

MINUTES OF THE APRIL TOWN COUNCIL MEETING
OF BIRCHWOOD TOWN COUNCIL, HELD AT
PARKERS FARM COMMUNITY CENTRE, DELENTY DRIVE, RISLEY
ON TUESDAY 23RD APRIL 2019

- Present:** Councillor Atkin in the Chair
Councillors Allman, Breslin, D. Ellis, J. Ellis, Evans, Fitzsimmons, Nelson and Reeves
Clerk – Mrs. F. McDonald
Deputy Clerk – Mrs C. Caddock
Business and Finance Officer - Mr. G. Crowe
- Apologies:** Councillor Bowden
The Police representatives

001/19-20 **MARCH TOWN COUNCIL MEETING MINUTES**

Councillor Evans proposed, Councillor D. Ellis seconded and it was resolved that: The Minutes of the Town Council Meeting held on 26th March 2019 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.

Councillor Allman and Evans– the Friends of Birchwood Forest Park

Councillors Allman and Evans – Oakwood Community Association

Councillor Reeves – Birchwood Community High School

Councillors Breslin, D. Ellis, J. Ellis and Nelson – Birchwood Youth & Community Centre Committee

Councillors Atkin, Breslin and D. Ellis – Birchwood Carnival Committee

002/19-20 **PUBLIC PARTICIPATION**

Police Monthly Update

Although there were no Police present at tonight's meeting, due to their shift pattern, PCSO Gina Jones had sent a report on recent policing activity in Birchwood as follows:

The figures of occurrences reported to Cheshire Police for the Birchwood ward for April 2019:

Burglary, theft from motor vehicle, theft of motor vehicle

There has been 1 x business burglary, Cavendish Place.

There hasn't been any theft from motor vehicles.

There hasn't been any theft of motor vehicles.

Anti-social behaviour

We had an incident at Birchwood High School where youths have been on site and have caused damage to a fire door. Currently being dealt with by PC Frith, awaiting CCTV due to school holidays.

A report of youths at the train station setting off fireworks. This was dealt with by British Transport Police and was for us to be aware.

An incident was reported to us where youths have thrown eggs at an address on Swallow Close, unfortunately no CCTV and no witnesses.

Other incidents of note

Reports that a fire has been started on rear playing field near to Locking Stumps Primary School. Enquiries to be made with the school this week.

A report of 2 x suspicious males trying door handles in Gorse Covert. CCTV to be viewed for intelligence purposes by PCSO Jones.

2 x Shop lifting occurrences at ASDA, male arrested for both incidents.

Reports of males in a vehicle carrying weapons on Redshank Lane. Officers attended, no weapons found, however 1 x male arrested for possession with intent to supply.

UPDATE – In relation to the 2 x Robberies at McColls, Admirals Road, Officers have carried out a warrant and a male was arrested. Investigation is still ongoing.

Traffic management

Unfortunately, there hasn't been any speed enforcement carried out by PCSO Jones this month due to her being off for 3 weeks (unplanned).

The speed camera is however due to be taken out by PCSO Jones in the next couple of days and social media will be updated with activity.

Birchwood PCSO planned Surgery Dates

Wednesday 24th April – 10:00 – 11:00

Saturday 4th May – 11:00 – 12:00

Friday 10th May – 16:00 – 17:00

Wednesday 15th May – 10:00 – 11:00

Saturday 25th May – 11:00 – 12:00

Councillor D. Ellis queried why there had been no speed enforcement operations whilst PCSO Jones was not on duty. At a previous meeting with the Police and Crime Commissioner (PCC) he had been reassured that there would always be cover for a PCSO if they were not on duty for whatever reason.

Members surmised that it might be that a replacement had been in place (although we had not been informed as such) but that they were not trained in the use of the speed enforcement equipment.

It was resolved that at the upcoming meeting on 14th May 2019, at Warrington Police Station, with the PCC and Town and Parish Council representatives, Councillor D. Ellis will enquire about cover in Birchwood and if more PCSOs can be trained in the use of the speed equipment, in case of unplanned absences by those PCSOs who do have the necessary training.

