

MINUTES OF THE APRIL COUNCIL MEETING
OF BIRCHWOOD TOWN COUNCIL,
HELD ONLINE, ON TUESDAY 27TH APRIL 2021, 6PM

- Present:** Councillor Reeves in the Chair
Councillors Atkin, Bowden (part of meeting) D. Ellis, J. Ellis, Evans and Fitzsimmons
Clerk – Mrs. F. McDonald
Deputy Clerk – Mrs C. Caddock
Business and Finance Officer - Mr. G. Crowe
PCSO Titans
- Apologies:** Councillors Breslin (health) and M. Hearldon (dispensation)

006/21-22 **MARCH COUNCIL MEETING MINUTES**

Councillor Atkin proposed, Councillor D. Ellis seconded, and it was resolved that: the Minutes of the March Council Meeting held on 23rd March 2021 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 D. Ellis – Birchwood Youth & Community Centre Committee

Councillor Reeves – Birchwood Community High School

Councillor D. Ellis – Climate and Ecological Emergency Commission and Birchwood Forum

007/21-22 **PUBLIC PARTICIPATION**

(a) **Police Report**

A Police report was emailed to us by PCSO Stefan Titans prior to the meeting, which had been circulated to Members. The report details are as follows:

The following comprises the Police Report for the month of April 2021 to date. Also included are incidents from the period of March not covered by the previous report.

- There has been 1 reported burglary of a dwelling in which a shed was broken into a bicycle stolen to the approximate value of £1900, as well as 1 attempted burglary in which a male was caught attempting to gain access to a dwelling through the front door.
- Also of note, there have been two reports of bicycles being stolen from a back garden, one of which has been recovered.
- There has been 1 reported burglary of a business premises in which a number of laptops and iPhones were stolen by two perpetrators.
- There have been 2 reports of criminal damage to a property, one in which the front door of a dwelling was kicked, causing damage, and another in which the glass panel of a door was smashed with a hammer.
- There have been two incidents reported in which offenders gained access to a dwelling with the intention of assaulting the occupant with a weapon.
- There have been 3 reported thefts of a motor vehicle.
- There have been 2 reports of fraud, one in which an elderly homeowner was defrauded of £9000 by rogue traders, another in which a female was the victim of an elaborate online investment/cryptocurrency scam and was defrauded of up to £32000 over a period of time.

- Also of note is a report of an attempted fraud in which the victim was persuaded to invest in a dummy company up to £3200, which fell through due to the victim's bank blocking the payment (apparently due to the recipient company being non-existent).
- 2 reported assaults.
- There has been an increase in ASB in Risley Moss, with reports of littering, drug use and criminal damage.
- There have been 3 incidents in which bins or the contents thereof were set alight, presumably by youths.

With restrictions easing and weather improving, demand on Police is increasing across Warrington. Youth ASB has increased in neighbouring areas, however, it has remained at a steady level in Birchwood.

Members discussed several elements of the Police Report with PCSO Titans.

Councillor Atkin commented that it is a bit worrying that there appears to have been an increase in burglaries and thefts from motor vehicles.

PCSO Titans said that this has been noted, especially since the weather has improved, and some Covid-restrictions have been relaxed. He added that some of the rise in violent crime is gang-related, with links to organised crime.

Councillors Atkin and Evans raised the issue of ongoing ASB in Risley Moss.

PCSO Titans said that unfortunately, there are several areas where people can find their way onto the Moss 'after hours', and that without CCTV, they can only catch the perpetrators if they are there at the right time.

The Chair commented that it is reassuring that the Police are monitoring the area.

(b) **Knife Crime Initiative**

The Clerk stated that one of the BTC Maintenance Team will be joining PCSO Titans later in the week to undertake a 'sweep' for discarded or hidden knives around Oakwood Local Park.

