

MINUTES OF THE JUNE COUNCIL MEETING
OF BIRCHWOOD TOWN COUNCIL,
HELD AT BIRCHWOOD YOUTH AND COMMUNITY CENTRE
ON TUESDAY 22ND JUNE 2021, 6PM

Present: Councillor Bowden in the Chair
Councillors Allen, Brereton, Ellis, Evans, Scott, and Simcock

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

2 residents
2 candidates for co-option

Apologies: Councillors Dempsey (away), Reeves (work), Sheridan (work) , the Business & Finance Officer - Mr. G. Crowe (health), a co-option candidate (health), and PCSO Titans (not on shift).

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 Ellis – Birchwood Youth and Community Centre

089/21-22 **PUBLIC PARTICIPATION**

(a) **Police Monthly Update**

There was no Police presence at tonight’s meeting, as PCSO Titans was not on shift. However, he had emailed a report to the Council, which was circulated to Members, and if Members have any follow-up questions from the report, he is happy to receive them via email. The report is as follows:

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

- There have been 3 reported burglaries of a dwelling. In two of these incidents, an unknown offender/s gained access to a shed or garage and high-value pedal cycles were taken. Another involved an unknown offender attempting to gain access to a dwelling but was disturbed by the occupant.
- There has been 1 instance of burglary of a business premises, in which two unknown males entered the premises and made off in a vehicle belonging to said premises. Enquiries are ongoing.
- There has been 1 reported robbery of a business, which took place at a local shop and involved the use of a knife to threaten shop staff. Enquiries are ongoing.
- Another instance of theft from a private property of note, albeit not classed as a burglary due to the offence taking place outdoors (on private land) is the theft of two caravans carried out by unknown offenders. Enquiries are ongoing.

- One report was received an unknown person loitering in a residential area and allegedly peering through the windows of private dwellings.
- Reports suggest that drug-dealing has been on the rise since the lifting of lockdown. Oakwood Play Area is a repeat location. Enquiries are ongoing.
- There have been 3 reports of criminal damage. Two of these are to a vehicle, another involves damage being caused to a window of a private dwelling. The latter is believed by the victim to be related to harassment.
- An assault and robbery took place in which an offensive weapon – a baton – was used to injure and threaten a victim and deprive them of their possessions. Suspects were arrested at the scene and enquiries are ongoing.
- Four incidents of assault by battery, one in which a taxi driver was assaulted and racially abused by their fare, another in which an elderly male was assaulted in the street by a youth, following the elderly male confronting the youth for nuisance behaviour.
- There was an incident in which it was reported that an unknown male was brandishing a firearm and gunshots were heard. No suspects were identified, however local residents have reported that a vehicle had backfired nearby, which may account for sound believed to be gunshots.
- We have received 1 report of theft from a motor vehicle, in which it was reported that a catalytic converter had been stolen whilst the victim's vehicle was parked on the street.
- There have been numerous reports of low-value shoplifting from the shopping centre. This appears to have increased drastically since the lifting of lockdown restrictions.
- During this month, 5 traffic-related offences were identified by officers – speeding, drink-driving, driving without valid MOT, and failing to stop following a collision.
- There are currently two unauthorised encampments in the Birchwood area.
- The antisocial use of motorbikes and the use thereof off-road on Birchwood Forest Park and linked segregated footpaths has seen a spike this month, likely due to fine weather.
- Youth-related ASB is prevalent across Warrington during this period of fine weather, however Birchwood remains unpopular as a location for ASB in comparison with other areas.
- Warrington East Beat Team are conducting Acceptable Behaviour Discussions with youths known to be involved in ASB and their parents, in partnership with WBC Community Safety Team.
- One complaint has been received of children playing football and the ball hitting the caller's door, occasioning no damage.
- Efforts by Cheshire Police are ongoing to locate and secure the arrest of wanted male Anthony Hather, who is wanted by Cheshire police for aggravated burglary.

(b) **Residents' Queries**

- (i) A resident enquired how much the Town Council was paying for the use of Birchwood Youth and Community Centre (BYCC) for the Town Council meeting.

