

MINUTES OF THE MEETING OF BIRCHWOOD TOWN COUNCIL
HELD AT PARKERS FARM COMMUNITY CENTRE, DELENTY DRIVE, RISLEY
ON TUESDAY 24TH APRIL 2018

Present: Councillor D. Ellis in the Chair
Councillors Allman, Atkin, Breslin, J. Ellis, Evans, Fitzsimmons,
M. Hearldon, T. Hearldon, Nelson, Reeves

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

Apologies: Councillor Bowden

Councillor Fitzsimmons proposed, Councillor Reeves seconded and it was resolved that: The Minutes of the Council Meeting held on 27th March 2018 be approved as an accurate record and signed by the Chair.

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 Allman and Evans – the Friends of Birchwood Forest Park

Councillors Allman and Evans – Oakwood Community Association

Councillors Allman, D. Ellis and Nelson – the Youth & Community Centre Committee

Councillors Atkin, D. Ellis and T. Hearldon – Birchwood Carnival Committee

001/18-19 **PUBLIC PARTICIPATION**

(a) **Police Monthly Update**

There was no Police presence at tonight's meeting. However, PC Gareth Frith had emailed a brief report to the Council earlier in the day, relating to occurrences reported to Cheshire Police during April (to date) 2018, as follows:

Burglary, theft from motor vehicle, theft of motor vehicle

There have been no instances of burglary this month.

There have been two instances of burglary other than in a dwelling this month. One involves paint being thrown around inside the premises of Birchwood High School. Enquiries are ongoing and likely to result in offenders being dealt with for the offence.

The other was the Spar on Warrington Road being broken into out of hours.

There have been two instances of theft of motor vehicle, and two thefts from motor vehicle. No current leads or patterns are apparent at this stage.

Anti-social behaviour

There have been a number of low level anti-social behaviour incidents, however there are no patterns or repeat perpetrators identified as yet, and the numbers reported are, at this stage, comparatively low.

Traffic management

I have emailed PCSO Bingham in relation to speed enforcement and I will update the Clerk as to the results of this.

Other incidents of note

There has been an update into the one particularly problematic address in Birchwood that had seen the occupant served eviction papers by Your Housing.

The property had caused a significant drain on Police and housing resources due to a high number of instances of assaults and anti-social behaviour emanating from the property.

Following a further attendance to the address over the weekend, Police were able to enter the flat and prevent re-entry and the property has now passed back to Your Housing without the need for potentially expensive legal recourse.

The Birchwood Police Facebook page is now well established and has over 350 followers, and rising on a weekly basis. PCSO Jones has been the driving force behind this and her enthusiasm is rightly paying dividends.

PC Frith and PCSO Jones conducted an extensive site visit to Risley Moss with the Rangers and Natural England, following the fire there recently. We were shown the extent of the damage, and how it could have been caused and possible access points. This visit was mentioned on social media, and we will continue to conduct high visibility patrolling in the area to prevent a recurrence.

(b) **Update from the March Meeting re: Trolleys**

Councillor D. Ellis said that following the March meeting, when the Police reported on how the issue of abandoned trolleys would be approached, he had, as agreed, liaised with the Police and Trolley Angels.

A date has been arranged for PCSO Bingham to accompany the Trolley Angels on one of their sessions during which time visits will be made to some of the repeat offenders. This would be 'step one' in a four-step process which has to be followed before a Community Protection Notice can be issued; as reported at the March meeting:

“Before a Community Protection Notice can be issued it is important that the following process is adhered to:

- 1. Meeting with perpetrator to discuss issues raised , the possibility of a CPN and to be given a verbal warning about future conduct*
- 2. A CPN warning letter giving the perpetrator notice not to continue their anti - social behaviour*
- 3. A CPN is issued detailing the consequences of breach of the notice.*
- 4. If CPN breached then a fixed penalty is issued.”*

Councillor Allman asked whether the companies whose trolleys are involved know what steps are being taken by other organisations to address the issues that their trolleys are causing.

Councillor D. Ellis said that James Coates from Your Housing – who assisted with the setting up of Trolley Angels, is trying to arrange a meeting of all parties together.