Councillor J. Ellis raised her concerns about patterns of crimes, particularly 'low level' anti-social behaviour e.g. setting fires and the ability of the perpetrators to use social media to organise other like-minded people to assist with or copy their actions. She wondered whether the Police have any measures in place to monitor/counteract such use of social media.

It was resolved that Councillor D. Ellis would also raise this issue at the upcoming meeting with the PCC.

Action Councillor D. Ellis to raise the above issues at the meeting with the PCC in May 2019.

As there were no residents present, the Chair declared Public Participation over.

003/19-20 BIRCHWOOD PARK - COMPANY VOLUNTEERS

At the March meeting, Councillor D. Ellis said that there are several companies on Birchwood Park that have extended offers of volunteers to work on a project within the community, under their corporate and social responsibility policies. He wondered whether a group of between 20 to 30 volunteers could help to clear some of the shrubbery, etc. on Locking Stumps Common.

At tonight's meeting the Clerk reported that Councillor D. Ellis, Kevin McCready (WBC), Suzanne Whitelaw (Birchwood Park), our Senior Maintenance Operative and herself had met at Locking Stumps Common to follow this up with WBC (as they own the land).

It was felt that although Locking Stumps Common was suitable for some tidying up, it would not constitute a main project.

However, following a visit to an area of Havisham Close, with a play pitch and grassed area, which is not well maintained and suffers from dog mess being left in some quantities, it was suggested that this might be somewhere that could be taken on as a 'project'. In addition, there are a number of footpaths which would benefit from scraping back where mud has gathered following run-off after rain. This is a time-consuming task – but the paths are widened and always look much better once this has been done.

The Clerk reported that Kevin McCready and Suzanne Whitelaw would be happy for this part of Havisham Close to be taken on as a project. Further enquiries will be made by Suzanne with the companies who have expressed an interest in offering volunteers. In addition, issues such as risk assessments, supply of PPE and equipment, etc. will need to be considered.

Councillor D. Ellis said that Suzanne will contact him with proposals as soon as possible.

The Clerk stated that it was a positive meeting.

Councillor D. Ellis informed Members that Suzanne is also looking into whether there are opportunities to possibly open up the business park for more community use – such as an evening when food could be served at The Centre, combined with a film showing in The Centre's 'presentation theatre' space.

Action Clerk's office and Councillor D. Ellis to continue to liaise with WBC and the Business Park.

004/19-20 PLANNING APPLICATION UPDATE

Application No. 2019/34410 New Hall Farm, School Lane, Birchwood, WA3 6LH. Variation of Conditions – Application to vary conditions 2 (layout & related drawings) conditions 7 and 8 (noise report) and conditions 11 (hours of operation) associated to 2017/31147.

The above application was presented for discussion at the Development Management Committee on 17th April 2019. It had a Planning Officer recommendation for approval.

Councillors Atkin, Reeves and Bowden had registered to speak against the proposal, but only three speakers were allowed. It was agreed Councillor Atkin and two residents would speak.

Despite a robust case against the application to increase the operational hours of the facility being made by Councillor Atkin and the two residents, the application was finally approved by just a one vote majority.

The Clerk reported that we had received a note of thanks from a resident to the Council for supporting the local community in objecting to the New Hall Farm application. The final comment from the resident's email states, "*It is disappointing to reach this point but there is consolation in knowing we worked as a team for the good of the community.*"

005/19-20 **DECLARATION OF A CLIMATE EMERGENCY**

At the March meeting it was resolved that:

This Council declares a climate emergency and will become carbon neutral in its own activities by 2030. We will set up a working group to report back to Council by 1st October 2019 with an action plan to achieve this and will work in cooperation with the community and relevant organisations both in Birchwood and the wider community to look at ways to make the Town of Birchwood carbon neutral as soon as possible.

At tonight's meeting the Clerk reported that Birchwood Town Council's name now appears both on a map and the formal list of Councils that have declared a climate emergency.

Councillor Fitzsimmons said that he will be putting this on the agenda with Warrington Borough Council at a meeting scheduled for June 2019; with the hope that the Borough Council will also formally declare a climate emergency'.

