

MINUTES OF THE MEETING
OF BIRCHWOOD TOWN COUNCIL, HELD AT
PARKERS FARM COMMUNITY CENTRE, DELENTY DRIVE, RISLEY
ON TUESDAY 27TH SEPTEMBER 2016

Present: Councillor Bowden in the Chair
Councillors Allman, Atkin, Breslin, Ellis, Evans, Fitzsimmons, T. Hearldon,
Linney and Nelson

Clerk – Mrs. F. McDonald
Deputy Clerk – Mrs. C Caddock
Business and Finance Officer - Mr. G. Crowe

11 Residents

Apologies: Councillors M. Hearldon and Reeves

Councillor Fitzsimmons proposed, Councillor Evans seconded and it was resolved that:

The Minutes of the July Meeting of the Town Council which took place on Tuesday, 26th July 2016 be approved as an accurate record and signed by the Chair with one amendment: that on page 94, paragraph 6, the spelling of Councillor Atkin's name be corrected from 'Atkins' to 'Atkin'.

Code of Conduct – Declaration of Interests

The Chair reminded members of their responsibility to declare any personal interest or prejudicial interest which they have in any item of business on the agenda, no later than when the item is reached.

Councillors Atkin, Bowden, Breslin, T. Hearldon – Birchwood Carnival Committee

184/16-17 **PUBLIC PARTICIPATION**

(a) **Police Monthly Update**

There was no Police presence at tonight's meeting.

The Police Twitter address is @PoliceWarr.

(b) **Residents' Queries**

(i) **Land on Admirals Road (Oliver Plunkett Site)**

A resident asked whether the land, which is currently the subject of a planning application for the development of 65 houses, has been sold.

Councillor Bowden stated that the full legal processes still had to be completed, but that a recommended purchaser had been agreed by the Borough Council's Executive Board.

In response to further queries about the price of the land, Councillor Bowden explained that this information could not be given as three landowners are involved and under the Local Government Act their commercial confidentiality has to be protected, as does that of the buyer. He could say that the sale had been open to tender, this process had been led by the Home and Communities Agency, and that the initial amount expected had been exceeded.

Councillor Bowden added that the money received by Warrington Borough Council from the sale will be ring-fenced for use within Birchwood.

Following questions and concerns raised by residents regarding the management of the proposed landscaping and properties, Councillor Bowden stated that this would not be considered a planning consideration.

This was also discussed later in the meeting (see Minute 214/16-17 (c)(9)).

(ii) **Speeding**

A resident noted that there was a considerable amount of information in the July minutes regarding speeding and that traffic data has been emailed to PCSO Steve Bingham; however, he said that on Locking Stumps Lane nothing has changed. The resident added that he had seen the results of the last survey (from 2012) which indicates that 80% of traffic using Locking Stumps Lane breaks the speed limit, but the only suggestion to deal with the matter seems to be to 'have another survey'.

Councillor Bowden stated Councillors genuinely share residents' concerns, but ultimately it is for the Police to undertake speed enforcement and as they are not present at tonight's meeting the Town Council cannot comment on their behalf. Whilst the Town Council does not have any powers with regard to speed enforcement, it will continue to press the Police to take further action; ultimately it is the responsibility of the Police to create a plan to tackle the issue.

The Clerk has asked for local accident data, which might offer information that can validate calls for further speed enforcement operations, but we are still awaiting receipt of these.

Councillor Allman suggested writing to the Inspector of Traffic Enforcement in Warrington.

Following further discussion, including the use of the speed sign and more formal speed enforcement operations, it was agreed that the Clerk would contact the Police/PCSOs and ensure someone is available at the next meeting with further information.

Action Clerk's office would contact the Police/PCSOs regarding the above.

(iii) **Forest Park Defibrillator and Uneven Paving Flags**

A resident stated that they have a defibrillator ready to be installed at the Rangers' Centre at the Forest Park, but have been told that it will have to wait until the refurbishments are undertaken. They added that there are several uneven flags around the entrance to the toilets and changing rooms which are a trip hazard, which they have also been told will have to wait until the refurbishment is done.

Councillor Bowden stated that the initial refurbishment costs have come in higher than expected and therefore the refurbishment proposals require some further consideration, which will cause a delay to the project. However, at a recent Carnival Committee meeting, it was requested that the defibrillator be installed temporarily at the Rangers' Centre, prior to the commencement of the refurbishments.

Councillor Ellis stated that he had raised the issue of the uneven flags with the Clerk's office, as they are a potential safety hazard and the Town Council was informed this would be done as part of the refurbishment.

Councillor Bowden said that as football teams and members of the public use the changing rooms and toilets, the uneven flags should be dealt with as soon as possible as a safety issue.

Action Clerk's office to liaise with Warrington Borough Council regarding these matters.

(iv) **Community Bulb Planting**

A resident stated that they had noticed in the papers that the Town Council had been asked to purchase some flower bulbs for a Community Bulb Planting event. The resident has recently dug up hundreds of bulbs and offered to give them to the Rangers instead of the Town Council purchasing the bulbs.

Members thought that these additional bulbs might be appreciated by the Rangers.

Action Resident to liaise with Dave Hazlehurst regarding the bulbs.

185/16-17 **LANDSCAPING/BULKY WASTE COLLECTIONS**

Councillor Bowden stated that Birchwood has been experiencing increasing issues with landscaping, but as there are many different landowners within Birchwood (including Warrington Borough Council, Your Housing Group, Golden Gates, The Woodland Trust, The Land Trust, The Home and Communities Agency, Taylor Woodrow, the business parks, the owners of the shopping centre, Seddons, etc.) identifying the correct landowner can be difficult.

Without the permission of the landowner, no work can be undertaken on their land or on their trees or shrubs.

