

ROCHDALE NORTH TOWNSHIP COMMITTEE

MINUTES OF MEETING Tuesday, 10th September 2019

PRESENT: Councillor O'Neill (in the Chair); Councillors Ali Ahmed, Iftikhar Ahmed, Cocks, Heakin, Holly, Massey, Rana, Wazir and Winkler.

OFFICERS: V. White, J. Simpson (Neighbourhoods Directorate), I Trickett (Economy Directorate) and P. Thompson (Resources Directorate).

ALSO IN ATTENDANCE: Four members of the public.

APOLOGIES

8. Apologies for absence were received from Councillors Sultan Ali and Gartside.

DECLARATIONS OF INTEREST

9. There were no declarations of interests.

OPEN FORUM

10. The following matters were raised in the Committee's Open Forum session:

a) College Bank Flats, Rochdale

The Township Committee were addressed by Mr. R. Parker and Mr. M. Slater regarding proposals by Rochdale Boroughwide Housing (RBH) to demolish four of the seven high rise accommodation blocks at College Bank, Rochdale, commonly known as the 'seven sisters' and with regard to the consultation exercise that RBH had carried out in relation to this matter.

It had been anticipated that the Committee would be receiving a report from the Director of Neighbourhoods regarding the outcome of a consultation exercise relating to the draft Supplementary Planning Document, details of which were reported to the former Rochdale Township Committee at its meeting held on 23rd January 2019.

Members of the Committee again expressed their concerns at the consultation exercise that RBH had undertaken (further to minute 3(b) of the Committee's meeting held 11th June 2019) and member's support for the work of the residents who were opposed to the course of action being proposed by RBH was noted.

Resolved:

1. The Chair, Councillor O'Neill, on behalf of the Committee be authorised to make enquiries regarding the current position of the draft Supplementary Planning Document.
2. The Committee expresses its support for the work of the residents who were opposed to the course of action being proposed by RBH.
3. The Committee requests that the Cabinet member with responsibility for the Planning, Development and Housing Portfolio be requested to take up the concerns of the residents with RBH.

b) Syke Common, Healey

The Township Committee received a series of questions from Mr. R. Lord and Mr. N. Dixon regarding activities being progressed to repair and improve the paths around Syke Pond, some sections of which continue to collapse into the pond. The Committee received answers to Mr. Lord and Mr. Dixon's questions, from the Council's Environmental Management Service and noted that a full report on this

matter would be submitted to the next meeting of the Healey Ward's Area Forum on 18th October 2019.

c) Greater Manchester Police

Members of the Township Committee expressed their disappointment that representatives of Greater Manchester Police were not in attendance at the meeting to update on initiatives they were undertaking in both the Rochdale North Township and in Rochdale town centre.

Resolved:

That the Township and Communities Manager be requested to write to greater Manchester Police requesting that, wherever possible, they attend future meetings of Rochdale North Township Committee to update on police and community initiatives.

MINUTES

11. The Committee considered the minutes of the previous meeting held 11th June 2019. It was noted that at the last meeting, Councillor Cocks had been appointed as the Township's Older Person's Champion and not Councillor Massey (minute 7 refers). Further to minute 6 (resolution 6) the monetary figure of £5,000 should replace £5,00 quoted in that minute.

Resolved:

That subject to the above two amendments the minutes of the meeting of Rochdale North Township Committee, held 11th June 2019, be approved as a correct record.

ROCHDALE NORTH TOWNSHIP ACTION AND RESOURCES DELEGATED SUB-COMMITTEE

12. Resolved:

That the minutes of the meeting of Rochdale North Township Action and Resources Delegated Sub-Committee, held 4th July 2019 be noted.