The Council is hiring the room, as our usual meeting room is too small due to Covid restrictions.

Councillor Ellis, for information (in his role as a Trustee of BYCC) stated that the Town Council is charged £25 for the hire of the room for the meeting.

- (ii) The resident enquired about the co-option process, as in the May minutes, it had been stated that an ex-councillor would be approached regarding co-option.

The Chair explained that the Council proposed the co-option at the May meeting, following advice from Democratic Services at the Borough Council that it could and should now co-opt a Member, because no one had stood for the additional seat in Gorse Covert in the very recent elections.

The formal co-option procedure had been actioned following the last meeting, as the ex-councillor had been unwell, and was unsure at that point, if he would be able to accept his proposed co-option to the Council.

As there were no other questions, the Chair declared public participation over.

090/21-22 **CO-OPTION OF A MEMBER FOR THE GORSE COVERT WARD**

Three candidates had applied to be considered for co-option to the vacant Town Councillor seat in the Gorse Covert Ward.

One candidate contacted the office earlier in the day to apologise that he could not be present in person, pending the result of a Covid-19 test. His application documents had been circulated to Members, and the Town Council's co-option policy allows for applications to be considered in the absence of the applicant – *"If candidates are unable to attend this meeting, their application will still be considered in their absence. No alternative date or time for a meeting will be arranged."*

There were two other candidates who were able to attend the meeting, who presented their applications in person.

Members then had the opportunity to put questions to the candidates.

The candidates and members of the public were asked to leave the room whilst all the applications were discussed. The Chair explained to Members that the formal co-option procedure had been actioned following the last meeting, as Mr. Atkin had been unwell, and was unsure at that point, if he would be able to accept his proposed co-option to the Council (as mentioned in 089/21-22 (b) (ii) above).

Members discussed the applications in detail, and the candidates and members of the public were then invited back into the meeting.

Following a vote, it was **resolved** (by 5-1 votes) that Mr. Ian Atkin be co-opted to be a Town Councillor for the Gorse Covert ward. The Chair's 'casting vote' was not required.

The two residents left the meeting.

The other two candidates were thanked for applying for the co-option, and informed that there is currently another seat, in the Locking Stumps Ward, open for co-option, if they wished to apply again, for that vacancy.

The two candidates then left the meeting.

It was **resolved** by the Council that Councillor Atkin has 28 days in which to complete and return his Declaration of Acceptance of Office and Register of Interest Forms.

A 'Cllr . . .' email account will be set up for Councillor Atkin.

Action Clerk's office to contact Councillor Atkin regarding his co-option.

091/21-22 **MAY ANNUAL COUNCIL MEETING MINUTES**

Councillor Evans **proposed**, Councillor Ellis **seconded** and it was **resolved** that: The Minutes of the Town Council Meeting held on 18th May 2021 be approved as an accurate record and signed by the Chair.

092/21-22 **CO-OPTION OF A MEMBER FOR THE LOCKING STUMPS WARD**

The Clerk informed the meeting that, following the failure to accept office by an elected candidate, Warrington Borough Council's Democratic Services Department were informed and a Notice of Vacancy was published on our website, Facebook page and notice boards on 26th May 2021.

As no one had called for an election by the deadline of 16th June 2021, we were informed by WBC's Democratic Services that the vacancy must now be advertised for co-option; which has been done, with the closing date of 19th July 2021.

093/21-22 **STANDING ORDERS 2021/2022**

To note that the two small changes proposed to the Standing Orders at the May 2021 meeting have been made, as approved by Members. The updated Standing Orders have been published on the Town Council's website.

094/21-22 **FINANCIAL REGULATIONS 2021/2022**

To note that the updated Financial Regulations, approved at the May 2021 meeting by Members, have been published on the Town Council's website.

095/21-22 **CODE OF CONDUCT**

To note that the new Model Code of Conduct was copied to Members in their papers, and has been published on our website.