The Town Council has a general agreement with Warrington Borough Council that if there are any areas where there are health and safety issues, such as sightline problems, footpaths closing in, brambles, nettles, etc. sticking out into pathways, then the Town Council can cut them back. We can also lop the occasional low hanging branch if they are potentially a hazard. We cannot undertake tree works as none of the maintenance team has a chainsaw licence.

Councillor Bowden informed the meeting that over the summer months, he and the Clerk have been meeting with Warrington Borough Council to try to develop an agreement for the Town Council to undertake some additional work to benefit the community. One of the main complaints we receive is with regard to grass cutting.

It was agreed that the Borough Council will support the Town Council in undertaking additional grass cuts in-between the Borough's scheduled 8 week cutting schedule. There are certain areas that the Town Council will not cut, such as the Forest Park, Birchwood Brook, BP Island, Birchwood Park Avenue and some other areas; it will mainly be residential roads.

The Town Council cannot grass cut in any Your Housing Group areas.

Councillor Bowden said that there would be no money available from the Borough Council to do this. The Borough will, however, train our staff and supply the equipment. He added that as the Town Council's motto is 'Serving our Community' and this is an issue continually raised by residents, the proposal is for the team to undertake appropriate training with a view to introducing this when the grass cutting season begins next year.

Councillor Fitzsimmons commented that following a letter of complaint published in the Warrington Guardian a few weeks ago, about the lack of maintenance of landscaping in Gorse Covert, he went to have a look and could only agree with the resident.

Councillor Fitzsimmons added that the Town Council might have to make some difficult decisions on how to fund additional services such as grass cutting, with one possibility being to stop bulky waste collections and encourage the Borough Council to be more forceful with its prosecutions for flytipping.

Councillor Nelson asked how many residents use the bulky waste service.

Councillor Bowden agreed with Councillor Fitzsimmons that difficult decisions will have to be made. He had also wondered about the usage of the bulky waste service and had asked the office to prepare some figures regarding collections for last year and this year to date; which he circulated to Members.

In 2015/2016, 250 collections took place; some of those were more than once to a household (limited to two collections per year). There have been 132 collections so far in the 2016/2017 year. Councillor Bowden added that the bulky waste collections only benefit a relatively small number of residents, whereas landscaping improvements would benefit 100% of residents. To dispose of a three piece suite that might fill a van could cost the Town Council around £125, whereas residents can have three items collected by the Borough Council for £20. Even if the Town Council was to charge residents for collections, it would still be disposing of them at a loss and landfill charges are increasing year on year.

Currently one team of two has to be taken off other duties for a full day every other week to facilitate the bulky waste collections.

The Borough Council collects white goods free of charge; therefore there is no reason why these items should be flytipped around Birchwood.

Councillor Linney wondered if there might be more visual pollution if residents could not get items to the waste sites and possibly left them out in their front gardens. Therefore the landscaping might look nice, but the house frontages could look awful. Councillor Linney asked if the Council would be able to send a letter out in such cases to make residents dispose of their items.

Councillor Bowden said that we would have to work with the community and through enforcement with Warrington Borough Council.

Councillor Evans asked why Your Housing Group does not remove bulky waste from their resident's properties.

The Clerk replied that Your Housing Group tends to pass them on to the Town Council. The Clerk added that although they are Your Housing Group tenants, they are still Birchwood residents.

Councillor Fitzsimmons said that we want to ensure that Birchwood remains a nice place to live and work and that companies and residents are not enticed away to areas like Chapelford and Omega. We need to keep the area tidy, neat and attractive.

Councillor Atkin asked if the Town Council would be able to do the grass cutting with the same level of resources it currently has.

The BAFO stated that the level would have to increase, even if bulky waste collections stop. A team of 4 would be needed for the interim grass cuts for a week or so at a time when they are scheduled in between the Borough Council's cuts.

Councillor Bowden stated that the BAFO would consider all options during the development of the budget and bring any proposals to the Council for further consideration.

Councillor Nelson suggested that if any items are found flytipped, we should pass this on to Warrington Borough Council for collection, rather than taking our teams off other work to collect items.

Councillor Allman asked for clarification regarding the areas that the Town Council would be undertaking additional work.

Councillor Bowden stated that it would only be on land that Warrington Borough Council has responsibility for – not Your Housing Group areas. He added that with regard to landscaping issues within Your Housing Group areas, the Clerk has had conversations regarding landscaping with Your Housing Group to, for example, try to work out a way that we can get permission from Your Housing to undertake work in their areas where there may be sightline issues and a cut would be necessary on the grounds of health and safety; but their team might not be able to get to it as soon as we could. Progress is currently slow, but ongoing, regarding this matter.

Councillor Bowden said that we need to continue to work with Your Housing Group to try to obtain permission to undertake immediate essential work and encourage them to undertake work which is right for the residents, not just for the environment.

One matter that was raised on a recent walkabout is a circle of trees located on Strawberry Close. Councillor Ellis said that he believes this is inappropriate in a residential area. The issue raised by local residents is that they believe the area is being used for drug dealing. It is so overgrown, it is like a maze and there are many ‘escape routes’ for those who are using the trees as cover for anti social behaviour. The trees are also affecting the road as the low, overhanging branches are now hitting larger vehicles such as transit vans.

Councillor Linney said that when the area was first planted there were only around five or six trees there, but over the years the area has not been maintained and the trees have self-seeded, resulting in the neglected area that is there now.

The Clerk reiterated that the Town Council, even with permission, would not be able to undertake full tree works as we currently have no member of staff with a chainsaw licence. We occasionally lop a small, overhanging branch off Borough Council owned trees where they present a potential hazard.

Councillor Atkin said that he is in favour of the Town Council taking on additional work and some additional staff, as long as this would be palatable to residents in the precept.

