

MINUTES OF THE MEETING OF BIRCHWOOD TOWN COUNCIL
HELD AT PARKERS FARM, DELENTY DRIVE
ON TUESDAY 28TH FEBRUARY 2023, 6.00 PM

Present: Councillor Ellis in the Chair
Councillors Allen, Atkin, Ball, Dempsey, Evans, Reeves, Scott, Sheridan and Simcock

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

Inspector Anna Keefe – Cheshire Police
Sgt Nathan Gulam – Cheshire Police
PCSO Tom Palfrey – Cheshire Police

One resident

Apologies: Councillor Brereton (health)

Before proceedings formally commenced, Councillor Ellis led the meeting in observing a minute's silence in memory of Brianna Ghey.

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
Councillors Atkin, Reeves and Simcock – Carnival Committee

301/22-23 **JANUARY 2023 TOWN COUNCIL MEETING MINUTES**

Councillor Evans **proposed**, Councillor Reeves **seconded**, and it was **resolved** that: The Minutes of the Town Council Meeting held on 24th January 2023 be approved as an accurate record and signed by the Chair.

302/22-23 **PUBLIC PARTICIPATION**

(a) **Police Report**

PCSO Palfrey provided the following report for the months of January/February 2023:

Birchwood Shopping Centre - Due to a number of incidents involving ASB with youths and shoplifting, we have been in the process of setting up a shop watch scheme which will allow us to work together and share information in order to tackle the problem.

The below stats outline incidents from 24/01/2023 - 21/02/2023:

Anti-Social Behaviour:

6 x Birchwood Shopping Centre/ McDonalds – Youth ASB riding bikes inside the Centre, refusing to leave and intimidating behaviour.

2 x Heather Close - Neighbour dispute regarding parking.

1 x Scout group- Youths on bikes using foul language.

2 x Dove Close- Neighbour dispute.

1 x Birchwood Forrest Park - Scrambler bikes.

Burglary Dwelling: N/A

Burglary Others: N/A

Vehicle Crime / Offences – Reports:

1 x Harcourt Close – Stolen vehicle

Criminal Damage:

1 x Pheasant Close - Front door and windows smashed in.

1 x Chaffinch Close - Damage to a disability rail of a property from a vehicle.

1 x Whinchat Drive - Neighbour allegedly scratched callers' vehicle.

1 x Birchwood Shopping Centre - group of 20 13–14-year-old youths have been causing issues inside, been escorted off site, then once in the car park have kicked a piece of fencing and done damage to trolley bay.

1 x Redshank Lane - car has been vandalized. Windows at the front, and at the back and passenger side window has been chipped.

Anna Keefe, the Police Inspector for East Warrington introduced herself to the meeting.

PCSO Palfrey informed Members that Business Watch, a Crime Prevention Scheme is now live.

Regular partnership meetings will take place involving the shopping centre, the Police, WBC, Birchwood High School, YHG and local shops/businesses.

Sgt Gulam said that the scheme will be run by the shops and businesses that are signed up to it. He believes that it is an encouraging step forward which will make a positive contribution towards Birchwood being a safer place with more of a community feel.

He added that the Security Guards in the shopping centre will be wearing body cameras and they are aware of what they can and cannot do.

The Police will have a role in enforcement and will be working with the Lead Officer from WBC in dealing with ASB. The businesses signed up to the scheme are now linked by radio.

This scheme is being co-ordinated by John Magee and Kirsty Robinson representing Birchwood Shopping Centre who are both committed to making it work.

Sgt Gulam enquired, via the Chair, if anyone from the Town Council would like to be involved in this group.

Councillors Ball and Sheridan confirmed that they would.

PCSO Palfrey said that he has recently met with James Coates, Trolley Angels, regarding abandoned shopping trolleys in Birchwood and the fact that, not only do they look unsightly, but they are also a public nuisance.

Councillor Ellis added that in previous years, when Trolley Angels were involved, they discussed potentially fining those people who removed shopping trolleys from the centre, however it wasn't enforced.

Sgt Gulam commented that whatever steps are considered and implemented they need to be credible.

