

MINUTES OF THE JANUARY COUNCIL MEETING
OF BIRCHWOOD TOWN COUNCIL, HELD AT
PARKERS FARM COMMUNITY CENTRE, DELENTY DRIVE, RISLEY
ON TUESDAY 14TH JANUARY 2020

Present: Councillor Reeves in the Chair
Councillors Atkin, D. Ellis, Fitzsimmons

Clerk – Mrs. F. McDonald
Deputy Clerk – Mrs C. Caddock

1 resident

Apologies: Councillors Bowden, J. Ellis, Evans, M. Hearldon, T Hearldon and Nelson
Business and Finance Officer - Mr. G. Crowe
PCSO Jones

251/19-20 **DECEMBER COUNCIL MEETING MINUTES**

Councillor Ellis proposed, Councillor Fitzsimmons seconded and it was resolved that: The Minutes of the December Council Meeting held on 10th December 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.

D. Ellis – Birchwood Youth & Community Centre Committee

Councillor Reeves – Birchwood Community High School

Councillor Atkin – Sellafield employee

252/19-20 **PUBLIC PARTICIPATION**

(a) **Police Report**

There were no Police representatives at tonight's meeting. A Police report had been emailed to us prior to the meeting.

Members noted that PCSO Jones has been busy monitoring the current parking situation on Glover Road and several side streets. A number of warning notices and tickets have been issued to cars that were parking inconsiderately / illegally.

Councillor Reeves had raised a query regarding two fires that had been listed on the report – one at the railway station and one at Risley Moss. He had also noted that there was some damage to the perimeter fencing around Risley Moss.

We have emailed PCSO Jones to ask for some further details regarding the fires and are awaiting a reply.

Councillor Atkin wondered whether the fire at Risley Moss might have an impact on the building of the new observation tower, particularly as some of the grant funding was conditional on the tower being completed by the end of March 2020.

Actions To enquire about progress regarding the new observation tower.
To ask the Rangers if they are aware of the damage to the perimeter fencing.

Councillor Reeves commented that on New Year's Eve, three or four bus shelters were smashed in Gorse Covert. He wondered if these had been recorded within the Police Report statistics; possibly as 'anti-social behaviour'.

Action To enquire whether the smashed bus shelters had been recorded within statistics.

(b) **Glover Road Parking**

A resident, who lives in Locking Stumps, attended tonight's meeting to raise concerns about the current parking situation on Glover Road and in several local residential streets. He said that the situation on Glover Road with regard to exiting side streets safely, crossing the road, etc., is 'bad enough' on 'normal' days, especially during peak times, but with the addition of a significant number of vehicles, that previously parked at Hinton House, now parking on Glover Road and in side streets, there are serious safety as well as inconvenience issues.

The resident said that he had spoken to someone at Hinton House, who explained that Sellafield representatives had met with the Clerk and Members of the Town Council to discuss the problem. He asked if there is anything that the Town Council can tell him, as an update, regarding the situation.

Councillor Atkin (*declared an interest as an employee of Sellafield*) gave a detailed explanation regarding the background to the current situation. He said that since October 2019 the Hinton House car park has been full to overcapacity. This reached the point that it became dangerous within the car park with vehicles double parking, parking on double yellow lines, on verges, blocking fire exits, etc.

The perception had been, that the Hinton House car park must be being used not only by Sellafield and the other businesses that occupy Hinton House, but also by other users of the business park. It was therefore decided that in the new year only users who had a valid pass for the car park would be allowed to enter and once the car park was full it would be shut to other vehicles. Drivers were then directed to other pay and display options on the business park.

On the first day back over 200 drivers were turned away, most of whom had a legitimate business to be there – with passes. This had been unexpected. Those who held passes were asked to park on the pay and display car parks on the business park and informed that they could claim the parking fees back.

The Town Council, the Borough Council, the local Police and Sellafield all became involved immediately in trying to resolve the situation. Although drivers can claim parking fees back, it appears that some employees are not prepared to walk from the other car parks. Those parking illegally have been ticketed. A number of others have been given warning notices.

A lot of local residents have been registering complaints, citing health and safety issues regarding pedestrian safety, sightlines, inability of vehicles to pass on Glover Road and having to reverse beyond the long line of parked cars – even back towards a busy roundabout. In some places double parking has meant that the passing space has been too small for bin lorries, delivery vehicles and, should it have been necessary, for emergency vehicles to get through.