It was suggested that the formation of a special sub-committee/working party could be done at the May meeting when Councillors formally decide who will represent the Town Council on various bodies for the following year.

Action Clerk's office to add a Climate Emergency sub-committee to the list for the May 2019 meeting.

006/19-20 **TROLLEYS**

At the March meeting, it was agreed that Councillor D. Ellis would write to the Chief Executive of Asda regarding the ongoing problem of abandoned shopping trolleys in Birchwood.

At tonight's meeting Councillor D. Ellis suggested that this action be put on hold for the time being as there seems to have been an improvement during the last few weeks. He proposed that the Town Council continues to monitor what effect current actions are having on the situation and, if necessary, write to the Asda Manager again before taking the issue higher.

Members resolved to continue to monitor the situation at present.

007/19-20 **UPDATE RE: ACTION ITEMS FROM MEETINGS WITH WBC OFFICERS**

- (a) **Ownership and responsibility for footpaths running from Birchwood Park Avenue onto the business park; to Chadwick House and Hinton House, etc.**

Update: The Clerk stated that this remains ongoing.

- (b) **A list was provided by BTC to WBC in October 2018 re: areas of overhanging shrubbery which need to be cut back to prevent injury to our team when they are mowing. The shrubbery on the list is owned by WBC.**

Update: The Clerk reminded Members that Councillor Bowden was going speak to Dave Cotterill at WBC regarding this matter. As Councillor Bowden is unable to attend tonight's meeting, this item will be held over until the next meeting.

- (c) **Copperfield Close Planter**

Update: The Clerk reported that the planter for the entrance to Copperfield Close was delivered this afternoon. We are hopeful that we will be able to install it by the end of May 2019.

(d) **Barrier planters**

At the March meeting it was resolved that there are too many obstacles in the way to pursue this further.

Update: The Clerk's office will continue to liaise with WBC regarding the possibility of installing additional ground level planters.

(e) **Clayton Road – litter**

Update: WBC has ordered two new litter bins for Clayton Road; we don't yet have an installation date.

(f) **Electricity North West (ENW) Works**

Update: This remains ongoing. There are a few areas where some of the repairs are still temporary and are not yet up to standard. ENW are still working in the area and have up to six months to do the final finish on the current temporary works.

(g) **Damaged Wall – Gorse Covert Shop**

Update: Councillor Reeves said the brickwork had been reinstated.

The Clerk said that WBC is still considering whether additional work could be done to this raised bed which would make it less liable to damage and ongoing repair costs.

Action The Clerk's office to continue to liaise with WBC regarding this ongoing issue.

(h) **Street Lighting**

Update: The Clerk has requested formal feedback from the evening walkabout that took place on Thursday 7th March, covering quite a lot of ground in Oakwood. She has chased this up but has not yet received a reply.

008/19-20 **YOUR HOUSING GROUP (YHG) - UPDATE**

(a) **Clean-up Event**

The Clerk reported that earlier today, a spring clean-up took place on Talbot Close which involved the Woodland Trust, YHG, WBC Enforcement, three Town Council staff and one resident.

The two skips supplied were completely filled with a wide variety of flytipped items.

The Clerk stated that names had been found within some of the flytipped items as to where they had allegedly come from. A needle had also been found amongst some of the waste (which our team has the training and equipment to remove). WBC Enforcement is dealing with this matter.

There had been some talk on social media about the clean-up event; although it had not been recognised that the work had been done in partnership with the four organisations.

Councillor D. Ellis said that he would comment on the post, to clarify that it was a partnership working event.

(b) **Benches**

The Clerk said that discussions are ongoing with YHG with regards to some benches to replace those initially removed to another area, from The Birches. It is proposed that they will be installed in the Forest Park. The style of the benches and specific locations are still to be confirmed.

009/19-20 **PROPOSED EXTENSION OF PARKING RESTRICTIONS ON CHATFIELD DRIVE**

The Clerk informed Members that she had received an email from the Borough Council saying that there had been no objections and the extension would go ahead. However, it was unclear whether this referred to the extension of the double yellow lines or of the speed limit to 20mph from 30mph past the high school. She has written to WBC to ask them to clarify this and we are awaiting a reply.