PERMANENT DIVERSION OF DEFINITIVE FOOTPATH HEYFP117

13. The Township Committee considered a report of the Director of Neighbourhoods which advised that land which has been used to form part of a right of way (footpath) in the Norden area of Rochdale, labelled as HeyFp117 and RocAFp10 on Council records, was now unstable following a landslide in the area. The footpath ran on a ledge some 20 – 30 feet high and was considered a high risk for continued use by the general public.

To ensure public safety it was proposed to divert part of HeyFp117 and part of RocAFp10 footpaths to land located further away from the ledge. The Council was able to do this by proceeding with a Map Modification Order under section 119 Highways Act 1980 and following this with a legal event order to change the routes on the definitive map and statement.

The relevant landowner (United Utilities) were contacted and has written to the Council to approve a diversion of the footpaths onto neighbouring land in their ownership. The location of the diverted route is currently being used by members of the public and is notably safer.

The associated costs for officer's time and advertising costs will be borne by the Council. The diversion is required to protect public safety.

Alternatives considered:

It was reported that there were no other suitable alternatives. It was not possible to build the land back up as it was a natural landslide, the land was now unstable and any works carried out in the area could cause further land fall.

Resolved:

That the Council proceed with a Definitive Map Modification Order to divert the footpaths to an alternative location agreed by the landowner (United Utilities), to remove the risks to the general public, and, to show the new location of part of HeyFp117 and part of RocAFp10 a on the definitive map and statement by completing a legal event order.

Reasons for the decision:

Under Section 130 of the Highways Act 1980, the Council has a duty to assert and protect the rights of the general public to the use and enjoyment of any right of way. Should a right of way be out of repair, difficult to use or there is a risk to the general public in their right to the use of a footpath, bridleway or restricted byway, the Council has a duty to take the appropriate action to ensure the legitimate users are not put in any potential danger.

The conditions described in the report represent one of the circumstances the Council has to take action and the only reasonable precaution was to divert the sections of footpaths onto land that is easy to use and stable. The general public were already using an alternative route on neighbouring land, as the Council applied a temporary closure to prohibit use along footpaths HeyFp117/RocAFp10. The landowner, United Utilities, allowed access over a permissive route that they have now agreed can be recorded on Council records as a legal definitive footpath.
Eligible for Call-in: Yes.

ROCHDALE NORTH TOWNSHIP FUNDS - DELEGATION ARRANGEMENTS

14. The Director of Neighbourhoods presented a report which advised Members that at its first meeting on 11th June 2019, the Township Committee had considered a report reviewing its Township Funds for 2018/19, agreed terms and conditions for funds in 2019/20, and considered its delegation arrangements for 2019/20.

The Committee had authorised the delegation to the Townships and Communities Manager, in consultation with the Chair, Vice Chair and Opposition Spokesperson of Rochdale North Township Action and Resources Delegated Sub Committee. The Committee also resolved to reduce the limit of delegation from £5,000 as per the recommendation in the report to the Committee, to a limit of £3,000.

The Townships and Communities Manager reported that in agreeing a limit of £3,000 for delegated decisions, the Committee may be open to challenge if it was found that Rochdale North Township had, without justification, departed from the consistency of decision making which may be deemed as lacking in fairness. It was noted that all of the Borough's other four Townships had agreed to delegate decisions up to £5,000.

Alternatives considered:

The Committee has delegated authority to determine whether or not to approve the allocation of funds to funding streams and adopt terms and conditions associated therewith.

Resolved:

The Committee, in the light of legal advice received, rejected the recommendation to increase the limit of delegation from £3,000 to £5,000, which would have put it the

delegated funding limit at the same level as the Borough's other four Township Committees.

(N.B. in accordance with Council Procedure Rules, Councillor Holly requested that his vote against the Committee's resolution in this regard be noted).

Reasons for the decision:

The management of the Township Funds is a function that is delegated from the Township Committee to the respective Township Devolved Sub-Committee. The Township Funds are allocated to projects that benefit the Borough's communities and environment, and which realise the Township priorities.

Eligible for Call-in: Yes.