Councillor Atkin (who cycles to work) said that Sellafield management has apologised for the situation. They have always tried to be good neighbours with the local community and are moving as quickly as possible to try to resolve the situation.

Councillor Atkin added that Sellafield is looking to secure some overflow parking as soon as is achievable; new passes may need to be arranged for overflow parking, but between that, and the pay and display option, there should be no reason for employees to park on the streets.

The resident said that when he had approached a driver who had just parked, to ask him why they needed to park where they had, explaining to them that it was causing issues, he received an impolite response.

Councillor Reeves said that, having met with representatives of Sellafield, who have also been out on site to see the issue for themselves, they are genuinely concerned about the situation and are working on it being resolved as soon as possible.

Councillor D. Ellis commented that most of the parking isn't technically 'illegal' which makes it hard for the Police to issue tickets and the Borough Council has no grounds for their Traffic Enforcement Officers to issue tickets.

Councillor Fitzsimmons commented that when a similar situation took place a couple of years ago regarding a different company, he seems to recall that persistent 'offenders' were disciplined by the company for bringing it into disrepute.

Councillor D. Ellis commented that if the Borough Council was to install double yellow lines on Glover Road that could create different problems for local residents as more vehicles could then be 'displaced' into the residential streets; and residents' only parking areas create other issues for residents.

The resident commented that he understands that people have to get to work, but that there are plenty of parking spaces in car parks on the business park, which he walks to regularly. He stated that people need to be persuaded to use available parking spaces, and that there is already enough pollution around Glover Road at peak times without more vehicles adding to it.

Councillor Reeves said that Sellafield are continuing to promote car sharing, cycling to work and the use of public transport. Longer term, they are considering other means to reduce the number of vehicles requiring access to their car park.

Councillors are hopeful that the situation will be resolved very soon.

(c) **Birchwood Park Avenue – Litter**

The resident raised the issue of the amount of litter discarded on Birchwood Park Avenue. He said that he quite often, on a Sunday morning, he litter picks the verges himself. He added that a large amount of it is McDonald's food and drink wrappers, cups, etc.

Councillor D. Ellis said that another resident has informed him that he does the same. However, the Town Council would ask residents not to do litter picking on Birchwood Park Avenue or Birchwood Way, for health and safety reasons.

Councillor D. Ellis gave the example of a crash that happened recently at the junction of Glover road and Birchwood Way (opposite Garrett Field) where a car left the road and completely demolished a planter and badly damaged a green telecommunications box.

Councillor Atkin stated that our team no longer has permission from the Borough Council to litter pick on any stretch of road where the speed limit is over 40mph, due to safety concerns.

In order to litter pick these stretches of road there has to be traffic management in place, organised by the Borough Council, which is expensive.

The 50mph+ stretches are cleansed by Warrington Borough Council perhaps twice a year. If there are any roadworks being undertaken, with traffic management, we will ask if our team can work in partnership with the Borough to litter pick whilst there are lower speed restrictions/road closures in place.

Councillor D. Ellis said that the Town Council has tried several times to have the speed limits reduced on safety grounds, to no avail.

As the constant changing of speed limits in the area, e.g. from 50mph back down to 30mph at roundabouts and back up to 50mph for a short distance to the next roundabout, can contribute to increased vehicle emissions, perhaps, WBC will now look again at all speed limits; given the evidence that slower speeds reduce emissions, which will help in the battle against climate change. If they do, our team might, once again, be able to litter pick more areas.

Councillor D. Ellis said that he would contact Councillor Bowden (who was unable to attend tonight's meeting due to another meeting at the Town Hall) to ask about the Borough Council arranging another cleanse of Birchwood Park Avenue and Birchwood Way, along their full lengths; is it on a specific schedule?

Councillor D. Ellis also asked about the bus shelters and who has responsibility for cleaning out all the leaf debris that has collected in them.

The Clerk said that we assumed that Clear Channel, who cleanse their bus stops, seating, canopies, sides, etc. would clean out the leaves too; but we don't know what their service level agreement covers.

The Town Council cleans out the bus stops that they own.

Councillor D. Ellis said he would also ask Councillor Bowden about the cleaning of leaf debris from bus stops on Birchwood Park Avenue and Birchwood Way.

The resident left the meeting and thanked Members; adding that he believes the Town Council does a good job for the community.

Members thanked him for attending.

253/19-20 **UPDATE RE: ACTION ITEMS FROM MEETINGS WITH WBC OFFICERS**

The Clerk stated that all items below still remain ongoing.

