

**MINUTES OF THE JUNE COUNCIL MEETING**  
**OF BIRCHWOOD TOWN COUNCIL,**  
**HELD ONLINE, ON TUESDAY 23<sup>RD</sup> JUNE 2020, 6PM**

- Present:** Councillor Reeves in the Chair  
Councillors Atkin, D. Ellis, J. Ellis, Evans, Fitzsimmons and T. Hearldon,  
Cllr Breslin (joined the meeting slightly later)  
Clerk – Mrs. F. McDonald  
Deputy Clerk – Mrs C. Caddock  
Business and Finance Officer - Mr. G. Crowe  
PCSO Stephen Bingham  
1 guest
- Apologies:** Councillors M. Hearldon (dispensation) and Nelson (dispensation)

047/20-21 **MAY COUNCIL MEETING MINUTES**

**Councillor D. Ellis proposed, Councillor Atkin seconded, and it was resolved that: The Minutes of the May Council Meeting held on 12<sup>th</sup> May 2020 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 Breslin, D. Ellis and J. Ellis– Birchwood Youth & Community Centre Committee*

*Councillor Reeves – Birchwood Community High School*

048/20-21 **PUBLIC PARTICIPATION**

- (a) One member of the public attended the meeting to raise a query about planning application 2019/35726 Land to the North of Junction 11, of the M62, Warrington, specifically the potential for footpaths being closed and/or re-routed.

This was discussed later in the meeting (see Minute 065/20-21 (e) (vii)).

- (b) **Police Report**

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

***“Birchwood Parish report June 2020:***

*As lockdown eases this also sees a fall in the number of calls relating to Covid breaches with 3 in total and no action taken by officers who attended. Other ASB incidents 2 which were reports in Locking Stumps of mini motos around Copperfield Close area, patrols were made and will continue as part of the patrol plan.*

*Gorse Covert and Risley Moss have also seen 3 incidents of youths gathering in the bird hides, drinking alcohol and using gas canisters this area is getting extra attention and we are in the regular contact with the Moss wardens.*

*1 Other incident report this month giving a total of 4.*

*Again, a reduced number of criminal damage with 3 reports across the Birchwood area all with no lines of enquiry.*

*2 Reports of theft of motor vehicle one commercial, the other Domestic Household both currently under investigation.*

*2 Shoplifting incidents have been reported one dealt with by the store involved issuing a banning letter and the other is still under investigation.*

*1 Theft from Motor Vehicle reported no lines of enquiry.*

*1 Burglary when offenders have gained entry, but nothing taken.*

*PCSO Bingham has continued to engage with schools, Hi visible patrol of the retail areas and local ASB hot spots. PC Frith has continued his good work responding to incidents raised by housing and ad hoc incidents.*

### **Road Safety**

*We have received two complaints of speeding, one on Glover Road and the other on Warrington Road this month and will action these when possible.*

*Tru Cam was used on the below roads at various times through the last few weeks:*

- o Glover Road x 1 traffic light no activations*
- o Ordnance Avenue x1 traffic light no activations*
- o Warrington Road x 3 traffic light*
- o 27 activations in 1 hr stint with speed of up to 50mph*
- o Mini policing operation stopping vehicles and advising on road safety x 3 drivers advised, x 3 drivers issued with Traffic offence reports, x 1 summoned for no insurance, no licence and also speeding - 15 Activations in 45 mins*

### **From last month's report**

*One Stop robbery has been closed*

*BP Oakwood gate still under investigation”*

PCSO Bingham took questions from those present.

The Chair enquired about the One Stop shop investigation being closed.

PCSO Bingham said that all the lines of enquiry had been exhausted at present regarding this investigation. The BP Oakwood Gate investigation is still ongoing, with the possibility that there may be a link between the two – but this is not yet known.

Councillor Fitzsimmons said that he has been contacted by a local resident who is concerned about anti-social behaviour taking place, with people meeting up for relationships, in the Birchwood Forest Park's car park at night. He asked if the local Police had been made aware of anything happening.