PCSO Titans said that this is part of the Knife Crime Week being organised by Cheshire Constabulary. He added that Warrington does not have the same levels of knife crime as Manchester or Liverpool. The sweep is not due to any specific intelligence about the park, but has been arranged as part of the ~~Knife Crime Week~~ aforementioned initiative, and will last about an hour.

A knife amnesty held the previous weekend had only resulted in one knife being handed in, however, it had initiated conversations with some people regarding the potential consequences of carrying knives.

(c) **Street Lighting**

The Clerk asked PCSO Titans if he had received any feedback from WBC regarding his correspondence with them relating to crime being linked to areas where street lighting in Birchwood was very poor, or in some cases, practically non-existent.

PCSO Titans said that, he had been disappointed with the response which had been, 'the street lighting works as expected'. He added that this does not mean it is adequate.

(d) **Birchwood Railway Station ASB**

The Clerk asked PCSO Titans if he had received any feedback from WBC regarding his correspondence with them relating to ASB at the railway station.

PCSO Titans said that WBC are apparently 'open to suggestions', but first want to see if the actions being taken by Police will make a difference.

This has involved a daily presence of Cheshire Police Officers, British Transport Police and Northern Rail Travel Safety Officers over the last week, and PCSO Titans has patrolled the area when he is on duty.

PCSO Titans commented that this heightened Police / security presence will only work in the short term. He added that he has, since, asked WBC to seriously consider putting some of his suggestions in place. He has not received a reply yet.

(e) **Off-Road Bikes**

The Clerk asked PCSO Titans whether the Police have had any success regarding recent reports of problems with off-road bikes.

PCSO Titans stated that, in the absence of any identification of individuals, or the registration plate details of the bikes, etc., it is almost impossible to take any action, other than monitor areas, unless the riders are actually 'caught in the act'.

As there were no more questions for PCSO Titans, Members thanked him for attending the meeting.

PCSO Titans left the meeting.

008/21-22 **PLAY AREA NEAR THE TURF & FEATHER IN LOCKING STUMPS**

The Clerk stated that this will be discussed later during the Finance Part I Meeting.

Councillor Bowden joined the meeting, and apologised for arriving late.

009/21-22 **YOUR HOUSING GROUP (YHG) – UPDATE**

The Clerk reported that there are ongoing discussions taking place with Darren Hardie (YHG) mainly relating to flytipping still being in situ following coppicing work, some from before Christmas 2020.

Our Senior Maintenance Operative was supposed to meet with a representative of YHG and its contractors on site yesterday, to show them the real extent of the problem, but the contractors had to attend to another job.

The Town Council is not removing this waste, as it should be done by YHG's contractors as part of their paid contract. If we did remove it, then YHG would not be able to see for themselves how bad the situation is becoming, as other waste is now being added to these piles. It is hoped that another meeting will be arranged soon.

The BTC team continues to support YHG by removing other flytipped waste to their container.

YHG are due to move to their new offices on 17th May 2021. The offices will not have an open desk for their tenants to visit, it is their new local headquarters.

010/21-22 **SMITHILLS CLOSE FOOTPATH**

The Clerk reported that WBC has done the work to clear the footpath from Smithills Close, towards Kelvin Close. They will re-charge the landowners.

The resident who first raised the issue is aware that the work has taken place.

011/21-22 **GRASS CUTTING**

The Clerk stated that BTC has started grass cutting, following the first cut undertaken by WBC.

012/21-22 **MANAGEMENT OF ROADSIDE VERGES**

The Clerk said that, following discussions with WBC, the plan is that the grass will not be left to grow 'wild' to encourage natural flowering and biodiversity, until after WBC has prepared the areas for wildflowers.

013/21-22 **BROKEN UTILITY COVER**

Work to start repairs to the broken utility cover on the footpath outside the ex-police station on Delenty Drive started earlier today.

014/21-22 **LEACROFT ROAD LITTER**

At the March 2021 meeting, the Clerk informed Members that we had reported a significant amount of litter on Leacroft Road, asking that WBC contacts the landowners to clear their land, where it is privately owned.