002/18-19 **MEETING WITH BOROUGH COUNCIL OFFICERS**

At the March meeting, following on from a question from a resident about litter picking on, and maintenance of, main routes through Birchwood, it was suggested that a meeting be arranged with Borough Council Officers to discuss this, and other items such as: flytipping, hedgecutting, landscaping, highways – potholes, lighting, speed limits and partnership working.

At tonight's meeting, the Clerk confirmed that this meeting will be taking place on 15th May, starting at 6pm. Councillors Atkin, D. Ellis, J. Ellis, Evans and Nelson have confirmed that they will attend. There will be three Borough Council Officers at the meeting.

The Clerk added that the agenda will also include ongoing issues that we cannot currently progress as we are not receiving any feedback from the Borough Council regarding some matters, despite them being chased for months.

003/18-19 **LEAKING WALL ADJACENT TO FIRE STATION**

The Clerk reported that there is currently nothing further to report regarding this matter.

004/18-19 **DOG FOULING**

The Clerk reported that we have been receiving ongoing complaints regarding a dog that is being allowed to foul in the middle of the multi-use games area (MUGA) in Locking Stumps. The owner does not clean up after the dog. This appears to be a deliberate or habitual act.

Our team has been cleaning it up as it is reported to us, or as they see it when cleaning the MUGA.

Local children made posters to try to discourage the owner, but this not stop the dog from being allowed to foul in the play area.

The Clerk stated that she has spoken to the Business Manager at Locking Stumps School who said she will arrange for a 'no dogs allowed' sign to be put up. If that does not work, it has been suggested that (reluctantly) the MUGA will be shut for a week to the general public, to try to break the cycle.

The school has CCTV footage which could show the person and the dog in question. If this is the case, they may contact the Police.

PCSO Jones has been monitoring the area and has posted about the problem on the Birchwood Police Facebook page.

Residents can report any issues of dog fouling on 01925 443322 or via the following web link <http://www.warrington.gov.uk/report>.

005/18-19 **YOUR HOUSING GROUP (YHG)**

The Clerk said that a meeting has been arranged for tomorrow afternoon with Mr. Warburton, the Operations Director of YHG and several Members of the Town Council; some of whom are also involved with the YHG Tenants Association.

The Clerk will attend for the first part of the meeting to discuss issues that might affect joint partnership working arrangements between the Town Council and YHG, such as landscaping, litter picking and flytipping. The second part of the meeting will deal with other issues more specifically related to tenancy matters.

Councillor D. Ellis stated that a small ‘peaceful protest’, regarding issues that some tenants are experiencing, was held at the opening of the show house on Greenfinch Grove (the new housing development off Admirals Road) which will be managed by YHG. He added that it achieved its objective as a meeting is to be arranged with Brian Cronin, the Chief Executive regarding tenants’ complaints and concerns.

Councillor J. Ellis asked to what extent the Town Council has any power to exert over YHG and the Borough Council. She said that the protest seemed to have an effect, possibly because it worried YHG from a commercial point of view.

The Town Council has no direct influence over either organisation; but seeks to build/re-build previous good working relationships with both organisations.

Councillor D. Ellis noted that at least YHG has indicated that it is prepared to listen to local concerns.

Councillor Reeves wondered whether there is an ombudsman or regulator that tenants could take unresolved issues to.

Councillor D. Ellis said that he would report back to the Council following the meetings.

006/18-19 **GRASS CUTTING**

The Clerk informed Members that the Town Council hopes to commence its first round of grass cutting for 2018 from Monday next week (weather permitting). The mowers have been serviced and delivered to us by the Borough Council – which has now done its first cut of the season.

The Town Council undertakes this cut in areas agreed with Warrington Borough Council in between the Borough’s cuts; there are some areas where we do not have permission to undertake this additional cut.

007/18-19 **SELF-ASSESSMENT QUESTIONNAIRE**

Members discussed the recently circulated self-assessment questionnaire.

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

008/18-19 **WARRINGTON BOROUGH COUNCIL**

- (a) Sent/received – email re: flooding issues on Roberts Fold. The Borough Council has advised that it is an unadopted street; all but one of the properties are privately owned. The Clerk has asked where the closest drains are located where excess rainwater would drain away to, and, if they are on Borough Council Land, could the Borough check whether or not they need clearing; as the extent of the flooding is a relatively recent issue.