PCSO Bingham said that he is not aware of any recent or historical reports being made to the Police about such activity in this car park.

Councillor D. Ellis commented that he has noticed a huge increase in the amount of nitrous oxide cannisters being littered around many areas of Birchwood recently.

This was echoed by several other Members.

PCSO Bingham stated that, unfortunately, they are very easy to get hold of as they are used for various reasons including inflating bike tyres, for adding the fizz to some fizzy drinks makers, etc. They can be bought from many local shops, are easy to purchase on the internet, and are not illegal.

However, those people using it to get a 'high' need to be made aware of the long-term health issues it can cause.

Because a ‘high’ only lasts for a few seconds, a user will often use repeated doses of the gas, which can lead to an accidental overdose. If left untreated, a person could go into a coma or die.

The Chair suggested that perhaps one way to tackle the issue would be by education, maybe through the high school. He added that as he is Governor at the high school, he would be happy to raise it as an option.

This was agreed by those present.

**Action** The Chair to liaise with the high school to suggest a programme of education about the dangers (and anti-social elements) of inhaling nitrous oxide.

As Members did not have any other questions for PCSO Bingham the Chair thanked him for attending

PCSO Bingham said that if Members had any other queries between meetings, they can be emailed over to him and he will get back to them.

PCSO Bingham left the meeting and the Chair declared Public Participation closed.

#### 049/20-21 **YOUR HOUSING GROUP (YHG) - UPDATE**

The Clerk updated Members on various issues that had been raised with / dealt with by YHG since the May meeting including:

Mike Redford is moving to a different role within YHG. His replacement commences in post on 1 July 2020.

The Clerk said that YHG is in the process of completing an SLA with their contractor regarding the collection of flytipping. The new agreement should enable flytipping, where there is a potential health and safety issue, to be moved a lot faster than previously – hopefully within 24 hours. There is also a 24 hour turnaround time for offensive graffiti.

The Clerk stated that we understand that YHG landscaping contractors are catching up on their work schedules which were disrupted by the Covid-19 lockdown. They are as ‘on track’ as they can be.

*Councillor Breslin joined the meeting.*

#### 050/20-21 **GRASS CUTTING**

The Town Council has continued taking over many of Warrington Borough Council’s grass cutting responsibilities in some of their residential areas (in the short term). This is allowing the Borough to undertake and concentrate on other services, due to the current unusual circumstances.

The Clerk explained that as we have five vehicles and six members of staff, one team member is currently undertaking a continuous rolling programme of grass cutting, with another member of staff also grass cutting occasionally. This means that the staff remain socially distanced in work. If the weather is too inclement for mowing, they will undertake other duties, such as litter picking, but leave full bags for other team members to collect in their van.

The staff are also working slightly different hours to each other and have the choice of splitting the (total) hour break that they have in the day; either sticking to their usual 15 minutes for morning break and 45 minutes for lunch, or half an hour for each. They all have permission to take the breaks at home and to take the vans home to take their break, so they do not encounter each other in the mess room. The Member of staff who is not local chooses to work through lunch and stop work earlier, as agreed with Officers and the Chair.

051/20-21 **CHATFIELD DRIVE**

The Clerk stated that she had asked if WBC can deploy the street sweeper along Chatfield Drive. Although we had not been advised that it had been sent out, Chatfield and several other roads in the area look as though they have been swept.

052/20-21 **ABANDONED TROLRIES**

The Clerk reported that Trolleywise has told us that they are contracted to collect trolleys from Asda, Aldi and Home Bargains.

Councillor Atkin said that he has noticed an apparent improvement in a reduced number of abandoned trolleys over the last couple of weeks, but that he will continue to monitor the situation.

Councillor D. Ellis said that he has put together a letter to send to Asda Head Office about the matter, as the situation had been bad over the last couple of months. He asked if the Council now wanted to 'hold off' on sending it, or to send it anyway.

The Clerk said that she understands that there is a new manager in place in Asda, which could have made a difference in the way the matter is being handled by the Asda store. She suggested that she could ask the Centre Manager, Chris Gribben.

