

SPOTLAND AND FALINGE AREA FORUM

MINUTES OF MEETING Monday, 2 October 2017

PRESENT: N. Morrell, J. Hayes, K. Lawrence, K. Salisbury, P. Salisbury, R. Down, A. Rawsterne, F. Healey, C. Forden, , L. Thomas, T. Le Monnier, R. Hudson, R. Watkins, C. Faulkner, J & J Ashworth, D. Bale, S & S. Davison, J. Brierley, D. O' Brien, A & V Somerville, D. Phillips, R. Le Monnier, K. Riclardsi, N. Brierley, , B. Holden, S. Ashworth, H. Barlow, M. Knight (Rochdale Online), P. Massey (Chair), B. Fitton, M. Burnside, N & L Wild, J. Sherlock and J. Addy.

OFFICERS: N. Rogers (Rochdale Borough Council), J. Carrington (Bureau Veritas), S. Hodge (Bureau Veritas), W. Meston (Rochdale Borough Council) and G. Finch (Township & Engagement Officer)

COUNCILLORS: Councillor W. Cocks and Councillor M. Holly

APOLOGIES FOR ABSENCE; Councillor Surinder Biant, Councillor Cecile Biant, Councillor J. Gartside, Tony Lloyd MP, B. Penty, Barbara and John Oliver and Ian Sturrock.

WELCOME, INTRODUCTIONS, APOLOGIES AND CODE OF CONDUCT

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The meeting was chaired by Phil Massey who welcomed everyone to the meeting and reminded the Forum of the purpose of the meeting.

It was explained that because of the location of the TBA site Councillors and residents from Norden and Healey Wards had also been invited to the meeting.

The Forum was asked to abide by the Code of Conduct throughout the meeting.

Apologies had been received from Councillor Surinder Biant, Councillor Cecile Biant, Councillor J. Gartside, Tony Lloyd MP, B. Penty, Barbara and John Oliver and Ian Sturrock.

PRESENTATION ON THE FINDINGS OF THE TBA PERIMETER AIR SAMPLING SURVEY FOLLOWED BY QUESTIONS

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Nicola Rogers (Rochdale Borough Council) and two representatives from Bureau Veritas, Simon Hodge and John Carrington attended the meeting for this item.

Because residents had been provided with a link to the report prior to the meeting The Forum was provided with a brief overview of the monitoring exercise, which included details of;

- The scope of the monitoring exercise

- The rationale for choosing sampling locations – permanent and variable

- The purpose of the preliminary sampling exercise

- The strategy considered for long term data collection (phase 2) of the exercise
- Sampling methodology adopted
- The total number of samples taken
- Findings

It was also commented that although it is accepted that there is no safe level of airborne asbestos the World Health Organisation states that fibre levels below 0.0005 fibres per millimetre are not a significant risk. The level of detection for phase two of the exercise falls into this category. As a consequence there does not appear to be any evidence to suggest there is any significant risk to health of those living or working in the area around the TBA site. The report has also been shared with Public Health England.

The report will also be shared with Senior Elected Members of the Council tomorrow.

The following issues were raised by residents;

A resident commented that at this moment in time the land is settled, however should disturbance occur how many fibres would be released? An example of motor bikes using the land was given.

Response – It is accepted that any land disturbance could potentially release asbestos fibres into the air, however it is very difficult to quantify.

Several residents raised concerns about the validity of the monitoring exercise. Residents were of the opinion that additional monitoring was required, more sampling locations should have been identified and more data should have been collected. In reality the monitoring exercise accounts for a very small window of time. As a consequence clarity was sought about the extent of the monitoring that took place.

R - A series of monitoring locations were established around the former TBA site which determined airborne fibre concentrations at monthly intervals over an eighteen month period. The monitoring network comprised of four permanent stations which were selected due to prevailing wind direction, with additional sites selected for monitoring depending on the wind direction on the survey date. Air monitoring used two different types of analysis – Phase Contrast Optical Microscopy (PCOM) and Scanning Electron Microscopy (SEM). Monitoring was not continuous but administered over a 2 hour period. In total 103 samples were taken. One asbestos fibre was found during phase one at Harridge Avenue, no fibres were found during phase two including Harridge Avenue.

A resident asked if sampling frequency had been changed during the monitoring exercise?

R – Yes. The following events occurred during the course of the survey which required adjustment to the planned sampling frequency;

- *A few months were missed due to prolonged bad weather which prevented air sampling;*

- *Illness of the consultant attending the site;*
- *Unauthorised dumping occurred on the TBA site which resulted in an increase in the number of variable sampling locations on Woodland Road immediately adjacent to the dumped waste piles.*
- *An intrusive ground investigation was conducted by the site owners own consultants (RSK Group) during November 2016 to January 2017. Phase 2 monitoring was subsequent extended to ensure any ground disturbances were covered.*

A resident commented that damp conditions can significantly reduce fibre detection. Therefore is it possible to identify when samples were detected to understand the weather conditions at the time.

R – Yes

It was asked if the raw data from the survey could be made available?

R – Yes

Was the monitoring station at Harridge Avenue re-visited following detection of the fibre at the monitoring station?

R – Yes and nothing else was found.

A resident commented that a report drafted in 2005 suggested using more sensitive methods to aid sampling because certain types of air sampling methods are poor at detecting low levels of asbestos exposure. It was asked if the content of this report had been taken into consideration?

Another resident cited a further incident where information from the Secretary of State was available, however he doubted this information would have been taken into account.