010/19-20 **PROPOSED MOTORWAY SERVICE AREA (MSA)**

The Clerk reported that in response to a request from the Town Council, an additional consultation event had been put on at the Penta Hotel on 12th April 2019 by Extra MSA Group, which is currently examining the possibility of developing a new MSA at Junction 11 of the M62 (land currently owned by Biffa).

Members who attended this event said that it had been well attended by local residents.

Members discussed their personal experiences of the events and speaking to the developer's representatives (in their capacity as residents) and, overall, felt that they appear to be open to ideas and thoughts from the community.

Councillor J. Ellis said that she had some concerns about the questionnaire that residents had been asked to fill out. The first question was leading, "*Do you support the proposal for a new high quality MSA for Warrington, to create additional jobs and enhance business growth?*" Councillor J. Ellis suggested that most people would probably answer 'yes' to this question, taken out of context, with no consideration of location, etc. The only other question that required a response (other than personal details) was "*Do you have any other comments?*"

Councillor J. Ellis questioned how proper data could be gleaned from posing such an open question; how all the variety of responses that could be received would be turned into specific, objective, rational data that was not being interpreted by a team, skilled in PR that would prefer a specific outcome from the replies?

Following this consultation, it is expected that a formal planning application will be submitted, possibly in June 2019. If an application is approved, it is expected that it would take three to four years to complete the works from commencement.

Councillor Atkin suggested that if a formal planning application is received, the Town Council could then invite the developer to present their specific proposals (which are currently only in concept form) to the Council.

Councillor J. Ellis said that this would be useful to be able to question them on issues such as how any potential negative effects could be mitigated to protect the local community.

Members noted that, from looking at local social media comments, there seemed to be quite a split of opinion from the community as to whether they would approve or disapprove of the proposed development.

Councillor Reeves said that if he was to represent the Gorse Covert community, at present there seems to be more of a negative opinion of the proposals, for a variety of reasons.

Councillor Atkin said that once a formal application is received, then we can request the views of the local community and review how the Town Council wishes to respond, taking those views into consideration.

011/19-20 **FLYTIPPING – SILVER LANE**

The Clerk said that she has written to Mr. Boyer regarding the ongoing situation on Silver Lane; and a recent incident of flytipping that was witnessed was reported to WBC.

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

012/19-20 **WARRINGTON BOROUGH COUNCIL**

- (a) Sent/received – various emails following contact from residents re: litter, flyposting, unemptied WBC bins and trees (some allegedly being felled by a resident and two leaning in the Walled Garden; which WBC will deal with).
- (b) Sent/received – emails re: damage to the bollards at the entrance to the underpass to the Fire Station from Powell Avenue. Councillor Atkin noticed that the spacing of the bollards did not stop a large contractors van from getting through and suggested that perhaps another bollard is required to stop unauthorised vehicles from accessing the underpass.
- (c) Received – Neighbourhoods in Warrington update – Issue 4.
- (d) Received/sent – correspondence re: reserving the Community Room for potential use as a polling station on 23rd May 2019 for European Parliamentary Elections.
- (e) Received – Warrington East Phases 2 and 3 project news updates (published on our Facebook page).
- (f) Received – Agenda for the Parish Liaison Meeting that took place on 1st April 2019 and notes from the October 2018 meeting.

The Clerk had attended the meeting and gave Members a brief outline of what had been on the agenda for discussion.

One main point raised was a reminder that if Town or Parish Councils request a site visit to take place by the Development Management Committee, the request must be made by a Borough Councillor.

- (g) Councillor Reeves enquired about the work being undertaken at the skateboard/BMX area at Birchwood Forest Park.

The Clerk reminded Members of the history of the renovation/improvements project phases at Birchwood Forest Park, which the Town Council had made a significant financial contribution towards; including the new fitness equipment, improvements to play equipment and the new multi-use games area. Renovations to the skateboard/BMX area were planned to be undertaken as part of the final phases.

The BAFO stated that initially the Town Council had put some further funding aside to support this phase of work, however, WBC had committed to funding it entirely.