096/21-22 **APPOINTMENT OF THE COUNCIL'S SUB-COMMITTEES – 2021/2022 AND BIRCHWOOD CARNIVAL COMMITTEE**

The Clerk reminded those Members present that Youth, Leisure, Community and Environment Sub-committee, the Climate Change Sub-committee and the Birchwood Carnival Committee still need additional Members.

Councillors Allen, Brereton and Bowden said that they would like to sit on the Youth, Leisure, Community and Environment Sub-Committee.

The Clerk said that she would send round a reminder email, to see if other Members wished to be considered for any particular committee.

Action Clerk's office to send out an email regarding the above.

097/21-22 ANTI-SOCIAL BEHAVIOUR (ASB) AT RISLEY MOSS

Following the report of ASB in Risley Moss, in last month's Police Report, the Clerk has, as requested, written to WBC to express the Town Council's concerns about the ongoing antisocial behaviour taking place at Risley Moss, and to enquire whether additional security measures could be put in place.

One of the Rangers from Risley Moss replied, stating that there had been on-going, out of hours ASB for a while which did not affect the public but was a nuisance, with extra litter etc.

The Rangers have increased their correspondence with the PCSO and ongoing reports through 101, which have resulted in an excellent police response and an apparent resolution to the issue.

The local Police Officers and PCSO have a key to gain access and visit the Rangers regularly to receive any up-dates.

098/21-22 MANAGEMENT OF ROADSIDE VERGES / WILDFLOWERS

The Clerk said that we are still awaiting an update as to whether WBC has started to prepare the ground for the sowing of wildflowers. She said that if this has not yet been started, Members might wish to consider if it is too late in the season to start the process.

The Council has previously resolved that they would ask WBC if the Town Council could leave several areas currently being grass cut, to grow 'wild' to encourage natural flowering and biodiversity; which WBC agreed could be trialled by the Town Council.

Councillor Scott thanked the Clerk for circulating detailed information regarding the previous Council's thoughts and resolutions regarding this matter.

Councillor Ellis, who is also a Borough Councillor, reported that WBC is looking at options for areas where they can stop mowing a complete area, and strip-mow around the edges, leaving the remaining grassy area to grow wild, with the hope that natural wildflowers would self-seed and grow.

The removal of grass cuttings, when possible, would mean less nutrients in the ground. Natural wildflowers prefer to grow in 'poor quality' soil.

It had been proposed that the sowing of wildflowers, and allowing some areas to remain uncut, where wildflowers grow naturally, would be done in tandem.

Councillor Ellis commented that there will probably be a mix of reactions to the reduction in grass cutting, and that he believes that it is important to inform residents what is being done and explain the reasons why.

Action Clerk's office to publish information on our social media regarding the above, at an appropriate time.

099/21-22 ACCESS ISSUES – WARRINGTON ROAD TO BIRCHWOOD PARK

The Clerk commented that this remains ongoing, as it is one of several items that we have not received responses about, from WBC, despite chasing them over several months.

The Chair said that he will follow up with WBC on some of the current outstanding matters.

Action Chair to liaise with the Clerk regarding issues to be raised with WBC.

100/21-22 **ANTI-SOCIAL BEHAVIOUR (ASB) AND ACCESS ISSUES – BIRCHWOOD RAILWAY STATION**

The Clerk reported that she has spoken to a structural engineer at WBC about Birchwood Railway Station regarding both ASB, and accessibility issues across the tracks for people using the footpath on the Liverpool line side of the station.

The engineer is preparing a report on how the ‘old’ footbridge, which is the responsibility of WBC, is being updated, to try to ‘design out’ some of the vandalism issues. This will include replacing the glass panels on the bridge with a different material, and possibly adding a wire mesh over the top of the new panels.

Regarding accessibility concerns, the main issue is that the rail franchisee is not happy to allow access through the station, to people who are not rail passengers, or for them to use the lift.

101/21-22 **UNEVEN SURFACE – FOOTBRIDGE DELENTY DRIVE TO WARRINGTON ROAD**

The Clerk reported that several emails have been exchanged and that she has also spoken to the structural engineer at WBC, re: the uneven surface on the footbridge from Delenty Drive over to ‘old’ Warrington Road – following reports received from a resident about them tripping.