The Clerk stated that we were a bit surprised by the reply we received, which basically passed the problem back to BTC and the residents:

"I'd hoped that the land in this location was owned by 1 or 2 land owners but that doesn't appear to be the case from initial land registry checks.

I would suggest that the first steps are for BTC / residents to co-ordinate their efforts here. Consistent and persistent public pressure directly to relevant businesses to attempt to engage with them in order to bring around a solution would be the most effective and the swiftest way forward. You are looking for a long-term change here and that's best done through collaborative and ongoing partnership discussions with the businesses directly. The reason for this is that depending on the actual issues and where the waste is actually coming from and the waste type will depend on what can be done to enforce.

For the Council to take action re issues on private land, we'd need to consider options, but currently I can't see any complaints for this location.

- i) Complaints with associated photos would have to show that the land warranted 'untidy land' that cause 'harm to the local amenity' which is a Planning Enforcement matter or*
- ii) pose a threat to public health which is Environmental Health or*
- iii) that the littering is anti-social behaviour, but in order to progress that the complaints need to come directly from the complainant and members of the public, we'd have to understand which land it related to and how / who was depositing it. Complainant would have to be willing to provide witness statements introducing photos in evidence highlighting their concerns in respect of the nuisance and the photos and number of witness statements would have to for there to be the possibility of enforcement action.*

Hope that gives a helpful starting point for you."

Members were also surprised and unhappy with this response.

The Clerk stated that business areas are not within the Town Council's remit, as businesses do not contribute to the Town Council's portion of the Council Tax, paid for by our residents; which is why BTC mainly concentrates its resources on the residential areas (unless there are exceptional / emergency circumstances).

In addition, the Town Council does not have any powers of enforcement, unlike WBC.

Councillor D. Ellis noted that this issue has been going on for years. At one point a suggestion had been made that, perhaps a large bin could be installed by WBC for lorry drivers to use.

The Chair asked if Birchwood Forum could assist in any way.

Councillor D. Ellis (*declared an interest*) said that he does not believe that any of the businesses on and around Leacroft Road are members of the Forum.

Councillor Bowden stated that he has taken up this matter with WBC. Some might be private land, but it makes the whole area look scruffy, and some of our residents are employees in this business area. He agreed that BTC resources should not be used to clean up the area, especially due to the nature of some of the discarded waste.

Councillor Bowden stated that he has asked WBC Officers to take appropriate action.

015/21-22 **ACCESS ISSUES – WARRINGTON ROAD TO BIRCHWOOD PARK**

At the March meeting were copied into an email sent to WBC and also copied to Birchwood Park, regarding pedestrian/buggy/wheelchair access, notably a lack of dropped kerbs on a journey from Warrington Road and Busy Nought to Fives nursery on the business park.

Members resolved that BTC should contact WBC and the Business Park regarding this matter.

At tonight's meeting, the Clerk reported that we have contacted WBC, copying in Birchwood Park, regarding the concerns raised by the resident. We have also asked who has responsibility for the roads and footpaths in the Business Park. We are awaiting a reply.

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

016/21-22 **WARRINGTON BOROUGH COUNCIL**

- (a) Sent/received – various emails / online reports re: road signs (deliberately vandalised), 3 x burned out bins on the Forest Park (not being replaced as the damage is 'cosmetic'), a trip hazard on a bridge, where a resident has fallen, and CCTV traffic census surveys to be conducted throughout Warrington.
- (b) Various emails have been exchanged between Councillor Bowden and WBC, and the office and WBC re: Birchwood Railway Station Footbridge, and accessibility issues across the tracks for people using the footpath on the Liverpool line side of the station.

Councillor Bowden stated that he has confirmed there were conditions placed on the building of the new bridge including full mobility access and access from the footpath through the station. This needs to be investigated further going forward.

WBC has also indicated, in relation in trying to redesign opportunity for ASB out of the old footbridge, that they prefer to keep the roof in place, in order to protect the bridge from the elements, especially in cold weather when it might become slippery. A roof and sides to the footbridge might be necessary to prevent any opportunity for objects to be thrown onto the tracks from the bridge.