PCSO Palfrey talked about the reports of scrambler bikes on the park. He reiterated the importance of people reporting these instances when they occur as the intelligence received assists the Police in tackling this sort of crime as it helps to build up a local picture so that resources can be directed appropriately. He informed Members that there is a Police Scrambler Bike Team.

He also talked about the ongoing matter of cars parking on Lords Lane and reports of nuisance/illegal parking.

Councillor Ellis stated that he is in receipt of two official letters from a local resident regarding the issue of parking on Lords Lane. He noted that the property has removed some of the grassed frontage, replacing it with gravel, but commented that some visitors to the property are still parking half on and half off the pavement.

The Police confirmed that they are still looking at ways to improve this situation and asked for the contact details of the resident who had complained so that they can liaise with them directly.

The Clerk said that she will write to the resident to ask for their full contact details and permission to pass them on to the Police in order to progress the matter.

Councillor Dempsey commented about the parking at Birchwood Medical Centre and said that sometimes vehicles park on the tactile paving outside the surgery, avoiding the yellow lines, which block access to the dropped kerb/tactile paving.

Councillor Simcock said that a number of vehicles regularly park on the verge near the Ordnance Avenue entrance to the Forest Park. He added that several of those vehicles are also parked half on the pavement which limits safe access for pedestrians.

Sgt Gulam said that the Police can issue Advisory Notices which is more of a 'low level' approach, but it quite often deters people from parking inconsiderately.

Sgt Gulam commented that the best way to report crime is on the Cheshire Police website. He confirmed that these reports are all logged and are then filtered through into the main system for appropriate follow up action to be taken.

(b) Public Participation

A local resident attended the meeting to ask the Town Council to influence YHG and the way that she believes they are 'chopping down plants and replacing them with wood chippings, turning it into a desert', querying why the work is carried out that way, if what they are doing is appropriate and whether the operatives undertaking the work are qualified.

The resident added that on Ordnance Avenue and Admirals Road around 60% of the shrubbery and vegetation has been removed and the area is now not very green.

Councillor Ellis commented that wood chippings act as a natural habitat and are good for hedgehogs etc.

He added that historically YHG came under a lot of criticism for not doing anything and for allowing trees and vegetation to become overgrown and untidy. People felt that it was intimidating in some areas because the vegetation was so dense, so it is important to find a balance.

The resident accepted that the removal of some of the vegetation would mean more light in some properties and wider footpaths but said that the vegetation should be trimmed back, not demolished.

In addition, there was a concern that the wood chippings might attract rats and encourage the growth of fungi which some people are allergic to.

The resident also commented that the piles of wood chippings on Ordnance Avenue have been left in large dense patches and not distributed. She queried if the chippings had actually come from work carried out in the local area or had been imported from elsewhere.

Councillor Ellis said that YHG is not accountable to the Town Council for the work that they are doing, it is part of their woodland management plan.

A discussion took place regarding the presence of ivy as a useful ground cover and the fact that it is less welcome when growing up the walls of people's properties.

Action The Clerk to raise the resident's concerns with the Landscape Manager of YHG.

303/22-23 **WARRINGTON BOROUGH COUNCIL (WBC)**

Communication

(a) Evening walkabout/ street lighting

The Clerk informed Members that an evening walkabout with Officers from WBC took place on 9th February visiting various locations in Oakwood.

Councillor Ellis commented that the group started off from Chatfield Drive and visited Oakwood shops, the spinal path, Hamnett Court and areas in between and, although it was a useful exercise, they did not get the full effect of the poor lighting levels as it was a clear, moonlit night and there was not much foliage on the trees.

He added that the recommended lighting level for street lights is equivalent to the light of a full moon.

Councillor Allen commented that there are quite a number of lights out in the Locking Stumps/Birchwood Park Avenue area at the moment.

Councillor Ellis said that he too had noticed this and had reported the outage to Electricity North West. There are more than 30 lighting columns affected.

The Clerk informed Members that formal responses are still awaited regarding progress on a number of outstanding/ongoing issues:

(b) Powell Avenue/Temporary Ramp

The Clerk informed Members that WBC had queried if the ramp on Powell Avenue, which is damaged, is necessary.

