



AMBER VALLEY
BOROUGH COUNCIL

JULIAN TOWNSEND
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Environment Unit

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Freda Raphael
18 Bullbridge Hill
Ambergate
Derbyshire
DE56 2EW

Our Ref : 10/00033/EPA80B
Your Ref :
Date : 08 April 2010
Ask For : Darren Hurst
Direct Line : 01773 841318
Email : Darren.Hurst@ambervalley.gov.uk

Dear Ms Raphael,

Re: Environmental Protection Act 1990 – Asbestos Containing Materials at the Former Dye Works, Bullbridge Hill, Ambergate, Derbyshire.

I am writing to update you on your complaint, regarding asbestos at the former Stevenson's Dye Works.

Despite my best efforts to seek a relatively quick resolution, I have been unable to discuss the matter with the landowner.

I have served an Abatement Notice on the registered proprietor of the land; JG Ambergate LLP. They should receive the Notice on the 09 April 2010. The Notice has been served, as I am satisfied that a Statutory Nuisance exists at the site.

The Notice requires the landowner to:

...remove all quantities of asbestos containing materials that have become damaged or are at risk of damage due to collapse of structures from the site within 30 days of the date upon which this notice was served upon you. You must use current best practice to prevent the release of asbestos fibres into the air.

I am limited by the legislation, and case law, to only consider public health risks as a result of disease or ailments. I cannot include 'physical injury' i.e. material falling onto a trespasser.

I have strongly advised the landowner, in the letter that accompanied the Notice, to:

...ensure that any dangerous structures at the site are made safe and the site is securely fenced, and that this fencing is maintained.

However I cannot include this in the Notice, therefore I cannot enforce it should they choose not to.



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To try and ensure the site is securely fenced, and prevent the risks of 'physical injury' to trespassers I contacted the Health and Safety Executive. Unfortunately as the site is not currently being worked on, they do not consider their powers to be appropriate.

I have also contacted our Building Control section who are currently trying to see if they can get the site fencing secured.

I hope the landowner will act in accordance with the Notice. If the Notice is not complied with the Council may choose to prosecute the landowner. The Council may also choose to undertake the works in default.

Please contact me if there is anything you would like to discuss.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Darren Hurst', written in a cursive style.

Darren Hurst
Scientific Officer