- (c) (i) Several documents have been received regarding the upcoming elections. The notices have been published / posted as required, and information has been circulated to Members.
- (ii) The Electoral Services Manager has informed us that only the Locking Stumps is Ward being contested. The other Wards will have one seat vacant, which the Town Council can arrange to co-opt to after the elections. The Town Council has a co-option policy in place, to be considered by the new Council in May.
- (iii) Costs for the elections will be issued in June 2021.

- (d) A query regarding the retention of documents, held by Councillors, in relation to GDPR, who are not standing or are not re-elected has been put to our specialist GDPR Consultant, and the Director of Law and Governance at WBC. We have received some guidance, which we will share with Members, once a few points are clarified.

We have also raised a question regarding whether individual Councillors should register with the Information Commissioner's Office, as Data Controllers in their own right.

- (e) Sent emails – (asking for urgent investigation) following an email received from a resident – re: an informal ‘crazy paving’ path being created by someone unknown, to the rear of Ringwood Close. This could create a trip hazard, and destroy some Scarlet Elfcup fungi, which is uncommon in Britain.
- (f) Sent / received emails with The Woodland Trust re: BBQ waste left at the top of Pestfurlong Hill. They have arranged for one of their volunteers to remove the waste.
- (g) Sent / received – various emails re: abandoned shopping trolleys. Residents continue to report abandoned trolleys. We report the Aldi trolleys to Trolleywise (but they no longer have a contract to collect Asda trolleys). Despite trying various methods of contacting Asda, Officers have not received a response from them, we therefore contacted the Shopping Centre's Resources Manager, to ask for her assistance.

We have been advised that a version of Trolleys Angels is back in Birchwood. James Coates is the local Trolley Angels Team Leader and a Keep Britain Tidy Ambassador. Any complaints, reports and photos of abandoned trollies can be emailed directly to him on: TrolleyAngels@aol.com

Councillor D. Ellis stated that he believes that there has been a reduction in the number of abandoned trolleys in the area.

Following further discussion, the Clerk was asked to confirm with the Shopping Centre when the new Cartronics system will be operational, if it is not already.

Action Clerk's office to contact the shopping centre regarding the Cartronics system.

- (h) Emails exchanged with a Councillor following a complaint he received from a resident re: chippings being left in situ when landscaping works were being undertaken by YHG.
- (i) Received / sent – emails following a query regarding purdah rules.
- (j) Complaint received re: hedge cutting in Norden Close. This was undertaken by WBC.
- (k) Received / sent – emails re: overgrown shrubbery near the bus stop by Copperfield Close – and the bus stop post, which is situated in the middle of the footpath, creating some accessibility issues.
- (l) Received – complaint re: sight line issue at Dove Close. Our team trimmed the shrubbery back, as it was a health and safety issue.

- (m) Sent / Received – emails re: reports of the terminal covers being open on lighting columns, exposing wires (with concerns regarding health and safety) – without there being any apparent workforce in the area. Oakwood – Keyes Close to McCarthy Close, all columns on both sides of the road on Friday 23rd April, and in Locking Stumps – the column opposite the local shop on 26th April 2021.

We have asked to be advised if WBC is undertaking any lighting work in the area.

- (n) Sent – email re: the road sweeper being needed to sweep the underpass and surround, on the opposite side of the barrier off Old Warrington Road / Kinsale Drive. It did sweep the area, as requested by BTC on Friday – but did not go beyond the barrier, where there is a large amount of leaf debris.
- (o) Sent – email re: Keyes Gardens – various issues, including the reduced mowing of the area, which has allowed shrubs to self-seed, reducing the space available for children to play. Vehicles are also using what grass there is as parking spaces, so children are unable to play at all when they are parked there.
- (p) Sent – report regarding an estate agent’s sign secured to a road sign – not advertising a specific property.