She had informed WBC that without it those with prams or on mobility scooters would struggle to get around the concrete bollards.

The Borough Council Officer replied stating that it might be necessary to remove the ramps but increase the distance between the concrete bollards to allow access for prams and mobility scooters.

(c) **Admirals Square (Oakwood Local Shops)**

The Clerk stated that she had been informed that the queries relating to Admirals Square have been allocated to a WBC Highways Inspector. Awaiting a response.

(d) **Armstrong Close and Ainscough Road (potential adoption of street lighting)**

The Clerk said that she has been informed that WBC will review the situation over the next few months and will advise once this review has been completed. Awaiting a response.

A monthly report had been received from Warrington Borough Council just prior to the meeting regarding some other outstanding issues.

- *Trip hazards such as uneven paving. Investigations ongoing with Highways. **Live***
- *Work throughout Borough such as facing off plantings surrounding verges, weeds and path cleansing. **Work live to be completed in due course pending ground conditions.***
- *Spinal path cleanse completed. **Live***
- *General Works. Removal of broken fence. Completed. **Closed.***

The Clerk informed Members that WBC's large flail has been out in Birchwood facing off vegetation encroaching on grass verges, presumably in preparation for the mowing season.

She also notified Councillors that the Town Council's Maintenance Team had been working in partnership with WBC to improve the aesthetic of the spinal path and commented that this had involved cutting back trees, facing off vegetation, scraping footpaths and the street sweeper had also been deployed.

The situation had become more complex as the land ownership in this area is split between WBC and YHG. However, the Clerk confirmed that the Town Council is in contact with YHG regarding improvement works to this area and the Maintenance Supervisor has met with YHG's Tree Surveyor to enquire about some trees which appear to be either dead or in poor condition.

These trees will be removed or maintained by YHG's contractors as appropriate.

Action Clerk's office to continue to liaise with WBC regarding outstanding issues.

304/22-23 **YOUR HOUSING GROUP (YHG) – UPDATE**

The Clerk informed Members that a walkabout with YHG took place on 14th February 2023. Councillor Scott attended and the areas covered included Lyster, Miles, Rawlings, Burrough Closes, Whinchat and the spinal path.

Several issues were identified, e.g. flytipping, waste exposed from recent coppicing work and lighting columns within tree canopies.

See minute 303/22-23 re: maintenance of vegetation and the spinal path.

Action Clerk's office to continue to liaise with YHG.

305/22-23 **INFORMATION REGARDING TRAVELLER ENCAMPMENTS**

The Clerk confirmed that she has followed up on the enquiry regarding awareness training which Councillors Brereton, Dempsey, Sheridan and Simcock had expressed an interest in attending.

The Clerk informed Members that Dawn Taylor, Manager of the Cheshire and Warrington Traveller Team is trying to get a member of the Travelling Community to take part in the training to share their 'Lived Experience'.

Action Clerk's office to continue to liaise with the Cheshire and Warrington Traveller Team about awareness training for Councillors.

306/22-23 **PLANNING UPDATE**

Planning Application 2021/40696 – Trident Business Park – Proposed demolition of existing premises and redevelopment of site

Councillor Ellis said that the deadline has passed. It is understood that some discussions have taken place between the developers and WBC Planning Officers and that a modified planning application may now have been submitted to WBC.

No further information or amended plans have yet been received by the Town Council.

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

307/22-23 **WARRINGTON BOROUGH COUNCIL (WBC)**

- (a) Sent/received – various emails/online reports/telephone calls following queries/contact from residents regarding flytipping, tree issues, traveller encampments, missing bollards, rubble and mess left following utility works, including mud on footpaths, etc. (WBC has contacted the utility company regarding this).

Councillor Atkin *declared an interest* as he raised a concern regarding some flytipping on land near Darnaway Close in Gorse Covert. He enquired if it should be reported to WBC.

The Clerk confirmed that it should be reported to WBC so that it can be recorded for statistical purposes and added that she would ask the Maintenance Team to investigate to see if it is something they can remove.

- (b) Received – details of the upcoming Rights of Way Forum Meeting, taking place on 8th March 2023 and Minutes from the meeting held on 15th June 2022.