- (a) **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 issue of overhanging shrubbery has still not been resolved and will continue to be a health and safety issue to our team when they start mowing again.

(b) **Previously Damaged Wall – Gorse Covert Shop**

Update: We still do not have any information from WBC as to whether additional work could be done to this raised bed which would make it less liable to damage and ongoing repair costs.

(c) **Street Lighting**

Update: The Clerk had requested formal feedback from the evening walkabout that took place on Thursday 7th March 2019, covering quite a lot of ground in Oakwood.

The Clerk has chased this matter numerous times but has still not received a reply.

At the October 2019 meeting, the Town Council decided to ‘experiment’ and send details of just one lighting column, where the light is being obstructed by the tree canopy, to WBC; to monitor how long it would take for any response to be received or action to be taken.

At the December 2019 meeting, the Clerk said that we had reported light number 84P on the path between Redpoll Lane and Ordnance Avenue on 31st October 2019. We had chased this up and were informed that landscaping had until 10th December 2019 within their timescales to investigate.

Councillor Atkin confirmed, on 13th January 2020, that no action has been taken regarding this tree, and Officers have not received any update from WBC.

We chased the matter again yesterday and were informed today: *“The growth that is blocking the street light raised is not from WBC land. It appears to be Your Housing.*

I have forwarded your enquiry onto highways. An officer will be programmed in to visit the site, if works (sic) needed they will contact the land owner to undertake works.”

Councillor Atkin stated that it is currently pitch black at night on the section of the footpath due to the light from 84P being obscured by the tree. He believes that it will require the complete removal of the tree to solve the issue.

He added that it has taken two months to receive any meaningful response regarding this matter from WBC, which seems to be a longer timeframe than usual; only to be informed that a new referral is now being made to YHG.

254/19-20 **YOUR HOUSING GROUP (YHG) - UPDATE**

The Clerk said that there is nothing of particular note to report at tonight’s meeting.

YHG has a new property agent for Birchwood, Jonathan Plumb.

There is a Tenant’s Meeting at Parkers Farm tomorrow evening and the Clerk has a meeting with Mr. Mike Redford, later in the month, at which various matters/updates will be discussed.

255/19-20 **CHATFIELD DRIVE DOUBLE YELLOW LINES**

The Clerk stated that despite us having been informed previously that the work to install the double yellow lines along the full length of Chatfield Drive, past the high school, has been completed, it appears that there is still a small section that needs to be finished.

256/19-20 **CLIMATE CHANGE**

The Climate Emergency Action Plan prepared by Councillor D. Ellis following the Climate Change working party meeting held on 11th September 2019 is finalised.

Councillor D. Ellis asked if Members wished for it to be published on our website.

Those Members present **resolved** that the Climate Emergency Action Plan should be published on the Town Council's website.

Action Clerk's office to publish the Climate Emergency Action Plan on the website.

257/19-20 **MEMBER'S REFERRALS – UPDATE**

(a) **Asda Trolleys**

Councillor D. Ellis, as requested had drafted a letter to the Chief Executive Officer and the Chief Operating Officer at Asda regarding the ongoing problem of abandoned trollies (mainly from Asda). This had been circulated to Councillors.

Councillors **resolved** that the letter could be emailed to the relevant people.

Councillor Atkin said that he had contacted Asda, the shopping centre and Home Bargains regarding 18 abandoned trollies in an area close to his home. He had only received one reply, that was from the shopping centre.

Action: Clerk's office to email the letter, as detailed above.

(b) **Councillor D. Ellis – WBC – lack of progress and/ or response re: various issues**

See Minute 253/19-20 (a) to (c) above.

258/19-20 **CROSS LANE SOUTH SIGNAGE**

Following emails sent to WBC after a request from a resident for a road sign to be installed at the entrance to Cross Lane South, indicating that it is a no through road. WBC looked into options.

A highways engineer confirmed that having looked at Cross Lane South, there are a number of traffic signing issues that should receive attention. They informed us that due to the narrow footpaths and foliage, there isn't a suitable location for a 'No Through Road' sign at the entrance to Cross Lane South; therefore, they have proposed to install advanced 'No Through Road signs'. These will be located on Warrington Road and seen by drivers travelling both north and south.

Additional speed signs will also be installed; one on Cross Lane South and a 40mph repeater sign on Warrington Road, just north of the junction with Cross Lane South.