017/21-22 **YOUR HOUSING GROUP**

- (a) To note that the Clerk is continuing to liaise with YHG regarding a number of ongoing issues re: flytipped items, the container not being emptied, overflowing bin areas, abandoned trolleys filled with waste, etc.
- (b) Emails received / sent re: issues of flytipping and dog fouling on Heather Close.
- (c) Reported – potential trip hazard on a footpath in Violet Close.

018/21-22 **MISCELLANEOUS CORRESPONDENCE**

- (a) Received – Various update/information emails from Warrington Voluntary Action.
- (b) Received – Various LGC e-briefings
- (c) Received/sent – an email regarding some tree felling work undertaken on Heather Close, and some other associated issues. Other Councillors were also copied into the email. A Councillor has been corresponding with the resident directly. (See also Minute 024/21-22 (b) below.)
- (d) Received/sent emails following a query from Stretton Parish Council asking for advice on obtaining permission to site a parish notice board. WBC and Highways England both appear to have an interest in the land, depending on the depth to be dug.
- (e) Received/sent – emails with a current YHG tenant re: the Right to Buy process – as the answers YHG are giving to their questions require clarification before they sign the agreement. We suggested they ask their solicitor to ask the questions to YHG, as a solicitor may get a more precise response.

019/21-22 **2021 ANNUAL COUNCIL (MAY) MEETING**

To note that the Annual Council Meeting (May 2021 meeting) will take place at 6pm on Tuesday 18th May 2021.

Officers are in the process of creating folders for all re-elected and newly elected Councillors, with all the relevant information they will need when taking office.

Following the elections, Officers will contact all new Councillors to request contact details, etc. from them.

Arrangements will need to be made for the new Council to sign their Declarations of Acceptance of Office, in the presence of the Clerk.

This will also be discussed later in the evening during the Part I Finance Section.

020/21-22 **CHESHIRE POLICE**

- (a) To note that PCSO Titans is looking to obtain booklets that will enable him to issue fines for littering, etc. A WBC contact address has been shared with him.
- (b) Received - Police Report to 26th April 2021.

021/21-22 **CHESHIRE ASSOCIATION OF LOCAL COUNCILS (CHALC), NATIONAL ASSOCIATION OF LOCAL COUNCILS (NALC), SOCIETY OF LOCAL COUNCIL CLERKS (SLCC)**

- (a) Received – NALC Chief Executive’s Bulletins, and various other bulletins and updates; including Legal Topic Note (LTN) 37 – an update regarding the Freedom of Information Act.
- (b) Received – ChALC weekly e-bulletins with various attachments, details of training sessions, etc. Also received, a copy of the Cheshire & Warrington LEP draft Covid recovery plan.
- (c) Received – from SLCC – news updates, training information, etc.

022/21-22 **PUBLICATIONS RECEIVED**

Received - various LGC magazines and e-mail briefings, Clerks & Councils Direct – March 21

023/21-22 **MEMBERS’ REFERRALS MADE VIA THE CLERK PRIOR TO THE MEETING FOR CONSIDERATION AT THIS COUNCIL MEETING**

There were no Members’ referrals at the time of publishing the Clerk’s Report.

024/21-22 **CURRENT PLANNING APPLICATIONS FOR COMMENT AND OBSERVATION AND OTHER RELATED PLANNING ISSUES**

(a) **Warrington Borough Council**

Development Management Committee (DMC):

At the April DMC, which took place on 14th April 2021, there were no items on the main agenda for discussion specifically related to Birchwood.

The next DMC will take place on 28th April 2021, there are no items on the main agenda for discussion, specifically related to Birchwood.

(b) **Enforcement Cases**

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

A case has been opened re: a potential ‘land grab’ – ‘Change of use to a residential garden’ – to the rear of the property on Heather Close. ENF/21/08584.