The Clerk asked Councillor Evans to request that the old footbridge at Birchwood Railway Station is added on to the WBC definitive Rights of Way list.

She also confirmed that work to remove offensive graffiti, general cleansing, improvement to roof drainage, re-painting and reinstatement of panels had been undertaken by WBC in recent weeks.

Councillor Evans commented that he had made enquiries about the ownership and maintenance of the footpath which runs from a point on Locking Stumps Lane, parallel to the motorway. This is still not confirmed, although WBC believe it to be under the ownership of Birchwood Golf Club.

308/22-23 **YOUR HOUSING GROUP**

- (a) Sent/received – various emails/reports following queries/contact from residents including issues with flytipping (including that exposed by coppicing works), shrubbery maintenance, etc.

The Clerk informed Members that they might notice a few piles of waste in the areas where coppicing has taken place. This waste is to be removed by YHG's contractors.

- (b) To note that the issues raised regarding the bin stores on Layton/Leatham Close have been reported to YHG.
- (c) Correspondence has been sent/received re: a YHG proposed initiative to place some bat and bird boxes and some hedgehog habitats in the area.

309/22-23 **MISCELLANEOUS CORRESPONDENCE/ISSUES**

- (a) Received – various emails from Warrington Voluntary Action (WVA).
- (b) Received/sent – email correspondence with a resident concerned about air quality in Westy/Latchford in relation to the proposed WBC Central6 Scheme. The Chair sent a detailed response to the resident.
- (c) To note the publication of two articles in the Warrington Guardian that relate specifically to Birchwood. These are copied to Members in their papers for information:
- 'Plans to rebuild Risley Moss platform six years after arson' and
 - 'Plans to develop £1.5m Birchwood Community Hub'.
- (d) Received – email from a resident concerned about the use of trimmers being a potential danger to hedgehogs. The resident was advised that the BTC teams always check, as far as possible, for any form of wildlife before undertaking any landscaping work. We also forwarded the concerns raised onto YHG.
- (e) Received – query from Bridgewater Community Healthcare NHS Foundation Trust requesting assistance in raising the visibility of the new Community Health and Wellbeing Workers service being offered in the Oakwood area. We have advised that we can assist by putting information on our social media and notice boards. They have also been made aware of the upcoming Birchwood Carnival.
- (f) Received - invitation to a Symposium on air quality in Warrington, taking place on 31st March, 6pm at Warrington Masonic Hall. The invitation is for two Councillors to attend. Cllr Ellis will be one of the speakers in his role as Chair of the Climate Action Commission, and Councillor Scott is assisting the organisers with technical support for the event on the night.

310/22-23 **PUBLICATIONS RECEIVED**

Various LGC e-mail correspondence/briefings.

311/22-23 **CHESHIRE POLICE**

- (a) Various Neighbourhood Alerts, and 'Our News' – February 2023 – the Neighbourhood Watch newsletter.
- (b) Received – a link from the Neighbourhood Watch Network to the 'Bystander Intervention Module' of the Community Safety Charter, which BTC signed up to (circulated to Members). Councillor Scott has signed up to attend one of the webinars.
- (c) Police Report for January/February 2023.

312/22-23 **CHESHIRE ASSOCIATION OF LOCAL COUNCILS (CHALC), NATIONAL ASSOCIATION OF LOCAL COUNCILS (NALC), SOCIETY OF LOCAL COUNCIL CLERKS (SLCC)**

- (a) Received – NALC publications including the Chief Executive’s Bulletins, events information, etc. including NALC’s Policy Register for the coming year.
- (b) Received – ChALC weekly e-bulletins with various attachments, details of training sessions, etc.
- (c) Received – SLCC – various updates, briefings, news items, etc.
- (d) Received – via NALC/ChALC notification that nine amendments to The Levelling Up and Regeneration Bill which is to be put before Parliament have been tabled by Baroness Scott. These raise several issues that have concerned the local government sector in recent years including:
 - Providing for Councils to be able to hold remote meetings.
 - Suspension of Councillors who breach the code of conduct.
 - Access to direct government funding and grants.
 - A clear timetable for the neighbourhood governance review to make it easier to set up new Local Councils.
 - Payment of dependent carers allowance to Parish Councillors.
 - The extension of the general power of competence.

