

**MINUTES OF THE JUNE COUNCIL MEETING
OF BIRCHWOOD TOWN COUNCIL, HELD AT
PARKERS FARM COMMUNITY CENTRE, DELENTY DRIVE, RISLEY
ON TUESDAY 25TH JUNE 2019**

Present: Councillor Breslin in the Chair
Councillors Atkin, D. Ellis, J. Ellis, Evans, Fitzsimmons

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

Apologies: Councillors Bowden, Nelson and Reeves
The Police representatives

074/19-20 **ANNUAL TOWN MEETING MINUTES**

Councillor Fitzsimmons proposed, Councillor Evans seconded and it was resolved that: The Minutes of the Annual Town Meeting held on 28th May 2019 be approved as an accurate record and signed by the Chair, with one amendment – that the name of the Chair be corrected to read ‘Councillor Atkin’.

075/19-20 **MAY ANNUAL COUNCIL MEETING MINUTES**

Councillor Fitzsimmons proposed, Councillor Evans seconded and it was resolved that: The Minutes of the Annual Council Meeting held on 28th May 2019 be approved as an accurate record and signed by the Chair.

The Clerk stated that as the Annual Town Minutes have now been approved, there are two recommendations to be brought forward onto the main agenda. These are:

- (a) To contact the PCSO to enquire about the site codes and whether speed enforcement operations could be conducted near the zebra crossing on Admirals Road, near the junction with Chatfield Drive, on other stretches of Admirals Road and on Chatfield Drive.
- (b) At the point in which a planning application is submitted regarding the development of the Fox Wood site, assumed at present to be for a housing development, to look at the potential for requesting traffic calming measures to be installed along Chatfield Drive.

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 Evans – the Friends of Birchwood Forest Park
Councillors Breslin, D. Ellis and J. Ellis – Birchwood Youth & Community Centre Committee
Councillors Atkin and Breslin – Birchwood Carnival Committee*

076/19-20 **PUBLIC PARTICIPATION**

As there were no Police representatives or residents present at tonight’s meeting, the Chair declared Public Participation over.

077/19-20 **PLANNING APPLICATION UPDATE**

Application No. 2019/34700 3 Delenty Drive, Birchwood, WA3 6AN. Proposed residential development of 11 dwellings.

At the May meeting, the Clerk reported that she has written to the Planning Department regarding what seems to be a discrepancy regarding some trees that have TPOs on them and a box ticked 'no' on the application relating to existing trees.

In addition, the Ecological Survey was undertaken on behalf of a previous developer back in 2014 and the Clerk wondered if this was acceptable.

The Clerk stated that when she had looked online, the Town Council's comments had not been published on the WBC website; so she contacted the Planning Department regarding the matter.

A new Planning Officer has recently taken over this application case.

The Officer was able to offer some insight regarding the current progress with the application. There is agreement that the Ecological Survey needs to be undertaken again, as so much time has elapsed since the previous one was done. Also, there are some concerns from Highways regarding access to and from the site, and queries had been made regarding windows to the second floor which would directly overlook properties on Fernbank.

It is possible that the developer may revise the plans taking the current comments and concerns raised into consideration. The Town Council has also been given a further two weeks to make any additional comments, if they wish to add to their original comments.

078/19-20 **UPDATE RE: ACTION ITEMS FROM MEETINGS WITH WBC OFFICERS**

The Clerk stated that all items below remain ongoing; several have already been chased again.

- (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: Councillor Bowden has not received any update from WBC.

- (c) **Planters**

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

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

- (d) **Clayton Road – litter**

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

- (e) **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.

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

Update: 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.

(g) **Street Lighting**

Update: The Clerk had requested formal feedback from the evening walkabout that took place on Thursday 7th March, covering quite a lot of ground in Oakwood.

The Clerk has chased this up again, but has still not received a reply.

079/19-20 **YOUR HOUSING GROUP (YHG) - UPDATE**

The Clerk reported that she and the Senior Maintenance Operative had a meeting yesterday with representatives from YHG regarding ongoing issues with flytipping, landscaping maintenance, etc.

The Clerk said that she and the Senior Maintenance Operative also raised concerns in relation to how some areas of the partnership working arrangements seem not to be working efficiently and gave examples of where work appears to have been duplicated, resulting in our team wasting time and effort chasing matters that had already been dealt with once they got to the site(s) – despite it having been agreed that BTC operatives would deal with certain issues and YHG with others.