(c) **Planning Decisions**

- (i) Application No. 2021/38618 71 Applecross Close, Birchwood, WA3 6XB. Lawful Development Certificate – proposed partial garage conversion. **Approved.**
- (ii) Application No. 2021/38666 41 Ringwood Close, Birchwood, WA3 6TQ. Proposed single storey extension rear extension. **Approved with conditions.**
- (iii) Application No. 2021/38559 130 Birchwood Boulevard, Birchwood, WA3 7QH. Proposed x 2 illuminated exterior wall signs for new office building. **Approved with conditions.**
- (iv) Application No. 2021/38703 Unit B1 Birchwood Shopping Centre, WA3 7QP. Proposed main sign and window graphics (externally illuminated). **Approved with conditions.**
- (v) Application No. 2021/38704 Oakwood Gate Service Station, WA3 6RW. Proposed of discharge of Condition 4 (Acoustics) on previously approved application 2020/38031 (installation of 8 x vehicle charging points with canopy. Installation of associated electrical infrastructure within 2.4m high timber enclosure and new retaining wall). **Condition discharged.**
- (vi) Application No. 2021/38726 Oakwood Gate Service Station, WA3 6RW. Proposed discharge of Condition 3 (Construction, Highways and Environmental Management Plan) on previously approved application 2020/38031 (Installation of 8 vehicle charging points with canopy.) **Condition discharged.**
- (vii) Application No. 2020/36667 1 Havisham Close, Birchwood, WA3 7NB. Proposed construction of a first floor side extension and front porch. **Approved with conditions.**
- (viii) Application No. 2020/38359 5 Cadshaw Close, Birchwood, WA3 7LR. Proposed single storey rear extension including render to all external elevations. **Approved with conditions.**
- (ix) Application No. 2021/38745 4 Westhay Crescent, Birchwood, WA3 6UZ. Lawful Development Certificate (Section 192) Proposed single storey pitched roof side extension and partial garage conversion. **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. 2021/38897 165 Gorse Covert Road, Birchwood, WA3 6TL. Proposed single storey extension.
- (ii) Application No. 2021/39086 3 Lords Lane, Birchwood, WA3 7AB. Proposed bedroom extension over existing garage to side elevation and extension to front of garage.

- (iii) Application No. 2021/39176 12 Hazelborough Close, Birchwood, WA3 6UL. Householder prior approval – proposed single storey rear extension to extend beyond the rear wall by 4.5m, height of 3.5m and height of the eaves to be 2.3m.
- (iv) Application No. 2021/38932 410 Birchwood Boulevard, WA3 7WD. Proposed high level company logo signage, panel mounted to the existing external brickwork wall.
- (v) Application No. 2021/39220 59 Hazelborough Close, Birchwood, WA3 6UL. Lawful Development Certificate – removal of existing conservatory – proposed single storey rear extension.
- (vi) Application No. 2021/39253 6 Aspull Close, Birchwood, WA3 7NE. Proposed single storey front extensions.

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

025/21-22 **CURRENT STRATEGY & ACTION PLAN UPDATE**

(a) **Action Plan**

Councillor D. Ellis stated that he has updated the Action Plan to the current position.

Many items have been achieved. Some could not be progressed as they were reliant on third party resources/actions, others have been delayed, and some remain ongoing.

Councillor D. Ellis stated that he believes that the document as it currently stands is a good base to carry forward to the new Council.

(b) **Birchwood Youth and Community Centre (BYCC)**

Councillor D. Ellis stated that BYCC is being considered as a ‘demonstration’ building by Warrington Community Energy, in relation to climate change, which is proposing to encourage the owners of public buildings, where possible, to achieve climate change goals. This could involve the installation of solar panels, and sinking bore holes for a ground source heat pump to replace the gas heating.

The cost of the works would be recouped over a period of time from savings made not having to pay for gas and electricity (or at least paying a reduced amount).

Councillor D. Ellis added that if this goes ahead, it might be something that BTC could also look into – although BTC is restricted as Parkers Farm is a Grade II listed building.

This part of the meeting concluded at 7.30 pm.