The engineer has been out to site, but believes the ‘bumps’ in the surface are not currently bad enough to warrant any remedial action, and that people should use any footbridge, etc. with caution.

The Clerk said that there is a bit of an ‘optical illusion’ effect on the bridge, and depending on the way the light is shining, some of the raised bumps cannot be easily seen. Two residents have recently tripped over on the bridge as a result of catching their feet on the bumps.

The Clerk has asked if WBC will revisit the bridge, and look again at what could possibly be done to resolve the issue.

102/21-22 **REGISTERING WITH THE INFORMATION COMMISSIONER’S OFFICE (ICO)**

The Clerk reminded Members that individual Councillors should register with the Information Commissioner’s Office (ICO) as Data Controllers in their own right, if they are holding information about communications with residents on any digital devices; mobile phones, computers, etc.

The link to the ICO has been circulated to Members.

The Clerk was asked whether Borough Councillors are also required to register separately as Parish/Town Councillors.

Action Clerk’s office to check if Borough Councillors are also required to register as Parish Councillors.

103/21-22 **TRAINING**

The Clerk reported that Jackie Weaver from Cheshire Association of Local Councils (ChALC) has suggested either the 15th or 21st July, for when she could deliver an induction training course for Birchwood Town Councillors. This would be free of charge.

Action Councillors to let the Clerk know their availability.

The Clerk said that she is still waiting to hear from WBC about potential planning and code of conduct training dates.

104/21-22 **YOUR HOUSING GROUP (YHG)**

The Clerk informed Members that she has an online meeting arranged with several representatives of YHG on 30th June 2021.

She added that if Members had any questions they would like her to raise with YHG at this meeting, to let her know.

105/21-22 **ACTION / STRATEGIC PLAN**

Due to unusual workload issues, including a very technical and detailed document that has to be prepared within a set timeframe for the Cheshire Pension Fund, the Clerk has not yet had time to finish her consideration of the 'Strategic Plan' document, updated by Councillor Ellis.

Councillor Ellis suggested that Members might wish to look at the 'old' plan, which is still available to view on the Town Council's website, which will give new Members an insight into the sort of information and possible actions / projects, they might wish to look at over the next three years.

It was **resolved** to hold a Policy, Strategy and Engagement working party or sub-committee meeting sometime in September, to formally consider details to be included in a new Strategic Plan for 2021 – 2024.

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

106/21-22 **WARRINGTON BOROUGH COUNCIL**

(a) Sent/received – various emails / online reports following contact from residents re: flytipping, concerns regarding trees, height of shrubbery and sight line issues, overgrown footpaths, traffic lights not working, shrubbery covering traffic signs, and damaging fencing, pot holes, Forest Park bunkers, difficulties opening bollards (in an emergency at John Keeney Play Area), issues with the footpath (lighting and maintenance) between the shop and Turf & Feather and the side of the school in Locking Stumps – heading towards Copperfield Close, reduction in amount of grass being cut in Keyes Gardens & parking on verges.

(b) To note that, as legally required, the Register of Interest Forms have been emailed (as requested by WBC) to WBC, and redacted copies have been posted on the website.

The Clerk reminded Members that, if they had any changes to make, for example additional memberships of groups, or any deletions, changes of address, etc., Members have a **legal** obligation to update their Register of Interest forms within 28 days. This will involve completing a new set of forms, which must be sent, by the office, to the Monitoring Officer at WBC.

(c) To note that various emails have been sent / received re: raised tarmac issues on the paths in Violet Close. Some areas are the responsibility of YHG, and some are the responsibility of WBC.

Some of the area (that which is the responsibility of YHG) has already been repaired.

Councillor Ellis said that another area, presumably where WBC has responsibility, had been marked for attention, but part of the path that is the most in need of attention appears not to have been looked at.

Action It was **resolved** that the Clerk would send the map marked up with affected areas to Cllr Ellis and request that WBC revisit the area.