They were also made aware that the BTC team has been advised that YHG would prefer their operatives to undertake any cutting work in their areas, including where there are, what could be considered to be, ‘immediate’ health and safety issues.

Members raised the matter of walkabouts again, and a discussion took place regarding walkabouts that tenants would like to be invited to.

The Clerk stated that she has been informed that the postponed YHG open day is hopefully going to be re-scheduled for September, although this is to be confirmed.

080/19-20 **CHATFIELD DRIVE AND ADMIRAL ROAD SPEED ENFORCEMENT**

The Clerk said that it has been confirmed that the layout of Chatfield Drive means that the Police cannot obtain a site code to undertake any speed enforcement operations. We are still awaiting an update regarding Admirals Road.

081/19-20 **BMX/PUMP TRACK**

Councillor Fitzsimmons reported that the new BMX/pump track will be officially opened on 6th July 2019, with an event taking place between 12 noon and 3pm.

Councillor Tony Higgins (WBC) has been invited to formally open the track.

Councillor Evans said that The Friends of Birchwood Forest Park will be doing a barbeque for the event.

The Clerk said that the Town Council has not heard anything directly or received any invitations regarding the opening of the track.

082/19-20 **DUCK SIGNAGE**

At the May meeting, the Clerk reported that enquiries had been made with WBC to see if they can assist with some signage in connection with ducks on the highway at various locations throughout Birchwood.

The Borough Council has responded, advising that all permanent traffic signs that the Council, as Local highway Authority, are permitted to erect on the highway are prescribed by a Statutory Instrument published by the Department for Transport known as the Traffic Signs Regulations and General Directions 2016. In addition to this, there is guidance on how those signs should be used.

The Borough has said that as it appears that the ducks habitually occupy the highway at the locations that the Town Council has indicated the provision of some warning signs would seem appropriate.

WBC has proposed to provide signs at either end of Glover Road to cover the Locking Stumps area, a sign on Garrett Field on the exit from the Birchwood Park Avenue roundabout and a sign on Oakwood Gate leading towards the BP garage.

We have contacted WBC to ask if it will fund the signage, or if this is something the Town Council will have to pay for. We are awaiting a reply.

083/19-20 **DIRECTIONAL SIGNAGE TO THOMAS RISLEY CHURCH**

Following an informal enquiry, initially raised by Councillor D. Ellis after he had been contacted by a representative of Thomas Risley Church, WBC has indicated that new directional signage to Thomas Risley Church and Locking Stumps Primary School in Glover Road is a possibility.

The Clerk (via the Chair) invited Councillor D. Ellis to give some information relating to the enquiry.

Councillor D. Ellis said that the enquiry had been made by someone from Thomas Risley Church, as it was felt that the current signage can be misinterpreted as being pointing to a church school, rather than a church and a school.

Apparently, people wishing to visit the church from outside the area and unfamiliar with Locking Stumps have sometimes been unable to find it.

The Clerk stated that although it would be possible to amend the existing directional signing into Glover Road, there would be a cost of £343 which includes design, manufacture and installation and removal of the existing sign.

The Borough had also provided proposed drawings of the signage.

Councillor Fitzsimmons suggested that, as the school is also used as a polling station, and is owned by the Borough Council, the signage should make it clear that it is a local county primary school and not affiliated to another organisation. He believes that this should be for WBC to do / pay for.

He also suggested that the same comment is made on a polling station questionnaire, recently received (see Minute 087/19-20 (j) below).

Action The Clerk's office to contact WBC with the comments made above.

084/19-20 **PAVEMENT PARKING**

Following a number of complaints made by residents throughout Birchwood regarding vehicles being parked on pavements, the Clerk's office had written to WBC and received the following in reply:

“With regards to your enquiry regarding pavement/verge parking. Pavement and verge parking is a widespread practice and the council is concerned about the implications of vehicles being parked on pavements being both a safety concern restricting the passage of pedestrians, and also damage to verges, pavements and utility equipment. However, the council also recognises that enforcing all verge and footway parking cannot be pursued due to the varied reasons for the parking taking place and that each location is unique in the road environment. The unintended consequences of preventing all pavement and verge parking cannot be managed, as in many cases there will be a negative consequence.