Councillor Bowden said that this is for the BAFO to work on. He believes it is possible to take on at least one additional member of staff without any affect to the precept. He added that we need to deliver services that residents want. Options need to be further considered and explored and the BAFO will bring proposals and potential costs to a future budget meeting.

Action Clerk to continue to liaise with Your Housing Group and Warrington Borough Council regarding landscaping.

Action BAFO/Clerk to consider options re: bulky waste collection and maintenance resources for undertaking additional landscaping work and to report back to a future meeting.

As residents had no additional comments to make at this point, the Chair called recess to an end.

186/16-17 **CHATFIELD DRIVE**

The Clerk reported that the Borough Council will be undertaking a traffic survey regarding the possibility of extending the 20mph speed limit past the high school, where it currently becomes 30mph. Consideration will also be given to extending the double yellow lines on Chatfield Drive.

187/16-17 **SPEED LIMITS**

At the July meeting Councillor Atkin suggested that if speed enforcement operations are to take place occasionally, then it could be argued that signs indicating that there may be a speed camera in the area, which can also indicate what the speed limit is, could be placed on some of the lighting columns, effectively acting as repeater signs.

The reply received from Warrington Borough Council states: *“Unfortunately the signs you have requested can only be deployed at locations where the police enforcement cameras are located on that specific road, unfortunately as Admirals Road does not currently have any speed enforcement Warrington Borough Council would not look to implement signs at this stage.”*

In addition, in response to a resident’s request reported to Members at a previous meeting that Lords Lane/Locking Stumps Lane be made ‘Access Only’, the Borough replied that, *“In respect of the request for an "Access Only" traffic regulation order, I can advise that these types of traffic restrictions are enforceable by police. The successes of these measures rely heavily on the level of enforcement that can be deployed. Due to the number of properties and amenities in the areas it would be difficult for police officers to identify whether a motorist has a legitimate reason for accessing any of the roads. Therefore, an "Access Only" restriction would not be appropriate for this location.”*

In view of the same resident’s concerns raised about speeding, the Borough Council Officer replied, *“I have spoken to PC Ian Stewardson, about the locations you are concerned about a he has informed me that Glover Road is historical 'UNIPAR' speed enforcement sites but under the new speed management protocol, he will need to obtain up to date speed data before any decision to enforce is made. The council does not have any involvement or influence in this process other than to provide any speed surveys that we may have undertaken in the past which have already been requested and received by the police. Further to this I would expect a direct response from the police on completion of their process.”*

Councillor Bowden stated that over time it is hoped that drivers will realise, that following the pinch point works, there is much less congestion on the main routes and that fewer drivers will take the Locking Stumps/Lords Lane routes as a cut through.

188/16-17 **PUBLIC ENGAGEMENT**

Councillor Ellis stated that an informal meeting of the working party was held during the summer months and the main draft strategy document is almost complete. An action plan needs to be developed from analysis of the draft strategy document and it will need to be agreed which items need to be put out to consultation with residents.

Members agreed a date of the 18th October 2016 for the next working party meeting, to which all Members are invited.

189/16-17 **BINS**

The Clerk reported that we are awaiting dates from Warrington Borough Council as to when someone will be available with Cat and Genny equipment to check the areas where the Town Council has proposed additional bins should be located for suitability.

Action To continue to liaise with the Borough Council regarding this matter.

190/16-17 **BIRCHWOOD CARNIVAL**

The Clerk stated that a meeting of the Carnival Committee took place on 14th September 2016 and informed those present that the 2017 Carnival will take place on Sunday 4th June.

The next Carnival Committee meeting is scheduled to take place on 19th October, 1.30pm at Parkers Farm.

191/16-17 **RISLEY MOSS VISITOR CENTRE – AUDIO VISUAL EQUIPMENT**

The Clerk reported that she had contacted Warrington Borough Council regarding this matter and had received a response from Angus Lord informing us that the initial enquiry related to the historic New Town visitor centre display from the Cheshire County Council days.

We are awaiting further information regarding how Councillors and members of the public can have their input into this project.

192/16-17 **COUNCIL SURGERIES**

The Clerk stated that the next surgery will take place on 25th October 2016.

Councillors Allman and Nelson will attend this surgery.

193/16-17 **LOCKING STUMPS WALKABOUT**

The Clerk reported that a recent walkabout took place in Locking Stumps on 15th September.

Councillor Bowden stated that one of the issues raised was the apparent reduced brightness of some of the new street lighting.

Councillor Evans stated that he was concerned that there are columns that seem to have been installed where the actual light is within the tree canopy.

Councillor Bowden stated that this matter was in hand, that when the installation of all the columns has taken place, there will be an audit of the new lighting and trees will be cut back where necessary.

Councillor T. Hearlton said that there are some places where old columns seem to have had new heads fitted to them.

Councillor Bowden said that this needs to be looked into as he thought that all the columns in Birchwood would be replaced with new ones.

The Clerk asked if Members wished to arrange an evening walkabout to look at the lighting and, if so, when.

Action Clerk's office to circulate suggested dates and times for an evening walkabout after November 5th 2016.

194/16-17 **PUBLIC USAGE OF A FOOTPATH – BIRCHWOOD WAY/LOCKING STUMPS LANE**

The Clerk stated that we have received a couple more responses to the poster on the footpath, which have been forwarded on to the Borough Council.

Councillor Evans stated that John Thorpe has said that this matter should be resolved by the end of September 2016.

195/16-17 **UPDATE ON PLANNING MATTERS**

Application No. 2016/27851 McDonalds Restaurant, Benson Rd. WA3 7PQ. Proposed refurbishment and reconfiguration of the restaurant and car park.

The Clerk reported that, as requested, the Town Council's comments were sent to the planning department regarding this application. Two additional bins will be installed by the developer on the site.