- (d) Received – Email from Councillor Nigel Balding – Borough Councillor for the Gorse Covert Ward – congratulating Members on being elected to the Town Council. This was received soon after the elections – but not circulated at that time, as it took a while for new Cllr email accounts to be set up.

Councillor Balding has offered to assist the Town Council with any issues, if required.

- (e) Sent – email ‘chasing’ WBC for an update regarding flooding issues on Roberts Fold. The Clerk commented that this is another item that we have not received a response for from WBC, despite chasing it several times.

107/21-22 **YOUR HOUSING GROUP**

Sent/received – various emails / reports following contact from residents re: flytipping, a neighbour dispute, play equipment on a community area, raised tarmac on Violet Close (resolved in the YHG area), a request for the container to be emptied, shrubs cuttings allegedly flytipped near some flats, and a tree that appears to have been cut without authorisation.

108/21-22 **MISCELLANEOUS CORRESPONDENCE**

- (a) Received – Various update/information emails from Warrington Voluntary Action.
- (b) Received – Various LGC e-briefings
- (c) Received / Sent some information re: the ANPR system being introduced at the shopping centre – with no change to the three hours free parking.

The Clerk stated that since an initial short period where concerns were received by the office, and posted by residents on local social media sites, we have not received any further complaints or comments regarding the introduction of the ANPR system.

- (d) Emails exchanged with the shopping centre manager re: works to upgrade the monopole on Dewhurst Road which caused some minor traffic issues and which the shopping centre had not been advised when they would be taking place.

The Clerk said that, for information, she had sent a copy of the correspondence that BTC had sent to WBC regarding the proposed works to update this monopole, to the shopping centre manager.

BTC had requested that the works be undertaken at a time of the day/week when there would be significantly less disruption to traffic and local businesses. This had not been the case.

- (e) Received – a request to share a link to a guide on Universal Credit.
- (f) To note that emails were exchanged re: parking near the Chatfield Drive new housing development.
- (g) To note that The Town Council has been asked to accept the deposit of the Bill and supporting documents regarding the High Speed Rail (Crewe – Manchester) section of HS2. They must be made available for public inspection.

The Clerk stated that we had looked at whether the library might be a better option, but it is only open from 10am, is closed Wednesday afternoon, and all day Thursday.

Under Parliamentary rules (known as Parliamentary Standing Orders) copies of the Bill and supporting documents are required to be held and made available for public inspection, by local authorities and parish councils. These duties and obligations on Local Authorities and Parish Councils are laid out in Sections 225 and 228(5) to (7) of the Local Government Act 1972.

The Clerk added that we have informed HS2, that we can make the bill available to view from 9am to 4pm, Monday to Friday. They will have to supply a computer to view the information on (which will be supplied to us in a digital format) as we cannot allow the public access to any of our devices.

HS2 will arrange for a 'suitable device' on which the documents can be viewed, to be delivered to us at the appropriate time.

109/21-22 **CHESHIRE POLICE**

- (a) Received - the Police Report (see 089/21-22 (a) above).
- (b) Stakeholder Update – May 2021, and various Neighbourhood Alerts.
- (c) The Clerk stated that the Police and Crime Commissioner (PCC) has launched his Community Action Fund making more than £100,000 available for projects which make a real difference to their local community.

“Individual bids of up to £5,000 can be submitted by applicants who are working with their local policing team to address local priorities.” However, match funding will be required for all bids.

“The funding is aimed at new projects or initiatives which will deliver community safety or crime prevention activities.”

The Clerk has written to PCSO Stefan Titans, to suggest that we work in partnership with him to look at some possible projects.

110/21-22 **CHESHIRE ASSOCIATION OF LOCAL COUNCILS (CHALC), NATIONAL ASSOCIATION OF LOCAL COUNCILS (NALC), SOCIETY OF LOCAL COUNCIL CLERKS (SLCC)**

- (a) Received – NALC publications re: Website Accessibility Requirements and Holding Remote Meetings.
- (b) Received – ChALC weekly e-bulletins with various attachments, details of training sessions, etc.
- (c) Received – SLCC – various updates, briefings, news items, etc.