Councillor D. Ellis added that Chris Gribben is leaving the shopping centre at the end of June.

Most other Members were not aware of this.

It was suggested that the letter is not sent until the Council can get further feedback from the shopping centre about the ongoing issue.

**Action** Clerk's office to contact Chris Gribben or other representative of the shopping centre to enquire if there is a new manager at Asda.

053/20-21 **LOCAL ELECTRICITY BILL**

At the May 2020 meeting, it had been reported that a request had been received from 'powerforpeople.org.uk' asking for BTC's help with the Local Electricity Bill. As agreed, a letter had been sent to Charlotte Nichols, MP to ask her to support the Bill when it was read in Parliament.

At tonight's meeting the Clerk reported that Ms Nichols had sent us a detailed letter, explaining her reasons for not supporting the Bill in Parliament in its current format. However, she did say, ". . . in my role as a constituency MP and a member of the Business, Energy and Industrial Strategy (BEIS) Select Committee I will continue to use other Parliamentary means to further the development of local and community owned renewable energy generation and supply, and for Ofgem to be given a new statutory obligation to consider climate change."

The Chair stated that the response was very considered, and he accepted Ms Nichols' reasoning. This was agreed by other Members.

054/20-21 **ANNUAL TOWN AND ANNUAL COUNCIL MEETINGS**

The Clerk reported that we had asked for clarification from the Cheshire Association of Local Councils (ChALC) and have been advised that both the Annual Town and Annual Council meetings should be cancelled this year, rather than postponed.

055/20-21 **UPDATE ON MEMBER'S REFERRAL FROM MAY 2020**

At the May 2020 meeting, Councillor D. Ellis had submitted a proposal, “. . . to submit to Warrington Borough Council, to combat rat-running along Locking Stumps Lane, Lords Lane and Glover Road and make Locking Stumps a low traffic zone.”

At tonight's meeting, the Clerk stated that, as requested, the detailed proposal had been sent to Warrington Borough Council and that Dave Boyer's assistant has sent it on to WBC Traffic Management for consideration. We are currently awaiting a response.

056/20-21 **UPDATE ON PLANNING ISSUES**

- (a) Application No. 2020/36579 Site of Former Foxwood School, Chatfield Drive, Birchwood, WA3 6QW. Proposed construction of 69 dwellings for private rent and private affordable rent (32, two storey houses and 37 apartments in two blocks), car parking, landscaping and associated works.

As this application is time sensitive, correspondence has been exchanged between our office, Councillors and the Planning Officer, in relation to the application, between meetings.

Any additional comments made at tonight's meeting will have to be presented as an 'add-on' item at the DMC at which it will be considered.

We have already sent some comments from Members to the planning department and their additional questions have now been answered by information circulated to us by the Planning Officer. This has also been shared with a local resident who asked us to keep them updated regarding this matter.

Councillor Fitzsimmons said that the majority of residents that he had spoken to about the development seemed to be quite happy. There were some concerns about the removal of trees and the potential of being overlooked raised by a few residents on Talbot Close, which back on to the proposed development. These appear to have been considered and addressed by the developer.

Following further discussion, it was **unanimously resolved** that the Town Council did not have any additional comments to make regarding this application.

**Action** Clerk's office to contact the Planning Department to advise them that the Town Council does not have any additional comments to make.

- (b) Application No.2020/36968 Car Parking areas adjacent to buildings 1 and 2 Kelvin Close, Birchwood, WA3 7PB. Outline planning (major) including access, appearance, layout and scale with landscaping reserved – proposed erection of a multi-storey car park, amendments to surface level parking and associated works.

Members did not have any comments to make regarding this application.

They noted that a local resident had telephoned our office and raised concerns about potential light pollution and noise pollution from the proposed car park (depending on the hours of operation). However, we understand that these issues are already being considered, as they were both raised by the Borough Council's Public Protection Services Manager in an internal memorandum dated 3<sup>rd</sup> June 2020.