196/16-17 **CHESHIRE ASSOCIATION OF LOCAL COUNCILS (CHALC) AND NATIONAL ASSOCIATION OF LOCAL COUNCILS (NALC)**

The Clerk stated that the other Local Councils who sent attendees to the training session have been invoiced.

197/16-17 **LOCATION OF DEFIBRILLATOR**

The Clerk stated that the new cabinet will be installed on the wall of Birchwood Youth and Community Centre on Friday 30th September 2016.

198/16-17 **LANDSCAPING MAINTENANCE – YOUR HOUSING GROUP AREAS**

This was covered earlier in the meeting (see Minute 185/16-17).

199/16-17 **BULKY WASTE**

This was covered earlier in the meeting (see Minute 185/16-17).

200/16-17 **ART PROJECT**

The Clerk reported that we are still awaiting a response from Warrington Borough Council.

201/16-17 **GRID CLEANSING LOCKING STUMPS**

At the July meeting, Councillor Nelson asked if the grid that keeps silting up on the path near Locking Stumps School could be checked to see if that has been cleaned recently, as that path also floods regularly.

The Clerk reported that this has been reported to the Borough Council and we are awaiting a reply to a query asking if this work has been undertaken yet.

202/16-17 **LANDSCAPING AROUND PINCHPOINT WORKS**

The Clerk reported that a further update has been received from the Borough Council regarding landscaping works around the areas where the pinch point works were undertaken.

The landscaping sub-contractor has carried out their contracted first cut of three, with the second cut due in a few weeks' time and the third cut due for early 2017. There is an acceptance that the surface is still stony in places and that the grass seeds have not taken on some of the slopes. The sub-contractor will be re-fertilising and re-seeding these areas prior to the second cut.

The Borough Council will keep an eye on the progress with the landscaping.

203/16-17 **LIFT AT BIRCHWOOD RAILWAY STATION**

The Clerk reported that the lift at Birchwood Railway Station is, once again, operational.

NEW ITEMS RAISED UNDER THE CLERK'S REPORT TO THE COUNCIL

204/16-17 PAPERS RECEIVED DURING RECESS

A list of new items that had already been circulated/dealt with during recess under delegated powers had been circulated to Members. There were no comments on these papers or additional actions to be taken.

205/16-17 WARRINGTON BOROUGH COUNCIL

- (a) Sent/received – emails with Linda Smallthwaite regarding dog fouling.

The Clerk reported that she and Councillor Bowden will be arranging a meeting with Linda Smallthwaite to discuss this matter.

- (b) Sent/received – emails regarding lighting in Locking Stumps (2 separate matters).

See also Minute 193/16-17 above.

- (c) Sent – email re: a resident's request for some form of obstacle to be installed on footpaths at the rear of Armstrong Close leading through to Glover Road and Warrington Road; to prevent motorcycles/off road bikes being driven on these paths. They have concerns that there will be an accident caused by the riders.

We are awaiting a response from the Borough Council

- (d) Sent/received – emails regarding the parking of plant items relating to roundabout resurfacing work.

- (e) Received – August/September Neighbourhood Bulletin.

- (f) Received/sent – emails regarding damaged block paving in the Forest Park. Dave Hazlehurst has temporarily replaced missing block and is liaising with the Borough Council to get further repairs done.

- (g) Sent – email informing the Borough Council that we have collected the Whinchat Drive sign which was knocked down and snapped off its legs. Warrington Borough Council has collected it with a view to re-installation.

- (h) Sent – email reporting lights out in the underpass leading to Powell Avenue.

- (i) Received – details of the next Warrington Rights of Way Forum meeting, taking place on 1st December 2016 and minutes of the previous meeting.

- (j) Received – Papers for East Area Board meeting (21st September 2016).

Following this meeting we received a copy of the presentation regarding indices of deprivation in Warrington, which contained a lot of statistical data which was not easy to interpret. A resident, who is a member of the East Area Board had asked for Members' thoughts and comments on the statistics.

As everyone seemed to be in agreement that the data could not be easily interpreted, specifically about how it related to Birchwood, it was agreed to take up an offer from the Public Health Analyst who produced the presentation to come to a meeting to explain it further and that this should be a public meeting.

Action Clerk's office to obtain some possible dates for a meeting to circulate to Members with a view to arranging a public meeting.

- (k) Received – Invitation to the Chair re: Regimental Sunday Service of Remembrance.
The Chair hopes to be able to attend.
- (l) Received – Parish and Town Council Survey Form re: Members’ allowances.
This has been completed and returned.
- (m) Received – Traffic notice re: proposed temporary speed limit restriction (to 30mph) to allow for the replacement of gas mains from 10/10/2016 for 6 weeks on Birchwood Park Avenue from its junction with Kelvin Close to its junction with Warrington Road.

The Clerk stated that she has enquired whether the Town Council can undertake any work on this stretch of road whilst the speed limit is restricted to 30mph. We are awaiting a reply.
- (n) Sent – Request for the drains on the footpath from Locking Stumps shop to Campion Close to be cleansed.

206/16-17 **BIRCHWOOD FORUM**

- (a) Received – Warrington Business News – September 2016.
- (b) Received – Details of two Warrington Disability Partnership upcoming charity events.
- (c) Received – Birchwood Forum meeting and events update.

207/16-17 **MISCELLANEOUS CORRESPONDENCE**

- (a) Received – Various update/information emails from Warrington Voluntary Action.
- (b) Received – Various issues of Birchwood Park’s ‘Parklife’.
- (c) Received - Various LGC briefing emails.
- (d) Sent – Email to Birchwood Community High School alerting them to the fact that there has been a small fire on the MUGA at the high school (on or around 15th August 2016). (There was also the destruction of The Birches play area and a fire on the field at the John Keeney play area reported on the same day.)
- (e) Received – Invitation from Birchwood Lions Club to the Birchwood Service of Remembrance on Saturday 12th November, to gather at 10.30am at the Memorial at Birchwood Shopping Centre.