111/21-22 **PUBLICATIONS RECEIVED**

Various LGC magazines and e-mail briefings, LCR Magazine – May 2021

112/21-22 **MEMBERS' REFERRALS MADE VIA THE CLERK PRIOR TO THE MEETING FOR CONSIDERATION AT THIS COUNCIL MEETING**

There were no Members' referrals made via the Clerk, and with the approval of the Chair, at the time of publishing the Clerk's Report.

(a) **Warrington Borough Council**

Development Management Committee (DMC):

- (i) The next DMC is scheduled to take place on 30th June 2021. At the time of publishing the Clerk's report, there were no documents available for this meeting.
- (ii) The following application was discussed at a DMC on 9th June 2021: Application No. 2019/35726 Land to the North of Junction 11, of the M62, Warrington. Description of development : Environmental Assessment Application, Outline Planning Permission (Major) including details of access - Proposed Erection of a Motorway Service Area including Facilities Building, up to 100 bedroom Hotel, service yard, Fuel Filling Station, Electric Charging Station, parking facilities landscaping and amenity areas and associated infrastructure, all other details (Appearance, Landscaping, Layout and scale) reserved for subsequent applications. **The application was refused.**

(b) **Enforcement Cases**

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

(c) **Planning Decisions**

- (i) Application No. 2020/37866 Land adjacent to units 720 and 730 Birchwood Boulevard, Birchwood, WA3 7PS. Proposed erection of a coffee shop with drive-through facility, new access to the highway at Dewhurst Road, parking provision and other associated works, including demolition of garage, together with provision on additional parking for adjacent office building. **Application refused.**
- (ii) Application No. 2019/34700 3 Delenty Drive, Birchwood, WA3 6AN. Request for discharge of condition 4 – photographic schedule and specification of facing brick, roof material, window frame, rainwater goods, soffits and bargeboards. **Condition discharged.**
- (iii) Application No. 2019/36647 3 Delenty Drive, Birchwood, WA3 6AN. Request for discharge of conditions (9) – Construction Environmental Management Plan (CEMP), (10) – drawing no. 20-4695-500 Rev C2, (12) – drawing no. HW01 Rev B, (13) – 6 x drawings/statements ref. trees, (14) drawing no. DEL22001_PP01 Rev B. **Conditions discharged.**
- (iv) Application No. 2021/39220 59 Hazelborough Close, Birchwood, WA3 6UL. Application for Certificate of Lawful Use or Development (Section 192) Removal of existing conservatory – proposed single storey rear extension. **The development is Lawful.**
- (v) Application No. 2021/38897 165 Gorse Covert Road, Birchwood, WA3 6TL. Proposed single storey rear extension. **Approved with conditions.**
- (vi) Application No. 2021/39176 12 Hazelborough Close, Birchwood, WA3 6UL. 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. Prior approval not required (General Permitted Development).

(d) **Planning Applications**

All plans can be viewed via:

[http://www.warrington.gov.uk/home/transport_planning_and_environment/Planning/Se
arch_planning_applications/](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. 2021/39599 Admirals Road, Birchwood, WA3 6RN. Prior approval - Proposed 18.0M Phase 8 Monopole (5G) C/W wraparound cabinet at base and associated ancillary works. (This was preceded by the receipt of a pre-planning consultation the day before.) The location would be opposite the junction of Dove Close with Admirals Road.

The Clerk stated that we posted this information to our Facebook page on the 15th June 2021. We have not received any comments directly from residents.

It was noted that this new installation will be just a short distance from one that is already in situ.

The Chair commented that this is part of national infrastructure.

- (ii) Application No. 2021/39617 1 Bickerton Close, Birchwood, WA3 6LS. Proposed erection of 2 storey extension to the rear of the property.
- (iii) Application No. 2021/39614 17 Palliser Close, Birchwood, WA3 6RT. Proposed 2 storey side/rear and single storey rear extensions with re-location of boundary fences.

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

This part of the meeting concluded at 7.20 pm.