The council's Parking Strategy Executive Board Task Group recognised that any intervention in pavement or verge parking must be based on an assessment of risk and therefore, a matrix for the assessment of all footpath and verge parking concerns has been developed. The assessment matrix considers the nature of the parking in the context of the highway environment and its use. It prompts officers to consider the negative implications of the parking taking place in terms of damage to the highway, obstruction to pedestrians, restriction of visibility for other road users and any other road safety concerns. The assessment process also considers the implications of preventing the parking from taking place such as creating unsafe parking practices, obstruction of the carriageway or other unsafe parking likely to occur, any loss of amenity likely and negative impact on accessibility. The concept is to ensure a balanced view is taken to inform what, if any action is taken.

Whilst parking is taking place partly on the carriageway and partly on the footway which may be obstructing the footway for pedestrians, the implications of preventing the parking permanently would be expected to result in an obstruction of the carriageway due to its narrow width. As the parking taking place is generally by residents or their visitors, prevention could also result in a reduction of available parking and therefore a loss of amenity to residents.

In balancing the existing risk against the potential unintended consequences of preventing pavement parking, it would appear the most appropriate course of action would be to contact the Police via the non-emergency 101 number when the footpath is obstructed as it is the Police who have the most appropriate powers for enforcement in this case.”

085/19-20 **HS2 PRESENTATION**

The Clerk reminded Members that a representative of the Stakeholder Engagement Team for HS2 will be making a presentation to Members at the July 2019 Council meeting.

086/19-20 **UPDATES RE: SOME ISSUES RECENTLY REPORTED TO WBC**

We have chased the following:

- Sent – email re: overgrown shrubbery Woolmer Close. We are awaiting a reply. (Case ref: CRM 886966).
- Sent – email re: overgrown shrubbery Woodhouse Close, allegedly preventing a resident from replacing their fencing. We are awaiting a reply. (Case ref: CRM 886967.)
- Sent – email regarding some red footsteps painted on a path near Birchwood Fire Station. (Case ref: CRM 886973).

WBC could not locate any footprints when they investigated.

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

087/19-20 WARRINGTON BOROUGH COUNCIL

- (a) Received – Warrington East Phases 2 and 3 Project News – Issue 15
- (b) Sent – report that the basket swing in John Keeney Play area was broken. Out team tied it up to deter people from using it until WBC could arrange a repair.
- (c) Received – invitation to the annual Civic Service, held on 9th June at St Elphin's Parish Church. Councillor Reeves attended.
- (d) Sent/received – emails regarding some tree roots lifting block paving near the school/church building in Oakwood. WBC have advised that these trees are owned by the school. The site will be assessed by a highways officer and a plan will be created from there.
- (e) Sent – query re: responsibility for repair to broken/raised concrete around a manhole cover on part of a footpath/access path in part of Dove Close. We are awaiting a reply.
- (f) Sent – complaint on behalf of a resident re: overgrown footpath that runs behind the rear of properties in Rockingham Close in Gorse Covert. (Ref: CRM 889541)
- (g) Sent – email re: overgrown trees damaging a resident's wall. (Ref: CRM 889509).
WBC advised that the trees belong to the householder, who came into the office to check if this was correct.
- (h) Sent – email re: complaint from resident re: overgrown trees apparently not being maintained on the footpath running from Patterson Close to Woodhouse Close; asking if any work is planned for this area.
- (i) Sent – email raising concerns about three potentially dangerous trees close to the edge of the footpath/cycleway that commences adjacent to Risley Police Station (on the Police Station side).
Several trees were cut down/removed by WBC on 18/6/19.
- (j) Received – Polling Station Review questionnaire.

Members did not have any comments to make in relation to the venues used in Birchwood as Polling Stations, however, (see also Minute 083/19-20 above) it was suggested that the directional signage be reviewed.

Action The Clerk's office to complete and return the questionnaire with the comments included, as detailed above.

- (k) Received – Traffic Notices including one for Bramshill Close – prohibition of driving and clearway in the cul-de-sac section outside 51-69 from 24/6/19 for 2 weeks 0830 to 1730 when signed on site.
- (l) Sent/received – various emails, following complaints from residents, regarding overgrown shrubbery apparently blocking windows. WBC have forwarded the information onto their property services department to see if they can assist.