Councillor Nelson wondered if the problem might be the responsibility of Golden Gates to sort out as the garden of the property owned by them also floods.

The Clerk said that this matter will be included on the upcoming agenda for a meeting with Warrington Borough Council.

- (b) Sent/received – emails re: flooding in the Keyes Close underpass and the path between Goldfinch Lane and Partridge Close.

- (c) Sent – copies of correspondence re: litter and damaged road surface on Leacroft and Clayton Roads. The Town Council does not litter pick these areas, as it would mean our residents are paying for the upkeep of a business area.

The Borough Council has advised that this is not all their land; that it is partly privately owned.

The Clerk said that this will also be added to the agenda for the meeting with Borough Council Officers. They may be able to help us find out who owns the land and therefore has the responsibility for keeping the area tidy.

- (d) Received – Traffic notices to be advertised in the Warrington Guardian (5th and 19th April 2018).
- (e) Received – Link to ‘The Wire’ – WBC’s e-newsletter, April 2018.
- (f) Received – Agenda for the Rights of Way Forum Meeting (12th April) and Minutes of previous meeting.
- (g) Sent / received – email correspondence (and telephone calls) regarding an unsafe barrier installed by Warrington Borough Council at the top of the footbridge which crosses from Delenty Drive to Warrington Road.

The Clerk reported on an incident that occurred yesterday afternoon (23rd April 2018) at around 2pm when one of our Maintenance Operatives was injured whilst carrying out work duties.

A barrier had been installed by Warrington Borough Council to try to prevent cyclists from riding down the embankment at the side of the footbridge, often at speed, and potentially endangering other cyclists, pedestrians and motorists as they emerge on to Delenty Drive.

The barrier had not been adequately secured and as the Operative leaned over it with their picking stick to reach a piece of litter, the barrier gave way and the Operative fell and was injured as a result

The Operative did fill out an internal accident report, and the Clerk informed the Borough Council of this incident. The Operative is currently off work with their injuries.

Members expressed their concern for the member of staff and asked that their best wishes be passed on.

It was noted that whilst it is terrible what has happened to the staff member, it could also have been much worse. If someone had leaned against it, for whatever reason, and not been able to catch themselves as the barrier fell away, they could have fallen all the way down the steep embankment.

There was also a gap left between the barrier and top of the footbridge railing that a small child could get through (but an adult could not).

The Clerk said that following an email she sent this morning, after nothing had been done to make the barrier safe yesterday afternoon (despite it being indicated to the Deputy Clerk in a telephone call that it would be) Borough Council representatives and contractors had come out to the barrier this morning. There are currently plastic barriers and some cones in place, prior to remedial work being undertaken.

A discussion took place regarding the incident, including legal requirements with regards to health and safety, with Members expressing their strong feelings about the matter.

Notwithstanding their deep concern for the staff member, it was noted that the Town Council is now paying 'sick pay' to them and is losing time on its work schedule because of the sub-standard work by the Borough Council/its contractors on a safety critical matter.

Resolved: Clerk's office to contact both our Employment Law and Health and Safety Consultants for advice regarding this matter.

- (h) Received – details of road closures re: maintenance works on A574 in Risley.
- (i) Received – email from John Thorp re: 'Proposed definitive map modification order to record footpath in Birchwood'. This relates to the path that runs from Birchwood Way to Locking Stumps Lane. Any representations either in favour/against the draft order are to be made by 21st May 2018.

Members were pleased that it has now been proposed to formally record this footpath.

Councillor Reeves said that a resident has enquired whether there is a right of way across the landfill site.

Councillor Evans stated that there is a right of way; however he does not know if it has yet been formally opened to the public.

Resolved: Councillor Evans to ask about the above at the next Rights of Way Forum Meeting.

009/18-19 **BIRCHWOOD FORUM**

Received – For info; details of the funding plans for the Warrington East transport project: introduction of traffic lights at the roundabout on the A574 Birchwood Way; provision of a dedicated westbound slip road at Oakwood Gate 'dog bone'; and a widened westbound carriageway at the Blackbrook Junction of Birchwood Way.

010/18-19 **YOUR HOUSING GROUP (YHG)**

- (a) Sent/received – various emails regarding the ongoing issue of an 'abandoned' vehicle on Strawberry Close. The Borough Council has also been included in discussions regarding this issue; but if the van is on private land, they are unable to act.