The Clerk added that the work to the skateboard/BMX area had been mentioned during a carnival meeting, but the Town Council had not been formally informed when the work would be taking place or how long it would be until completion. The area is to become a ‘pump track’.

Councillor Allman said that he had spoken briefly to the team building the pump track. They said that they will be keeping the half-pipe as part of the design and it is hoped that it will only take around four to five weeks to complete.

013/19-20 **YOUR HOUSING GROUP (YHG)**

- (a) Sent/received various emails re: flytipping, particularly relating to Whitethroat Walk, Talbot Close and Chatfield Drive.

The Clerk reported that the Senior Maintenance Operative had visited several areas where we have received complaints of ongoing flytipping issues; including Whitethroat Walk, Swallow Close and Nightingale Close. He photographed the areas and the concerns have been passed to YHG to report to WBC and to deal with the matter – possibly sending letters reminding tenants of their responsibility to dispose of items in the correct manner.

- (b) Sent/received – emails re: overgrown shrubbery allegedly impeding sightlines for pedestrians trying to cross at the fire station roundabout, on the Admirals Road side, looking towards Gorse Covert. YHG will undertake a site visit to assess the issue (the shrubbery is on their land) in the week commencing 22/4/19.

014/19-20 **MISCELLANEOUS CORRESPONDENCE**

- (a) Received – Various update/information emails from Warrington Voluntary Action.
- (b) Received – Minutes of the Oakwood Community Association meeting (02/04/2019).
- (c) Received – Latest newsletter from the Information Commissioner’s Office.
- (d) Received – Information from the Minister for Local Government regarding changes to the rules applying to local government elections. The requirement for a candidate’s qualifying address to be published during the election process and included on the ballot paper has now been removed.
- (e) Received – details from the Clerk to Culcheth and Glazebury Parish Council informing us that their office has now moved to Culcheth Library, Warrington Road, Culcheth, WA3 5SL.
- (f) Received – details from the Clerk to Croft Parish Council informing us that their office has now moved to Croft Youth and Activity Centre, Smithy Lane, Croft, WA3 7JE.
- (g) Received – Invitation from the office of the Police and Crime Commissioner, to a meeting with Parish and Town Council representatives on 14th May 2019. The document also included issues and actions from the meeting held on 6th November 2018.

Councillor D. Ellis will be attending this meeting and will raise issues as agreed earlier in the meeting (see Minute 002/19-20).

015/19-20 **CHESHIRE POLICE**

- (a) Received – copies of various Police Alerts.
- (b) Sent – email re: a vehicle causing an obstruction on a road in Gorse Covert.
- (c) Sent – email re: vehicles parking on Mansfield Close causing obstructions on the pavements. PCSO Jones will monitor the situation.

016/19-20 **CHESHIRE ASSOCIATION OF LOCAL COUNCILS (CHALC), NATIONAL ASSOCIATION OF LOCAL COUNCILS (NALC), SOCIETY OF LOCAL COUNCIL CLERKS (SLCC)**

- (a) Received – ChALC weekly e-bulletins with various attachments.
- (b) Received - NALC Chief Executive Bulletins, Blogs and Newsletters.
- (c) Received – SLCC – various News bulletins and details of Branch meetings, conferences, etc.

017/19-20 **PUBLICATIONS RECEIVED**

Various LGC magazines & e-mail Briefings

018/19-20 **MEMBERS' REFERRALS MADE VIA THE CLERK PRIOR TO THE MEETING FOR CONSIDERATION AT THIS COUNCIL MEETING**

Prior to the meeting, Councillor Fitzsimmons asked the Chair's permission to raise a late Members' Referral.

Councillor Fitzsimmons has been asked by a local resident if the Town Council could write to local residents on a road in Locking Stumps regarding a caravan parked on a driveway. The resident has an issue with a neighbour who has a caravan on their drive.

Councillor Fitzsimmons said that several years ago the Town Council had sent a letter to all residents of a road regarding a similar matter, but it is not actually within our remit to do so.

The road in question has around 100 properties and to produce, print and deliver the letters would take up too many resources for something we are not technically supposed to do and is only relevant to one property.