**Action** Clerk's office to contact the Planning Department to advise them that the Town Council does not have any comments to make, but to note the resident's concerns.

- (c) Planning Appeal - Appeal Ref: APP/M0655/W/20/3245628 Heathfield House, Delenty Drive, Birchwood, WA3 6AP.

*Application to vary Condition 2 to replace plan 77/12/BP with 77/12/BP1 to amend approved car park to 14 spaces; Condition 3 to increase the number of children to 56 children. There shall be no more than 56 children at the Nursery at any one time. Following Planning Appeal APP/M065/A/13/2209344 and Planning Refusal 2013/22163.*

There is still no update regarding the outcome of the appeal.

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

### **057/20-21 CHAIR'S REPORT 2019/2020**

Members received the Chair's Report for 2019/2020, which had been circulated to them in their papers.

The report would normally have been presented at the Annual Town Meeting in May 2020; but the May Annual Town meeting had to be cancelled until next year, due to Covid-19.

The report will be published on our website and Facebook page and posted on our notice boards.

The Chair said that one of his aims for his 2020/2021 term of office, is to continue to work with Officers to try to progress and resolve the ongoing issues regarding the refurbishment of the Parkers Farm building, which is Grade II listed. He added that, as custodians of the building, he is frustrated with lack of progress, and that the Town Council must keep pressing the WBC Planning Department and contractors to achieve agreement on the way forward.

This was also discussed later, during the Finance Part I meeting (see minute 070/20-221).

### **058/20-21 WARRINGTON BOROUGH COUNCIL (WBC)**

- (a) Sent/received – various emails / online reports following contact from residents re: alleged rat infestation, flytipping, concerns regarding trees, overgrown footpaths, alleged illegal felling of trees and a query about giant hogweed,
- (b) Sent – email re: disability access at Birchwood Railway Station, specifically relating to the rear access gate.

We have received a reply from WBC, *“From the email you sent it sounds as if there is still the longstanding issue of the gate on Platform 2 (westbound trains) which opens onto the path leading to Woolston. This gate is the responsibility of Northern Rail and only their staff can open it.*

*Currently this gate is kept locked except when station staff (if they are around) can be alerted to open it, for example for people in mobility scooters who wish to catch the train to Liverpool or Warrington . . .*

*. . . The ideal situation is to have a call button or intercom, together with CCTV, which alerts staff in the control room, and they can release a magnetic lock on the gate to let people through. We have made repeated requests for this change but so far this hasn't happened – mainly due I suspect to the changes in the rail service provider along this line. Now that the franchise situation has changed we have established a new contact at Northern Trains (which I will share with you) who I have already contacted to try to get a solution to this problem.”*

Reasons for the gate being locked include the potential for vandalism taking place, and the possibility of revenue loss; people boarding a train without having to go through the ticket hall.

The Clerk said that we have been given the contact details of a representative of Northern Railway, but this specific concern is being addressed by WBC with Northern Rail. We will update Members when we receive further information.

- (c) Following concerns raised by a number of visitors to / employees of stores at Birchwood Shopping Centre, correspondence took place re: lack of social distancing measures in some areas. The WBC Public Protection Unit investigated the concerns raised. BTC liaised between WBC and the people who contacted us.

059/20-21 **YOUR HOUSING GROUP (YHG)**

Sent/received – various emails / online reports following contact from residents re: alleged rat infestation, flytipping, alleged illegal felling of trees, and overhanging trees.

060/20-21 **MISCELLANEOUS CORRESPONDENCE**

- (a) Email received from a resident concerned that some unauthorised tree work was being undertaken near Rawlings Close in Oakwood. WBC are investigating.
- (b) Received – Remote working guides and checklist received from Yellow Bus.
- (c) Email received from Highways England re: removal of daytime lane closures etc.
- (d) Email sent to Trolleywise asking if they will collect a trolley with a dead bird in it which they did.
- (e) Emails from Birchwood Forum – Invitation to an ‘online lunch and learn session’, information about cyber- crime, and a Business and Employers’ Bulletin 21 May 2020.