Several Members indicated that they hoped to attend.
- (f) Received – SLCC Notice of Annual General Meeting.
- (g) Received – SLCC e-news bulletin – 9th September 2016. This contains links to a number of documents relating to the preparation of a neighbourhood plan (already circulated to Members).
- (h) Received – iCAN alert – scam phone call with the caller claiming to be from Warrington Borough Council calling about compensation claims.

- (i) Received/sent – Email correspondence between a cyclist, Warrington Borough Council and Birchwood Town Council regarding the footpath/cycle path adjacent to Parkers Farm.
- (j) LiveWire is engaging in a public consultation on future direction of LiveWire and libraries in Warrington

The 30 day public consultation into the proposed changes to their library and learning provision in Warrington will run from 5th September until 4th October
<https://livewirewarrington.co.uk/library/modernisation-consultation>

- (k) Received – Email from a family worker within ‘Footsteps’ - a charity offering support to people who are affected by someone else’s drug or alcohol misuse.
- (l) Sent/received – correspondence with Network Rail regarding the maintenance of the footpath that runs from Birchwood Railway Station to Woolston, following concerns raised by Birchwood Community High School about the safety of learners who walk and cycle this path to get to and from school.

The Clerk stated that we had received lots of complaints about the landscaping maintenance on the footpath. Our team has occasionally gone out to clear broken glass off the path, but it is on private land and it had taken some time, working with take responsibility.

The Clerk stated that a company that works for Northern Rail (which now has responsibility for Birchwood Railway Station) is going to deal with the footpath.

- (m) Received – request for assistance from a resident regarding maintenance of some trees near their property on Heather Close. We have contacted both Warrington Borough Council and Your Housing Group about this matter and our team were able to lop one overhanging tree branch from a Borough Council tree. There is a mix of tree ownership in the area.

208/16-17 **YOUR HOUSING GROUP**

- (a) Sent/received – various emails regarding the fire that destroyed The Birches play area in Locking Stumps.

The Clerk said that she had been informed by Kelly Tasker that she will arrange a meeting regarding this play area once they have heard from the insurance company. There is a significant excess in place.

The damaged play equipment has to stay in place until the loss adjuster has been to see the damage.

Councillor Ellis commented that the safety fencing appeared to be dangerous in places.

Action Clerk’s office to contact Your Housing regarding the safety fencing.

- (b) Sent/received – emails regarding some of the landscaping work on Talbot Close. This includes an explanation re: the treatment of ivy and why it is cut and left to die back before being removed.

- (c) Sent/received – email about flytipping on Partridge Close. Although the property is not managed by YHG Kate Morrissey offered to put a note through the door asking if they could remove it. The items were still in place two weeks later so the Town Council removed what they could. The fridge will be collected by the Borough Council at a later date.
- (d) The Locking Stumps walkabout took place on 15/09/2016. A resident who raised a number of issues was invited to join the walkabout (see also Minute 193/16-17 above).
- (e) Received – update on the progress of the multi-use games area on Brock Road.

It is hoped that the facility will be completed by around 3rd December 2016.
- (f) Sent via web chat – report of flytipping on Whitethroat Walk.

209/16-17 **CHESHIRE POLICE**

- (a) Received – Various alerts from the Cheshire Police Alert System. For details re: Cheshire Police Alerts and how to sign up to receive them (completely free) go to www.cheshirepolicealert.co.uk/
- (b) Sent/received – emails regarding a resident’s concerns, raised with Councillor Linney, re: alleged drug taking in an area of Locking Stumps.
- (c) Received – Draft Police and Crime Plan 2016 - 2021

210/16-17 **CHESHIRE ASSOCIATION OF LOCAL COUNCILS (ChALC) AND NATIONAL ASSOCIATION OF LOCAL COUNCILS (NALC)**

- (a) Received – ChALC weekly e-bulletins and ChALC August Newsletter.
- (b) Received – ChALC 2017 Training Programme and details of a ‘Council and the Community’ training course in October 2016.
- (c) Received – NALC bulletins on national developments and meetings.
- (d) Received – Link to revised Legal Topic Notes LTN 14E (byelaws) and LTN 59 (amended to reflect recent planning legislative changes).
- (e) Received - link to Legal Briefing L02-16 on specialist planning law advice and representation.
- (f) Received – NALC’s Direct Information Service bulletin – Issue 891 September 2016.

211/16-17 **PUBLICATIONS RECEIVED**

Clerks & Councils Direct – September 2016
 LGC – 08/09/16, 15/09/16
 LCR – Autumn 2016
 Skylines – North West Air Ambulance newsletter.

212/16-17 **PRESS ARTICLES**

Various articles published in the local press that are of specific/related relevance to Birchwood were copied to Members in their papers.

213/16-17 **MEMBERS' REFERRALS MADE VIA THE CLERK PRIOR TO THE MEETING FOR CONSIDERATION AT THIS COUNCIL MEETING**

Councillor Allman declared an interest as he is a member of Spectrum Striders

Councillor Nelson – Road closures ref: Spectrum Striders Birchwood 10K Race.

Councillor Nelson had been contacted by a local resident who had experienced difficulty in getting to where they wanted to go on the morning of the race. All the routes seemed to be closed and the race marshals did not appear to be able to give them the correct information about how to get to where they were going.

Councillor Bowden stated that Spectrum Striders have been contacted regarding this matter. For future events they will ensure that roads are closed for as short a time as possible and that all their marshals are properly instructed and can therefore pass on the correct information about alternative routes.