This type of issue does not just affect this one resident, we receive similar complaints from various areas of Birchwood and have to advise that it is a civil matter. There is a caravan storage area in Beeston Close in Locking Stumps, managed by a local resident, but we no longer have contact details and don't know if there are spaces currently available.

Whilst Members were sympathetic to the issue, they **resolved** that this is a civil matter and the Town Council is unable to take any action.

019/19-20 **CURRENT PLANNING APPLICATIONS FOR COMMENT AND OBSERVATION AND OTHER RELATED PLANNING ISSUES**

(a) **Warrington Borough Council**

- (i) Received – link to the Development Management Committee meeting document pack for 17th April 2019. There was one item specific to Birchwood on the main agenda for discussion at the meeting:

Application No. 2019/34410 New Hall Farm, School Lane, Birchwood, WA3 6LH. Variation of Conditions – Application to vary conditions 2 (layout & related drawings) conditions 7 and 8 (noise report) and conditions 11 (hours of operation) associated to 2017/31147.

This application was approved (see Minute 004/19-20 above).

- (ii) Sent – a query asking if the planning department has any information re: the demolition of Fox Wood School; when it might commence, as a local resident has asked to be updated. We await a reply.
- (iii) Received – details of a consultation re: the draft Local Plan and the development of the draft Fourth Local Transport Plan (LTP4). Information has been published on our Facebook page. The briefing event for Parish Councils falls on the same night as our April meeting.

(b) **Enforcement Cases**

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

(c) **Planning Decisions**

- (i) Application No. 2019/34226 4 Stainmore Close, Birchwood, WA3 6TP. Proposed single storey front extension. **Approved with conditions**
- (ii) Application No. 2019/34369 Melbury Park, Clayton Road, WA3 6PH. Retrospective – erection of a temporary Portakabin Solus building to be used as an office. **Approved for a limited period**
- (iii) Application No. 2019/23476 3 Culbin Close, Birchwood, WA3 6UA. Proposed first floor side extension and single storey side extension. **Approved with conditions**
- (iv) Application No. 2019/34408 Birchwood Shopping Centre, WA3 7PG. Proposed improvement work to existing car park (new layout, circulation, new floor directional signage, resurfacing and overall maintenance). **Approved with conditions**
- (v) Application No. 2019/34389 Land bounded by Admirals Road, Linnet Grove and Curlew Grove. Proposed Discharge of Condition 4(A Remediation and Verification, B Reporting unexpected contamination, C Long term monitoring and maintenance) from application 2016/28810. **Discharged**

(d) **Planning Applications**

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 for information only.

- (i) Application No. 2019/34553 740 Birchwood Boulevard, WA3 7PS. Proposed extension to ground floor and first floor and external alterations to building.
- (ii) Application No. 2019/34160 33 Rockingham Close, Birchwood, WA3 6XA. Proposed 2 storey side extension.
- (iii) Notification of amended plans re: Application No. 2019/34371 (21 Pennant Close, WA3 6RR) Proposed single storey side/rear extension with (19 Pennant Close, WA3 6RR) two storey rear and single storey rear/side extension.
- (iv) Application No. 2019/34700 3 Delenty Drive, Birchwood, WA3 6AN. Proposed residential development of 11 dwellings.

Members did not have any comments or objections to make regarding the above applications at this present time.

- (v) Application No. 2019/34689 Land bounded by Admirals Rd, Linnet Grove & Curlew Grove, Birchwood, Warrington. Discharge of conditions - Proposed discharge of condition 24 (LEAP) on previously approved application 2016/28810.

Councillor Atkin noted that there is a lack of detail in related documentation about specifically how often the play area will be litter picked, weeded, etc.

Following discussions Members **resolved** that the Council should write to the Planning Department requesting that more specific detail is included and/or made a condition of the application's approval regarding the actual frequency of maintenance of the area, by YHG.

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

020/19-20 **CURRENT STRATEGY & ACTION PLAN UPDATE**

Councillor D. Ellis said that there are no updates to report at present.

This part of the meeting concluded at 6.50 pm.