephone: 0161 762 1129 or 07967 985240  
Email: [patricia.sullivan@rochdale.gov.uk](mailto:patricia.sullivan@rochdale.gov.uk)

Rochdale Council Officers:

Township Officer - Stuart Hay  
Telephone: 01706 922230  
Email: [stuart.hay@rochdale.gov.uk](mailto:stuart.hay@rochdale.gov.uk)

Community Safety, Crime Prevention Officer - Diane Lodwig  
Telephone 01706 922226  
Email: [diane.lodwig@rochdale.gov.uk](mailto:diane.lodwig@rochdale.gov.uk)

## **8. DATE AND TIME OF THE NEXT MEETING**

Thursday 9 March 2017 at 6.30pm in Brimrod Methodist Church