061/20-21 **CHESHIRE POLICE**

- (a) Received – Stakeholder Update from the Police and Crime Commissioner re: Coronavirus Pandemic.
- (b) Sent/Received – email sent to the Police and reply received regarding a suspicious incident.
- (c) Neighbourhood Watch E-newsletter 27/5/20.

062/20-21 **CHESHIRE ASSOCIATION OF LOCAL COUNCILS (CHALC), NATIONAL ASSOCIATION OF LOCAL COUNCILS (NALC), SOCIETY OF LOCAL COUNCIL CLERKS (SLCC)**

- (a) Received – NALC - New Model Code of Conduct Consultation. The consultation ends on 17 August 2020.

Councillor Fitzsimmons stated that the first draft of this New Model Code of Conduct had placed a severe burden on anyone who was a Councillor, as it had suggested that the Code applied to them 24/7, so that would be unable to have a ‘private life.

Councillor Fitzsimmons believes that it would deter a lot of people from becoming a Councillor, especially younger people, at a time when it is vital that new people are being encouraged to become Local Councillors, which is, on the whole, an unpaid, voluntary role. He added that a lot of other Councils had similar concerns regarding the first draft.

Members discussed the proposed New Model Code of Conduct; they believe that the latest version has been changed to take into account that Councillors should be allowed to have a 'private life'. However, Members all agreed that any Councillor always needs to be held accountable regarding their public interactions on social media.

**Action** Clerk's office to respond positively to the consultation, whilst enforcing the Town Council's point of view that Councillors need a right to a private life, especially in order to help in attracting new people to the role.

(b) Received – NALC – consultation on the effects of Covid 19 Lockdown.

Councillor T. Hearlton commented that there are still some people who appear to 'not care' about social distancing, or to take into account that some people who have to go out are in a vulnerable group.

Councillor Hearlton added that she had one experience when a person was standing right behind her in a queue, and when she politely asked them to move back she was verbally abused.

The Chair said that he has received reports that during the VE Day celebrations, once alcohol came into the mix later on in the day, some of the initially socially distanced front garden party attendees started to mix with their neighbours.

(c) Received – NALC publications re: Website Accessibility Requirements and Holding Remote Meetings.

(d) Received – ChALC weekly e-bulletins with various attachments, details of training sessions, etc.

#### 063/20-21 **PUBLICATIONS RECEIVED**

Various LGC magazines & e-mail briefings, The Clerk – May 2020  
Clerks & Councils Direct – May 2020, LCR – Spring 2020

#### 064/20-21 **MEMBERS' REFERRALS MADE VIA THE CLERK PRIOR TO THE MEETING FOR CONSIDERATION AT THIS COUNCIL MEETING**

There were no Members' Referrals for consideration at this meeting.

#### 065/20-21 **WARRINGTON BOROUGH COUNCIL - DEVELOPMENT MANAGEMENT COMMITTEE (DMC) AND PLANNING MATTERS**

(a) The DMCs scheduled for 28<sup>th</sup> May 2020 and 10<sup>th</sup> June 2020 had no items of specific relevance to Birchwood on their main agendas for consideration.

(b) A letter was received detailing the necessity of DMC meetings to take place remotely at the present time, in response to the coronavirus epidemic. New processes were detailed in the letter.

(c) **Enforcement**

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

(d) **Planning Decisions**

(i) Application No. 2020/36369 65 Ringwood Close, Birchwood, WA3 6TQ.  
Section 192 Certificate – proposed single storey rear extension max 3.2m deep, eaves less than 3m high, ridge less than 4m high and garage conversion.  
**Approved**

(ii) Application No. 2020/36683 18 Cadshaw Close, Birchwood, WA3 7LR.  
Proposed single storey rear extension. **Approved with conditions**



- (iii) Application No. 2020/36686 45 Hazleborough Close, Birchwood. Proposed single storey side/rear extension. **Approved with conditions**