214/16-17 **CURRENT PLANNING APPLICATIONS FOR COMMENT AND OBSERVATION AND OTHER RELATED PLANNING ISSUES**

(a) **Warrington Borough Council**

No documents for any upcoming the Development Management Committee meetings, since 6th July 2016, were received prior to the meeting.

(b) **Enforcement Cases**

Lists of enforcement cases recently opened/closed have been received.

(c) **Planning Applications** (*Already circulated – not copied in papers*) - *all plans can be viewed via:*

http://www.warrington.gov.uk/home/transport_planning_and_environment/Planning/Search_planning_applications/

Certain applications are not Planning Applications; therefore there is no statutory opportunity to allow 21 days for comments, e.g.: Non material amendment applications, Lawful development certificates (S192) and 28 day prior approval/determination applications. These types of applications are received on an information basis only.

- (1) Application No. 2016/28636 Birchwood Shopping Centre, Benson Road. Reserved Matter (Major) Proposed application for approval of reserved matters following outline proposal 2015/25880 as amended by 2016/27580 for scale, appearance and landscaping, relating to units E1, E2, E3 and E4. (The Town Council commented on the application regarding parking concerns on 30th June 2015 under application no. 2015/25880).

The Clerk stated that additional information has now been received from the developer's agent which confirms that once the whole of the shopping centre has been redeveloped there will an overall increase in the number of parking spaces on the site.

Following a discussion, Councillor Bowden stated that consent has already been granted for the redevelopment of the site; the original proposal did show a net increase in parking spaces. This was accepted by the Council at that time and the position of the applicant has not changed since then.

Councillor Ellis stated that there is still no specific provision for patients going to the medical centre or the dentist.

Councillor Bowden agreed, reminding Members that this is a long standing problem; an agreement had been made with previous owners of the site (which is privately owned) which was then ignored. He added that in the longer term, when the Town Council finds out what is proposed for other sections of the site which have more recently been demolished, we might be able to ask the developer to address the issue.

Councillor Evans confirmed that the site is in private ownership which is why the Town Council has difficulty with input regarding this matter.

Councillor Nelson agreed, stating that the Town Council has contacted the shopping centre manager several times in the past, but the various landlords, including the latest, do not appear to want to look into the matter of parking other than for customers of the shopping centre.

- (2) Application No. 2016/28731 New Hall Farm, School Lane, Birchwood, WA3 6LH. Proposed flexible generation facility to generate electricity to the National Grid at times of peak demand to ensure a continuous supply of electricity to the local area.

As several members of the public had attended the meeting to raise their concerns regarding this planning application, Councillor Bowden opened up the discussion to include them in the conversation.

Some further information had recently been received from the developer's agent, which was circulated to Members and attendees at the meeting in the late papers' list.

A detailed discussion took place regarding this application.

Councillor Atkin stated that the application is wholly inappropriate for green belt land, with the possibility of a large amount of diesel being stored in a relatively remote area, adjacent to a nature reserve and SSSI. He added that there is the potential for leakage of the diesel which could have a devastating effect on the local environment.

Councillor Evans stated that he has concerns regarding potential noise pollution; this was discussed in some detail.

Councillor Atkin commented that the facility could attract diesel theft and there could be potential problems with the uncontrolled movement of diesel.

Councillor Fitzsimmons asked that if any member of the public wished to make an objection, that they write to the Borough Council individually, rather than sign a petition, as a petition is only counted as one objection.

Councillor Bowden stated that he has received a lot of emails from residents registering their objections which he has passed to the Borough Council. He added that the strongest reason for refusal is that the development is inappropriate on green belt land. He understands from the Planning Department that Officers are currently minded to recommend refusal of the application as a delegated decision.

A resident wondered about a reference in the documentation to 'an insufficient electrical supply'.

Councillor Bowden stated that what is being referred to is a national issue.

Councillor Atkin said that he feels the information given by the developer's agent is misleading and contradictory, because it makes reference to the national grid, but then states that any electricity produced cannot be exported out of Birchwood. Councillor Atkin added that he believes the proposal is for technology that is totally inappropriate for the proposed location.

Councillor Bowden pointed out that the tankers delivering diesel would also be coming within 2m of some residential properties. He added that it is also proposed that access would be made via the motorway junction.

Councillor Atkin noted that the Highways Department feels that the state of the track they would have to travel down is not appropriate for the tankers and there is no suggestion of making improvements to this route.

Following further discussions, Councillor Bowden asked Members that, given the clear strength of public opposition, did they wish to object to the proposals and, if so, did Councillors wish for the application to be forced to go to committee.

Members unanimously agreed that they wished to object to the application, mainly on the grounds of it being an inappropriate development in a green belt area, questionable safe access to and from the facility, and the potential for noise pollution affecting the quality of life of local residents, over and above the current ambient background noise.

Members were happy for a decision to be made under delegated powers if it is for refusal; however, if this changes and Borough Council Officers are minded to approve the application under delegated powers, the Town Council asks that the application is put to committee and it will send representatives to object.

Action Clerk's office to send a letter of objection to the Planning Department regarding the above.

- (3) Application No. 2016/ 28429 Trident Industrial Estate, Warrington Road, Warrington, WA3 6AX. Proposed installation of 4 generation units to be located on land at the Trident Industrial Estate.

Members discussed this application.

Councillor Atkin stated that he had posted this on a local community Facebook page and had very little response.

Councillor Bowden said that he had also shared the application details with people who live near the proposed site and no one has raised any issues with him.

This application differs from the proposal for New Hall Farm as the generators will run from the mains gas supply, not be powered by diesel. Also the noise produced, with acoustic treatment, will be negligible.

There was no objection made to this application at this point in time.

Action Clerk's office to contact the Planning Department regarding the above.