- (m) Received – copy of correspondence that Councillor Atkin has had with the Borough Council re: tactile paving that had not been reinstated following the development of Greenfinch Grove.

Councillor Atkin has been advised that the tactile paving will be reinstated in the next few weeks.

- (n) Sent/received – emails between the Clerk and various organisations, attempting to find out whose land a dead tree is located on, as it is adjacent to a high-footfall path. It appears that the Land Trust owns the land and therefore has responsibility for the tree.

088/19-20 **YOUR HOUSING GROUP (YHG)**

- (a) The Clerk reported that we have received a request for a meeting to resolve comments made by Councillors relating to the Play Area on the Greenfinch Grove development (part of Application No. 2019/34689 Land bounded by Admirals Rd, Linnet Grove & Curlew Court, Birchwood, Warrington).

The Clerk reminded Members that in the correspondence sent to them with comments, we had requested a response in writing.

Members agreed that if a meeting becomes necessary, this could be with the Clerk (under delegated powers) – although they agree that they would like to receive any information in writing.

Action Clerk's office to contact YHG regarding the above.

- (b) Sent/received various emails re: flytipping and overgrown shrubbery.

089/19-20 **BIRCHWOOD FORUM**

- (a) Received – various updates and invitations to some events hosted by Birchwood Forum.
- (b) Received – News update on Transport for the North.
- (c) Received – Copies of the presentations given at the Travel to Work Consultation.

090/19-20 **MISCELLANEOUS CORRESPONDENCE**

- (a) The Clerk had circulated a suggested agenda for the first meeting of the Town Council's Climate Change Sub-Committee. She asked if a meeting time and date could be set for the meeting.

As Councillor D. Ellis was the only Member of the Sub-committee able to be present at tonight's meeting, he asked if the Clerk could ask if the other Members would be available at lunchtime during the week commencing 8th July 2019.

Action Clerk's office to contact the relevant Councillors regarding the above.

- (b) Received – Various update/information emails from Warrington Voluntary Action.
- (c) Received – Query about which organisation has responsibility for some shrub cutting - the resident was advised to contact WBC.
- (d) Received – 'Your Warrington Campus News' – The University of Chester's newsletter for Summer 2019.

- (e) Received – a query from YODI (Youth Oakwood Drop In) – asking if BTC could assist them in setting up a clean-up in the area.

The Clerk has contacted YODI regarding this query to request additional details.

It was suggested that YODI could possibly liaise with YHG, once they have more volunteers to assist with the running of the group and are more firmly established.

- (f) Received – ‘Thank You’ card from Thomas Risley Church re: cutting back shrubbery to clear sight lines.
- (g) Received/sent – email correspondence re: overgrown shrubbery and foliage allegedly damaging fencing of a property on Deanwater Close. The resident has asked for a 6ft maintenance strip to be cut between her fence and the shrubbery and for the overgrowth into their garden to be cut. With permission, we forwarded their complaint to WBC.
- (h) Received – from Councillor Atkin – query re: path ownership Stanford House to Genesis Centre in relation to very overgrown shrubbery.

We sent an email to the agency that lets the offices at the Genesis Centre to ask if they could tell us who owns the land (as it could potentially put people off renting the office spaces) – as we have tried other contacts without success. We are awaiting a reply.

- (i) Received/sent – emails re: a resident’s query about the management of the Beeston Close caravan storage facility. We no longer have the contact details of the site manager. We advised the resident that the site is leased from WBC, which might be able to forward the query on to the manager. They sent an email of thanks.
- (j) Councillor D. Ellis, in his capacity of Chair of the Trustees of Birchwood Youth and Community Centre, enquired whether directional signage could be supplied to BYCC.

091/19-20 **CHESHIRE POLICE**

- (a) Received – copies of various Police Alerts.
- (b) Following the receipt of a ‘petition’ from some residents of Carrington Close, an email was sent to the local Police, asking if they could look into the complaints made about inconsiderate parking in the area.

PCSO Jones has issued an advisory ticket regarding a vehicle causing an obstruction and if, when followed up it has not been moved, she will issue a Fixed Penalty Notice.