Councillor D. Ellis reported that the van is still there.

- (b) Email correspondence with Councillor Atkin re: the work that the Town Council does/is allowed to do on YHG land.

Both of the above issues will be raised at upcoming meetings with representatives of YHG.

011/18-19 **MISCELLANEOUS CORRESPONDENCE**

- (a) Received – Various update/information emails from Warrington Voluntary Action.
- (b) Received - Various LGC briefing emails.
- (c) Received – iCAN alert re: iTunes vouchers scam.
- (d) Received – Details of the April Oakwood Community Association Meeting.

- (e) Received – A note of thanks to the Chair from a local resident.
- (f) Received – email query re: removal of trees in Birchwood. A reply was sent explaining the need for this tree work, relating to the upcoming Warrington East Phase 2 traffic project.
- (g) Received / sent – Email correspondence with the new Shopping Centre Manager, Mr. Chris Gribben. A resident has asked: *“Do you know when we are going to get some facilities for adults around Birchwood Mall. We could really do with restaurants, wine bars etc. at the Mall which open late. There is nothing here for adults and not everyone wants to go to the Peacock. We need a cafe and restaurants culture and village centre.”*

A reply was received advising on the current situation at the shopping centre.

Mr. Gribben has said that he would be happy to meet with Members of the Town Council to discuss their views.

Resolved: Clerk’s office to arrange for Mr. Gribben to meet with some Members of the Town Council.

012/18-19 **CHESHIRE POLICE**

- (a) Received – Various alerts from the Cheshire Police Alert System.
- (b) Received – Stakeholder Bulletin – Spring 2018.
- (c) Councillor D. Ellis reminded Members that at a previous meeting he had attended, with the Police and Crime Commissioner (PCC) and representatives of Town and Parish Councils, the potential for the Police purchasing Selecta DNA kits in bulk, to enable Local Councils to be able to obtain them and sell them on to residents at a much lower cost than they can be purchased individually, was discussed. Since then no additional information has been received.

Councillor D. Ellis wondered whether the Town Council should write to the PCC for an update regarding this matter. He said that around 70% of respondents to the survey had said they would be interested in purchasing a kit if it cost around £10.

Councillors discussed the matter and it was argued that although 70% of respondents had said they would be interested, this might not equate to sales of the kit and the Town Council might pay out a lot of money for Selecta DNA kits that residents do not actually wish to buy.

Councillor Atkin noted that the monthly Police Reports currently indicate that incidents of burglaries/theft within Birchwood are low.

Resolved: To put this item ‘on hold’ for the time being.

013/18-19 **CHESHIRE ASSOCIATION OF LOCAL COUNCILS (CHALC), NATIONAL ASSOCIATION OF LOCAL COUNCILS (NALC), SOCIETY OF LOCAL COUNCIL CLERKS (SLCC)**

- (a) Received – ChALC weekly e-bulletins and details of training courses.
- (b) Received - NALC Chief Executive Bulletins.
- (c) Received – SLCC e-news bulletins (including an SLCC circular relating to GDPR).

014/18-19 **PUBLICATIONS RECEIVED**

LGC – 05/04/2018, 19/04/2018

LCR – Spring 2018

015/18-19 **LATE MEMBER'S REFERRAL**

Councillor Reeves - Access gate from Powell Avenue on to the business park.

Councillor Reeves reported that the business park has taken the decision that the access gate will be permanently locked from now on. He said that one of the reasons given was that the gate was allowing some people who behave in an anti-social manner, easy access to the park.

Councillor Reeves added that he would like to know from the Police, what the extent of any reports of anti-social behaviour on the park have been, as the Birchwood Police Reports do not seem to indicate that there have been many, if any.

Councillor Reeves also noted that locking the access gate does not prevent anybody getting on to the business park, which is open from several main road routes; what it does do is inconvenience some employees who have been encouraged to walk or cycle to work, since the gate was first installed during the Hillsborough Inquiry, as it is a convenient route for many people to use to get to and from work and reduces their journey time.

It was noted that the gate could provide a safe additional route off the park in case of an emergency requiring evacuation.