R – It was acknowledged that the content of the 2005 draft report had not been taken into consideration. It was agreed that this report should be forwarded to the Council.

It was also accepted that technically it would have been possible to increase sampling volumes, however increasing sample volumes eventually becomes self-limiting because of other particulates. It was commented that the techniques used – PCOM and SEM are accepted industry standards.

A resident commented that he had spoken to RSK Group representatives who had informed him that they have no knowledge of other surveys or other information on the site being available.

R – Senior management at RSK Group are using historical data, the Atkins Report and the results of their intrusive site survey to provide a detailed understanding of the site.

It was asked what the cost of the air sampling survey was, who paid for it and if terms of reference for the exercise were agreed.

R - Rochdale Borough Council commissioned the survey at a cost of £26000. Terms of reference were agreed and satisfied.

A discussion took place concerning the use of the Armley Factory in Leeds as a comparator with the TBA site. Residents were of the opinion that this was not justified as the TBA site was much larger and 'unique' in terms of the production of asbestos

R – It was commented that the comparison was made to demonstrate the air sampling techniques used elsewhere and data collected.

Residents commented that the site is still accessible and used by the public on a daily basis. Concerns were also raised about the safety of the buildings.

R – The Forum was informed that the land owners are responsible for site security and ensuring buildings on site are safe. The land owners are aware of their responsibilities to undertake site inspections.

It was asked what response times can be expected if a fire occurs on site.

R – Bureau Veritas can be on site in ninety minutes with sampling analyst on site within 4 hours. Results would follow shortly after this.

A resident asked if it was true that lessons had been learned from the two fires that had occurred at the site.

R – It was agreed this was the case as a site specific emergency plan was produced to deal with any future incidents. Greater Manchester Fire and Rescue Service facilitate this procedure.

A resident asked what triggers the emergency plan

R – Unsure. Will investigate further

Concerns were raised by a number of forum members that residents and other interested parties did not have a platform to discuss the TBA site. It was asked if the TBA working party which once existed could be re-established. This view was further supported by another member of the Forum who commented that they do not feel the community is any further on than we were twelve years ago. Reasons given were that the sampling techniques and methodologies used are flawed and inadequate, the knowledge of local people has been ignored and the uniqueness of the site has not been taken into consideration. We need to move forward and assurances need to be given regarding public health.

R – The suggestion concerning the re-establishment of the TBA Working Party will be investigated.

A discussion took place about the site not being legally classified as contaminated land. An opinion was given which argued that the land was not classified as contaminated because there is a possibility that the site could be used for development purposes in the future. Contrary to this, a draft Council report was presented which indicated the site should be determined as contaminated land.

The same resident questioned why legal advice sought by the Council and paid for from public finances about the Council's responsibilities towards the site and site owners cannot be made public.

R – It was confirmed that the TBA site is not determined contaminated land and the legal advice given would have been privileged information. However the concerns raised will be passed on.

It was asked how residents can activate an emergency situation

R – Residents were encouraged to contact Greater Manchester Fire and Rescue Service or the Police in an emergency. The Councils Contact Centre could also be contacted.

A resident asked if a contingency plan for site security existed should the existing land owner abandon the land.

R – There is no evidence to suggest that the landowner is considering abandoning the land

Because of concerns raised during the Forum about the lack of progress being made with the site a resident asked if a deal had been done with the land owners. In the opinion of one resident this view was fuelled further because of the Council's desire to develop the Akzo Nobel site in Littleborough.

R – Although the Council wants a sustainable future for the whole site, no deal has been done.

A resident commented that Central Government should be approached to assist with dealing with the TBA site

R – This suggestion would be referred accordingly

A resident asked if the intrusive site survey carried out by RSK Group on behalf of the land owners had been completed. If so do we know when it will be available.

R – The Forum was informed that the land owners had been contacted on numerous occasions requesting information about the site survey. No responses had been received therefore it is not possible to provide a timeframe for receipt of the report.

A member of the Forum commented that based on discussions at this meeting it was evident that the land owners are doing very little to progress matters and they seem to be ignoring calls for site / safety inspections. Therefore it was necessary for the Council to consider regulation and enforcement and refer the matter to the highest levels.

R – The concerns raised will be passed on and the Council's position regarding enforcement will be investigated.

A resident asked if RSK Group could be approached directly to find out if they have completed the intrusive site survey

R – Yes, this could be done.

Action Points from meeting

1. Information identifying the weather conditions when the airborne sample was detected should be made available.
2. The raw data from the survey be made available
3. The draft report compiled in 2005 be forwarded to Nicola Rogers
4. Investigate the Emergency Plan 'trigger points' and provide details to the Forum.
5. Investigate if the TBA Working Party could be re-established and the outcome be forwarded to the Forum.
6. The concerns raised regarding the TBA site not being determined as contaminated land be reported.
7. A request that the legal advice received by the Council in relation to responsibilities for the site be made available to the public be investigated and findings reported back to the Forum.
8. A request that Central Government be contacted to ascertain if they are willing to assist in progressing issues relevant to the TBA site be passed on and any response be made available to the Forum.
9. Rochdale Council's enforcement powers in relation to the site should be investigated and findings reported back to the Forum.
10. RSK Group to be asked if they have completed the intrusive site survey and findings be reported back to the Forum.

DATE AND TIME OF NEXT SPOTLAND & FALINGE AREA FORUM

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Thursday 16th November 2017 at 7pm (including Annual General Meeting) at Spotland Methodist Church.