(e) **Planning Applications** (*Already circulated – not copied in papers*) - all plans can be viewed via: <https://www.warrington.gov.uk/see-or-comment-planning-applications>

Certain applications are not Planning Applications; 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. 2020/36667 1 Havisham Close, Birchwood, WA3 7NB. Proposed conversion of existing garage into living space, construction of a first floor side extension and single storey rear extension.
- (ii) Application No. 2020/36928 37 Applecross Close, Birchwood, WA3 6UX. Proposed single storey flat roof extension to the rear of the property, which will incorporate a lantern opening.
- (iii) Application No. 2020/37015 Grass verge on A574, Birchwood Way, near Faraday St. roundabout WA3 6XF. Prior Approval Telecommunications – proposed installation of a 16m phase 8 pole with wrap around cabinet built around the base, new equipment cabinets and ancillary development thereto.
- (iv) Application No. 2020/37035 1 Trinity Court, Birchwood, WA3 6QT. Change of use from B1 to a D2 Assembly and Leisure (gymnasium).
- (v) Application No. 2020/37083 Unit 718 Eddington Way, Birchwood, WA3 6BA. Proposed change of use from employment uses (B2/B8) to a D1 use – Engineering Training Centre.
- (vi) Application No. 2020/37 188 Dove Close, Birchwood, WA3 6QH. Proposed Ground Floor alterations to Porch with internal alterations to Kitchen. First Floor addition to form an additional Bedroom and En-suite.

*Members did not have any comments or objections to make regarding applications (i) to (vi) above.*

- (vi) Application No. 2020/36968 Car Parking Areas adjacent to buildings 1 & 2 Kelvin Close, WA3 7PB. Outline planning (major) including access, appearance, layout and scale with landscaping reserved. Proposed erection of a multi-storey car park, amendments to surface level parking and associated works. (See Minute 056/20-21 (b) above.)
- (vii) 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.

Correspondence was received from a resident re: the proposed MSA planning application, originally submitted last year. Councillor D. Ellis prepared a response to the resident, which was circulated and approved by Members prior to sending.

Councillor Atkin addressed the meeting guest's concerns raised at the beginning of the meeting (see Minute 048/20-21 (a)) - specifically the potential for footpaths being closed and/or re-routed.

Councillor Atkin stated that the Environmental Assessment Application consists of an enormous amount of information; so much, that he has not been able to read it all in detail. However, in broad terms the applicant seems to be making an effort to improve footpaths, the environment and accessibility. This includes the proposal for a signalised pedestrian junction across the motorway junction.

It appears that some footpaths will have to be diverted, but with a view to improving pedestrian access.

Councillor D. Ellis commented that there has been a mixture of positive and negative comments raised by residents, making it difficult for the Town Council to take a stance on the application – as we usually try to mirror the feeling of local community.

He noted that some concerns had been raised about the difficulty of traffic getting onto the motorway at rush hour, as Junction 11 is already a very busy junction. Another concern was about the potential for increased local criminal behaviour as, anecdotally, this often increases around service stations.

Councillor J. Ellis said that a message had been circulated regarding the consultation that had taken place, but she has not seen any summary of the feedback – even though the questions were quite leading.

Councillor J. Ellis asked if the Town Council could request a summary report of the consultation.

Members **resolved** that asking for the consultation report was a good next step.

**Actions** Clerk's office to request the report.

Councillor Atkin stated that he expects that we will be receiving another formal detailed application in the future, as this is just for Environmental Assessment and outline planning approval.

The Clerk commented that the application was posted on our Facebook page and copied over to the Birchwood Community and Chat local social media page, to give people the opportunity to share the information and to send comments or objections to WBC about the application. However, based on the number of comments relating to this application received by the Planning Department, it does not appear to translate into these opinions being formally submitted to the Borough Council's planning Department

## 066/20-21 STRATEGY & ACTION PLAN UPDATE

Councillor D. Ellis said that there are currently no specific updates re: the 2016 – 2020 Birchwood Town Council Strategy and Action Plan.

**This part of the meeting concluded at 7.05 pm.**