- (4) Application No. 2016/28798 Oakwood Gate Service Station, Oakwood Gate, Birchwood, WA3 6RW. Proposed discharge of Condition 7 (characterisation and remediation and verification) and Condition 8 (remediation and verification, contamination, long term monitoring and maintenance) on previously approved application 2015/25196.

There were no objections raised to this application.

- (5) Application No. 2016/28817 106 Dalton Avenue, Birchwood, WA3 6YD. Proposed works to existing landscaping arrangements, including new public footpaths and pedestrian crossings locations, proposed car park extension and reconfiguration of spaces to provide an additional 32 parking spaces.

There were no objections raised to this application.

- (6) Application No. 2016/28846 204 Cavendish Place, Birchwood, WA3 6WU. Application for retrospective planning application for the insertion of a mezzanine level at first floor and a bank of low level windows on the front elevation of the building. Full planning permission to extend the first floor mezzanine level and rearrangement of the internal floor space to consist of B1 and B2/B8 use classes.

There were no objections raised to this application.

- (7) Application No. 2016/28781 71 Carrington Close, Birchwood, WA3 7QB. Proposed single storey extensions to the front and side.

There were no objections raised to this application.

- (8) Application No. 2016/28914 Unit B, The Beacons, Warrington Road, WA3 6XU. Proposed discharge of conditions 5 (cycle and motorcycle parking) and 6 (travel plan) on approved application 2015/26696.

There were no objections raised to this application.

- (9) Application No. 2016/28810 Land bounded by Admirals Road, Linnet Grove and Curlew Grove, Birchwood. (Major) Proposed residential development of 65 new dwellings with associated infrastructure, a play area and incidental open space including a new estate road and vehicular and pedestrian access off Admirals Road and new footpath connection to existing footpath at rear of site.

This was also discussed earlier in the meeting (see Minute 184/16-17 (b)(i)).

Councillor Atkin reminded attendees to the meeting that whilst questions had been raised regarding whether the properties and landscaping would be properly maintained in the future if the development was approved, this was not a planning consideration.

Councillor Atkin stated that on the current proposed plans, four of the properties are shown as having their driveways being accessed directly from Admirals Road. This is out of keeping with the majority of the properties on Admirals Road.

Councillor Nelson said that she believes this would be dangerous, particularly given the speeds that some vehicles travel along this section of the road.

Councillor Atkin agreed that this is a problem area with speeding traffic, although the documentation states that no accidents have been formally recorded at this spot. However, anecdotal evidence and complaints received by the Town Council over the years suggests that many people, especially local school children and those with mobility problems, have difficulty crossing the road near this site, due to the speed of traffic.

Councillor Atkin suggested that the developer be required to fund a signalised pedestrian crossing, preferably one with a 'raised hump' in order to prevent people driving through when the light is red, as has been reported as happening at the crossing on Glover Road.

Councillor Bowden stated that the Town Council has been trying to get a signalised pedestrian crossing installed at this location for many years, but as a signalised crossing costs in the region of £75,000, the Borough Council can only fund two a year throughout the whole of Warrington. These have to be prioritised and areas where there are more recorded incidents/accidents will be higher on the list of priorities.

Councillor Bowden went on to say that there is a proposal in the developer's documents that, under a Section 106 agreement, the developer would be prepared to put £60,000 of funding towards 'green spaces' in Birchwood. He suggested that as there is already a play area proposed as part of the site, that the Town Council should ask that any Section 106 be an agreement to pay for a signalised pedestrian crossing.

Councillor T. Hearlton stated that there were a number of small play areas that were put in by the developer throughout their areas when they were being built, none of which have been looked after or maintained, many are no longer there due to neglect.

Councillor Fitzsimmons stated that this is a very valid point and that it should be written into the conditions that the developer must maintain the play area.

A resident commented that they wondered how local facilities such as schools, the doctors and dentists would cope with the extra demand.

Councillor Evans said that he would be happy to support the application as long as the issues raised above; the need for a raised signalised crossing point, the maintenance of the play area and the redesign so that drives are not being accessed directly from Admirals Road, are addressed.

Councillor Nelson asked if a dialogue could be started with the developer, regarding some residents' objections which are based on concerns over the apparent lack of maintenance in properties they already own and insufficient landscaping maintenance in their areas – neither of which can be taken into consideration as planning matters.

Councillor Bowden stated that these concerns have been noted by the Town Council and that we have been working over the summer recess to try to address these points. The Clerk has met with the Area Manger and has expressed the concerns raised by some of their current tenants. This is an ongoing dialogue.

Councillor Bowden said he believes the development would be a positive benefit to Birchwood. The portions of land belonging to the Diocese of Liverpool and the Home and Communities Agency was going to be sold by them anyway. This would have left a redundant piece of land-locked ground at the back owned by the Borough Council which could not be developed for anything else as it would not be accessible.

The sale of the land brings much needed additional homes to Birchwood and the share of the money received by the Borough Council has been ring-fenced to put towards the development of a new community hub for Birchwood.

Councillor Evans proposed that the development be accepted with conditions.

This was agreed by those Members present.

Action Clerk's office to write to the planning department with the Town Council's comments and request for conditions.

- (10) Application No. 2016/28892 751 Warrington Road, Birchwood, WA3 6AR. Proposed detached garage/workshop for the restoration, maintenance and storing of classic cars.

There were no objections raised to this application.

- (11) Application No. 2016/28852 Unit E and F Birchwood Shopping Centre, Benson Road, WA3 7PQ. Proposed x 1 replacement digital printed flexible PVC sign face to fit existing sign.

There were no objections raised to this application.