313/22-23 **CURRENT PLANNING APPLICATIONS FOR COMMENT AND OBSERVATION AND OTHER RELATED PLANNING ISSUES**

(a) **Warrington Borough Council - Development Management Committee (DMC)**

The next DMC is scheduled to take place on 2nd March 2023. Documents have been circulated to Members and are also available on the WBC website.

There are two items on the agenda relating to Birchwood:

- (i) **2022/42690** Land East of Kelvin Street, Birchwood Park, Warrington Variation of condition 2 (plans) to undertake alterations to the louvres and flues on application 2022/41955 (Variation of conditions 2 (approved plans) and 3 (landscape scheme) on planning application 2021/40405 (Proposed construction of three general industrial and/or warehouse distribution (Use Classes B2 and/or B8) units (714, 715 and 716), access, parking and associated landscaping).
Grant subject to conditions.
- (ii) **2022/42689** Unit 722 (Within Development Plots 701 & 702) Birchwood Park, Warrington Variation of condition 1 (plans) to allow for changes to louvres and drainpipes on the building, enlarge approved substation, add an additional substation and omit 2 parking spaces and condition 2 (materials) on application 2022/41954 - (Variation of condition 1 (plans) on application 2021/40399 (Application for approval of reserved matters (ie, appearance, layout, scale, access and landscaping) pursuant to outline planning permission 2015/26044 (proposed industrial unit Use Class B2) and associated ancillary research and development office space) to allow for the addition of a pedestrian gate within the service yard fencing and relocate the gas storage compound to north east corner of service yard.
Grant subject to conditions.

(b) **Planning Decisions**

- (i) **Application No. 2022/42695** Land East of Kelvin Street, Birchwood Park. Discharge of condition 16 (Sustainable drainage management and maintenance plan) on application 2022/41955 (Variation of conditions 2 (approved plans) and 3 (landscape scheme) on planning application 2021/40405 (Proposed construction of three general industrial and/or warehouse distribution (Use Classes B2 and/or B8) units (714, 715 and 716), access, parking and associated landscaping). **Discharged.**
 - (ii) **Application No. 2022/42322** Land East Of Kelvin Street Birchwood Park. Discharge of condition 19 (Cycle parking details) on application 2022/41955 (Variation of conditions application against Application for full planning permission: Proposed construction of three general industrial and/or warehouse distribution (Use Classes B2 and/or B8) units (714, 715 and 716), access, parking and associated landscaping). **Discharged.**
 - (iii) **Application No. 2022/42322** Land East Of Kelvin Street Birchwood Park. Non-material amendment to 2021/40405 for amendments to the approved plans for • Gate added to yard (might include the other site plan revisions) • 1 no. Fire exit door added and relocation of 1 no fire exit door • Rooflights omitted. **Withdrawn.**
 - (iv) **Application No. 2022/40985** 43 Havisham Close, Birchwood, Warrington, WA3 7NB. Application for a Lawful Development Certificate for a proposed double extension. **Refused.**
 - (v) **Application No. 2021/40596** 6 Stainmore Close, Birchwood, Warrington, WA3 6TP. Removal of existing conservatory proposed two storey side and rear extension with part rear single storey extension. **Refused.**
- (c) **Planning Applications - all plans can be viewed via:**
http://www.warrington.gov.uk/home/transport_planning_and_environment/Planning/Search_planning_applications/

Certain applications are not Planning Applications; therefore, there is no statutory opportunity to allow 21 days for comments, e.g.: Non-material amendment applications, Lawful development certificates (S192) and 28 day prior approval/determination applications. These types of applications are received for information only.

- (i) **Application No. 2023/00104/FULH** 1 Fern Close, Birchwood, WA3 7NU. Dropped Kerb and off road parking.
- (ii) **Application 2022/42513** 15 Mansfield Close, Birchwood, WA3 6QN. Single storey side extension.

Councillors had no comments to make regarding the above applications.

This part of the meeting concluded at 6.55 pm