It was suggested that perhaps the gate could be unlocked during working/commuting hours and locked during the evening/overnight.

Resolved: Clerk's office to write to the park owners regarding this matter.

016/18-19 **CURRENT PLANNING APPLICATIONS FOR COMMENT AND OBSERVATION AND OTHER RELATED PLANNING ISSUES**

(a) **Warrington Borough Council**

- (i) Received – Documents for the Development Management Committee meeting that took place on 4th April 2018. There was one item specifically relevant to Birchwood on the main agenda: Application No. 2018/32045 Birchwood Community High School, Brock Road, WA3 7PT Proposed replacement of existing artificial sports pitch with new 3G pitch, new 15 metre high floodlights, 4.5 metre high fencing and steel storage container.

This had an Officer recommendation for approval.

- (ii) Received – Documents for the Development Management Committee meeting on 25th April 2018. There are no items of specific relevance to Birchwood on the main agenda for discussion at this meeting.
- (iii) Received – Details of the National Planning Policy Framework (NPPF) review consultation (ends May 10th 2018).

The Department of Communities and Local Government has a new name: MHCLG - The Ministry of Housing, Communities and Local Government. They are consulting on the changes to the NPPF until May 10th and the new NPPF will come into force in November 2018. The Draft Warrington Local Plan is scheduled to appear around then.

- (iv) Councillor D. Ellis commented that nothing had been received yet from either the Borough Council or a developer that might indicate what the fate of the Noggin and the land surrounding it might be.

017/18-19 **ENFORCEMENT CASES**

- (a) Lists of enforcement cases recently opened/closed have been received.
- (b) A query has been sent requesting information, if available yet, on the outcome of ENF/17/06582 – Corner of Bridgewater Place, Birchwood. Alleged problem: Alleged unauthorised structure.

We are still awaiting a reply.

018/18-19 **PLANNING DECISIONS**

- (a) Application No. 2018/31948 59 Woolmer Close, WA3 6TT Proposed single storey side (part two storey) and single storey rear extensions. **Withdrawn**
- (b) Application No. 2018/32045 Birchwood Community High School, Brock Road, WA3 7PT Proposed replacement of existing artificial sports pitch with new 3G pitch, new 15 metre high floodlights, 4.5 metre high fencing and steel storage container. **Approved with conditions**
- (c) Application No. 2017/31826 14 Forbes Close, Birchwood, WA3 6PP. Proposed two storey side extension and rear conservatory. **Refused**
- (d) Application No. 2017/31859 Land on the East side of Kelvin Close, WA3 7PB. Change of use class B1(b) a research & development instrumentation laboratory, to a multi-purpose use class B1(c) and use class B2 for the manufacturing & storage of aluminium frame windows. **Approved with conditions**
- (e) Application No. 2018/32121 The Firs, Gorse Covert Road, Birchwood, WA3 6UQ. Proposed orangery to the rear of property. **Approved with conditions**

019/18-19 **PLANNING APPLICATIONS**

All plans can be viewed on Warrington Borough Council's website:

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.

- (a) Application No. 2018/32548 106 Rockingham Close, Birchwood, WA3 6XA. Proposed replacement of existing conservatory to the rear of the property with a single storey extension to provide bedroom and shower room facilities.
- (b) Application No. 2018/32515 Land bounded by Admirals Road, Linnet Grove and Curlew Grove. Discharge of condition – application for approval of details reserved by condition 13 (landscaping scheme) condition 24 (management of LEAP) (local equipped area of play) and condition 27 (details of a pedestrian zebra crossing including associated highway works) following planning approval 2016/28810.

Councillor D. Ellis stated that there is not currently a great deal to report in relation to updates regarding the Strategy and Action Plan.

He said that Councillor J. Ellis has spoken to the Clerk and offered to assist with some content for the next newsletter.

The Birchwood Youth and Community Centre has still not had any further feedback from the high school regarding their previous interest in hiring the centre to run some alternative courses.

Councillor Reeves said that it might be because the high school is currently concentrating on the end of year exams; many things are on a 'back-burner' until they have finished.

Councillor Ellis informed Members that he had received an email from Groundworks to say that work on the Birchwood BID proposal will be commencing again within the next two to three weeks.

This part of the meeting concluded at 7.00 pm.