215/16-17 **LATE PAPERS**

PROGRESS

Resident's Request for Access Only Route (re: July Minute 143/16-17)

In relation to speeding issues around Lords Land, Locking Stumps Lane and Glover Road, we had been awaiting a reply from the Borough Council regarding a resident's request to make Lords Lane/Locking Stumps Lane 'Access Only'. We have received a reply in which it is stated that: "*In respect of the request for an "Access Only" traffic regulation order, I can advise that these types of traffic restrictions are enforceable by police. The successes of these measures rely heavily on the level of enforcement that can be deployed. Due to the number of properties and amenities in the areas it would be difficult for police officers to identify whether a motorist has a legitimate reason for accessing any of the roads. Therefore, an "Access Only" restriction would not be appropriate for this location.*"

NEW ITEMS

Warrington Borough Council

- (a) Received – A copy of a presentation given at the recent East Area Board meeting regarding 'Indices of Multiple Deprivation 2015'. We have asked if it would be possible for data to be extracted from the presentation and if there is any additional information available which would be of specific relevance to Birchwood. The data is a bit difficult to interpret from the slides and much of the information relating to Birchwood is amalgamated into the Warrington East data. We have received an offer from a Public Health Analyst to come to explain the information further, if required.

See Minute (205/16-17(j)) above.

- (b) Sent – a request for a ‘trench’ running across the footpath that runs from Birchwood Park Avenue through to Chadwick House to be repaired. A Borough Officer has been out to assess the site with a view to it being repaired.
- (c) Received – Details of a ‘Winter Warm’ project for vulnerable, elderly residents.

Miscellaneous Correspondence

- (a) Received – Various issues of ‘Parklife’.
- (b) Received – Various LGC e-briefings
- (c) Received – Various updates/information emails from Warrington Voluntary Action.
- (d) Received - a request from a resident via Councillor Atkin for a footpath running behind properties on Heather Close to be tidied. Our team has undertaken work to clear leaves, moss, mud, etc. from the path. The surface of the footpath requires attention from the Borough Council.
- (e) Received – Details of an Orienteering event being run in Birchwood on Saturday 5th November 2016 around Oakwood and Gorse Covert, with competitors assembling at the Leisure and Tennis Complex.
- (f) Received – Notice that RPS Health in Business is moving its location about 200 metres from where they are currently based to 105 Dalton Avenue. Some clinics will be undertaken at the Orford Hub during the transition stage.
- (g) Received – anonymous complaint re: allegedly abandoned vehicles on Dunnock Grove. Your Housing Group and the PCSOs have been contacted regarding this matter.
- (h) Received – complaints about the maintenance of some landscaping on Whinchat Drive and the footpath leading to Swallow Close. This has been passed on to Your Housing Group.

Cheshire Police

- (a) Received - Various alerts via the Cheshire Police Alert system.
- (b) Received – Details of a meeting with Town and Parish Council representatives on 27th October.
- (c) Received – Cheshire PCC monthly bulletin – September 2016.

ChALC/NALC

- (a) Received – Weekly e-bulletins from ChALC.
- (b) Received – Weekly bulletins on national developments and meetings.
- (c) Received Details of the ChALC Annual Meeting, taking place on 20th October from 7pm in Middlewich.

PLANNING APPLICATIONS FOR COMMENT AND OBSERVATION AND OTHER RELATED PLANNING ISSUES

(a) Warrington Borough Council

Planning Applications

- (i) Application No. 2016/28636 Birchwood Shopping Centre, Benson Road. (Re: Clerk's Report 5.3 (a)) – A reply has been received from the developer's agent indicating that this current Reserved Matters application does not change the number of car parking spaces as approved under the initial outline consent (which proposed an overall increase of 88 spaces).

See Minute 214/16-17 (c)(1) above.

- (ii) Application No. 2016/28731 New Hall Farm, School Lane, Birchwood, (Re: Clerk's Report 5.3 (b)) – additional details have been received from the developer's agent regarding the proposed development which they asked be considered:

This is a stand-by project that will be only be operational when there is a significant drop in electricity supply (e.g. when renewable energy developments are not generating and/ or large fossil fuel plants go down) and/ or there is a very significant demand for electricity. The maximum time the scheme will be operational is 2% of the time.

The project will feed electricity into the 33kV network and will be used locally. The electricity cannot be exported out of the primary substation so cannot be used outside the local area.

The aim of the project is to prevent blackouts. Without these schemes across the country National Grid has made it clear that we will start having blackouts across the country as we simply are not generating enough electricity to meet demand with the closure of fossil fuel/ nuclear plants and continuing increases in demand. They are necessary and urgent.

The project is temporary, it is part of a short-term fix to the electricity supply issue, not a permanent one. Our application is for 25 years after which the project in its entirety would be removed and the ground reinstated.

Finally, these projects are modern generators built to minimise local impacts. However, to minimise impacts on residential properties they do need to be installed in relatively isolated locations and are not appropriate in urban areas. They also need to be located near a viable grid connection, significantly reducing the number of possible locations they can be installed. The location has been selected with these constraints in mind.

See Minute 214/16-17 (c)(2) above.

- (iii) Application No. 2016/28810 Land bounded by Admirals Road, Linnet Grove and Curlew Grove, Birchwood (Re: Clerk's Report 5.3 (i)) - a resident has raised concerns regarding roosting bats on the site of the proposed development.

See also Minutes 184/16-17 (b)(i)) and 214/16-17 (c)(9) above.

- (iv) Application No. 2016/28334 15,16,19,20 Adlington Court, WA3 6PL. Proposed removal of existing shrubbery and trees from the landscaped areas outside units 15,16,19 and 20.

There were no objections raised to this application.

- (v) Application No. 2016/28953 4 Wigmore Close, WA3 6UN. Lawful Development Certificate. Proposed single storey side extension.

There were no objections raised to this application.

- (vi) Application No. 2016/28958 21 Woolmer Close, WA3 6TT. Proposed single storey side extension, two storey rear extension, front porch and new fence.

There were no objections raised to this application.

This part of the meeting concluded at 9pm