259/19-20 **DEMOLISHED PLANTER**

The Clerk reported that the remains of the Town Council's planter that had been completely demolished during a crash that happened recently at the junction of Glover road and Birchwood Way (opposite Garrett Field) have now been removed.

Councillor Fitzsimmons asked if the Town Council will be making a claim for the cost of the planter and its contents, which add up to several hundred pounds.

The Clerk stated that she has contacted the Police about the planter, but they had not responded. She added that it is difficult to try to obtain the driver's insurance details due to GDPR.

Councillor D. Ellis suggested sending a letter to the driver's insurance company via the Police.

This suggestion was agreed and **resolved** by those Members present.

Action Clerk's office to ask the Police to forward a letter to the driver/their insurance company regarding the planter.

260/19-20 **PROPOSED FOXWOOD SCHOOL SITE DEVELOPMENT**

The Clerk reported that we understand that leaflets were being mailed dropped today on the roads surrounding the old Foxwood School site regarding the plans to redevelop the site into a housing development.

A public consultation meeting regarding the proposed development has been arranged to take place at Birchwood Tennis Centre on 3rd February 2020.

Members had previously agreed that they would be pleased to receive a presentation of the proposals. This is taking place as the first item on the agenda for a Policy, Strategy and Engagement Sub-Committee meeting, taking place on 28th January 2020, 6pm at Parkers Farm.

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

261/19-20 **WARRINGTON BOROUGH COUNCIL**

- (a) Sent/received – various emails / online reports following contact from residents re: flytipping, overgrown shrubbery, blocked drains/flooding, abandoned bins, parking on grass verges, broken glass on pavements at various locations in Birchwood.
- (b) Sent – email re: alleged abandoned vehicle in Heather Close – also sent to YHG which is investigating as well, in case it is on part of their land.
- (c) Sent – email re: uneven paving hazard where Dewhurst Road meets the private footpath that runs between Abbey Court and Birchwood One to the shopping centre. A resident's wheelchair allegedly tipped up due to the dip in the path. We have asked WBC to contact the owner as a matter of urgency – or whether they could undertake remediation work and recharge the landowner. (CRM 912087)
- (d) Sent – Email re: concerns raised by a resident that Birchwood Brook appears not to be running freely, and that the water level is very high.
- (f) Sent/received – emails re: increasing numbers of vehicles parking on Glover Road and surrounding residential area (the end closest to Havisham Close). The Police have advised they do not have powers to deal with vehicles not causing an obstruction.
- (g) Chaser emails sent re: potentially dangerous trees on the Brook Footpath (CRM 908652), public footpath to the rear of Ringwood Close (CRM 904930/1 – chased several times, with resident now advised of WBC's complaints procedure) and flooding Cross Lane South (CRM 911666/ 907958).
- (h) Received – notification that the next Rights of Way Forum Meeting will take place on 13th February 2020, 10am to 12 noon at New Town House.
- (i) Received – Details of some key civic events for 2020.

262/19-20 **YOUR HOUSING GROUP (YHG)**

- (a) Sent/received – various emails re: flytipping, overgrown shrubbery and trees, ‘contaminated bins’.
- (b) Sent – email re: our Senior Maintenance Operative being called out on a Saturday in order to enable the YHG container to be emptied prior to Christmas.
- (c) Sent – email re: alleged abandoned vehicle in Heather Close – YHG are investigating (also sent to WBC).
- (b) Email sent following a request from a resident for assistance in trying to solve an ongoing issue of someone they believed was a YHG tenant allegedly running a vehicle repair business from a property on Linnet Grove. Also, Councillor contact details given as requested by the resident.

YHG have informed us that the person is not a tenant of theirs and that the property is now privately owned.

Councillor Atkin said that WBC will require evidence in order to act on such reports, such as the completion of monitoring sheets, photos, etc.

263/19-20 **MISCELLANEOUS CORRESPONDENCE**

- (a) Received – Various update/information emails from Warrington Voluntary Action.
- (b) Received – Warrington East Phases 2 and 3 project update – Issue 25.
- (c) Received – from Birchwood Forum – ‘headlines’ from the Queen’s Speech.
- (d) Received – Liverpool John Lennon Airport Airspace Transition – Info Sheet (Dec 19). The formal public consultation element is expected to start early in the new year.

Councillor Atkin said that he has read the document and he does not think that it will significantly affect Birchwood, due to the height that aircraft will be over the area.

Members noted that Manchester Airport has also undertaken a similar consultation.