Councillor Fitzsimmons reported that a particular vehicle has now been seen to park fully on the road, but the position they park in causes what he considers to be an extremely dangerous sight line issue.

Another Councillor stated that they drove into Carrington Close the other day and, although they were driving extremely slowly, due to the road layout, two children on bicycles rode out from behind the vehicle in question, straight in front of their car. Luckily, they managed to stop the car in time, but the children had been completely hidden from view by the vehicle.

Action Clerk’s office to contact PCSO Jones again regarding this matter.

- (c) The Clerk stated that a local resident had contacted the Town Council to raise concerns about a letter they had received regarding the nextdoor.com website, encouraging them to sign up to the site. It had the name of a neighbour within the letter, suggesting that the neighbour was recommending the site. When asked, the neighbour did not know their name was being used in such a way.

The website purports to be a way of keeping local people informed about what is going on within their local area, how to contact local businesses, etc.

A search online shows mixed reviews. Some reviews queried if it is a way of harvesting people's data in order to target advertising, but it also allows people's names and addresses to be made public, if they are unaware how to set the privacy settings successfully.

One concern is that there may be a data breach issue, as people's names are being circulated in letters to other people – although the company's base is in San Francisco; which might not be covered under the same, or similar, regulations to GDPR.

The Town Council does not really have any powers to deal with any of the concerns raised by the resident, other to suggest that they might not wish to sign up for the site, and we have sent a copy of the letter to the Police, as it stated that they use the site – to ask for their comments.

092/19-20 **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, details of training sessions, etc.
- (b) Received - NALC Chief Executive Bulletins, Blogs and Newsletters.
- (c) Received – SLCC – various News bulletins and details of Branch meetings, conferences, etc.

093/19-20 **PUBLICATIONS RECEIVED**

Various LGC magazines & e-mail Briefings

094/19-20 **MEMBERS' REFERRALS MADE VIA THE CLERK PRIOR TO THE MEETING FOR CONSIDERATION AT THIS COUNCIL MEETING**

There were no Member's referrals made via the Clerk for this meeting.

095/19-20 **CURRENT PLANNING APPLICATIONS FOR COMMENT AND OBSERVATION AND OTHER RELATED PLANNING ISSUES**

(a) **Warrington Borough Council**

Received – link to the Development Management Committee meeting document pack for 12th June 2019. There were no items specific to Birchwood on the main agenda for discussion at the meeting.

(b) **Enforcement Cases**

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

(c) **Planning Decisions**

Application No. 2019/34852 Parkers Farm, Delenty Drive, Birchwood, WA3 6AN. Lawful Development Certificate. Proposed raking and repointing of Portland Cement mortar with a lime-based mortar. Replacement of any broken/slipped tiles to match existing and general decoration of weathered timber windows. **Withdrawn**

(d) **Planning Applications**

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. 2019/35022 91 McCarthy Close, Birchwood, WA3 6RS. Proposed single storey extension to rear and side.
- (ii) Application No. 2019/35229. Ground floor, 920, Birchwood Boulevard, Birchwood, WA3 7QS. Discharge of conditions - Proposed discharge of condition 7 (Cycle Parking) and 8 (Electric Vehicle Charging Points) on previously approved application 2018/32445
- (iii) Application No. 2019/35162 10 McCarthy Close, Birchwood, WA3 6RS. Proposed single storey extension.

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

096/19-20 **STRATEGY & ACTION PLAN UPDATE**

Councillor D. Ellis said that he currently has some concerns about the Birchwood Business Improvement District (BID) coming to fruition. The Town Council paid £750 +VAT towards early scoping exercises / feasibility study; which will be refunded if the BID goes ahead.

Warrington & Co. currently appear reluctant to put funding towards the next phase of the process, as they apparently want to see how the BID in Warrington Town Centre is working first. However, Councillor D. Ellis pointed out that Warrington Town Centre and Birchwood are two very different areas, with very different needs.

Members discussed the issues surrounding Councillor D. Ellis' concerns. They unanimously agree that a successful BID is necessary to prevent the area, particularly around the shopping centre, potentially becoming a 'ghost town' and that a Birchwood BID would benefit the whole of the Birchwood Community; businesses in all the areas, and residents alike.

This part of the meeting concluded at 7pm.