- (e) Received – poster for the Chatfield Drive Public Exhibition re: proposed housing development; placed on our notice boards and Facebook page.
- (f) Received – Link to the e-newsletter from the Information Commissioner’s Office for January 2020
- (g) Received – Consultation – Cheshire Fire Authority Draft Integrated Risk Management Plan for 2020 - 2024

264/19-20 **CHESHIRE POLICE**

- 6.4.1 Received – various neighbourhood alerts.
- 6.4.2 Received – Stakeholder Bulletin – December 2019.
- 6.4.3 Received – invitation from the Police and Crime Commissioner to a meeting on 21st January 2020. Councillor D. Ellis will be attending.

265/19-20 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.

266/19-20 PUBLICATIONS RECEIVED

Various LGC magazines & e-mail briefings, The Clerk – January 2020, and Clerks & Councils Direct – January 2020

267/19-20 MEMBERS' REFERRALS MADE VIA THE CLERK PRIOR TO THE MEETING FOR CONSIDERATION AT THIS COUNCIL MEETING

There were no Members Referrals received via the Chair prior to the publication of the Clerk's Report.

268/19-20 CURRENT PLANNING APPLICATIONS FOR COMMENT AND OBSERVATION AND OTHER RELATED PLANNING ISSUES

(a) **Warrington Borough Council**

The next Development Management Committee (DMC) is scheduled to take place on 22nd January 2020. At the time of publishing the Clerk's report, we had not received the agenda or any documents relating to this meeting.

(b) **Enforcement Cases**

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

(c) **Planning Decisions**

- (i) Application No. 2019/36170 Land at Birchwood Park, Warrington, WA3 6AE. Non-material amendment – proposed addition of condition: A schedule of approved and occupied floorspace relating to the quantum of floorspace approved pursuant to this permission shall be submitted to the Local Planning Authority every time a subsequent reserved matters application is made attached to an outline application (LPA Ref: 2015/26044). **Approved**
- (ii) Application No. 2019/36157 Area of land located to adjacent to the north boundary of Birchwood Park, known as the Quadrant, Daten Avenue, WA3 6YN Non Material Amendment-Proposed removal of Condition 11 (Prior to first occupation of each unit hereby permitted confirmation of the use of the building shall be submitted to and approved in writing by the Local Planning Authority.) attached to Reserved Matters Application ('RM') (LPA REF. 2018/33212). **Approved**
- (iii) Application No. 2019/36061 Area of vacant land located to adjacent, Daten Avenue, Warrington, WA3 6YN. Proposed discharge of condition 7 (Landscaping implementation) from original planning application 2018/33212. **Partially discharged/partially not discharged**

- (iv) Application No. 2019/36019 Concentric Business Park, Warrington Road, Birchwood Park, WA3 6WX. Proposed construction of new stand-alone cycle shelter for use by the businesses within the 3 office buildings on Concentric Business Park. Building to be constructed in existing car park/landscaped area. **Approved with conditions**
- (v) Application No. 2019/36033 Land on west side of Faraday Street, Birchwood Park, WA3 6AR. Proposed discharge of condition 7(investigation and assessment methodology, remediation scheme) on previously approved application A02/45636. **Condition discharged**
- (vi) Application No. 2019/35654 8 Armstrong Close, Birchwood, WA3 6DH. Lawful Development Certificate – section 192. Proposed single storey kitchen extension to rear elevation. **Approved**

(d) **Planning Applications**

All plans can be viewed via:

http://www.warrington.gov.uk/home/transport_planning_and_environment/Planning/Se arch_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. 2019/36237 Area of vacant land located to, adjacent, Daten Avenue, WA3 6YN. Proposed discharge of conditions 6(Travel Plan) and 7 (Parking Management plan and Service Management Strategy) on application 2015/26044.

(e) **Planning Appeal**

Appeal Reference APP/M0655/W/19/3241502 RE: Planning Application No. 2019/34478 Land adjacent to units 720 and 730 Birchwood Boulevard, Birchwood, WA3 7PS. Proposed outline planning (major) with some matters reserved – proposed erection of B8 self-storage unit, new access off Dewhurst Road, parking and associated works including demolition of garage together with provision of additional parking for adjacent office building.

269/19-20 **STRATEGY & ACTION PLAN UPDATE**

Councillor D. Ellis stated that there is nothing specific to report at tonight’s meeting. He added that he will present a review and update to Members at the Policy, Strategy and Engagement Sub-Committee meeting, taking place on 28th January 2020

This part of the meeting concluded at 6.35 pm.