

**MINUTES OF THE MEETING OF BIRCHWOOD TOWN COUNCIL**  
**HELD AT PARKERS FARM, DELENTY DRIVE**  
**ON TUESDAY 26<sup>TH</sup> SEPTEMBER 2023, 6.00 PM**

**Present:** Councillor Dempsey in the Chair  
Councillors Allen, Atkin, Ball, Bowden, Brereton, Ellis, Evans, Reeves,  
and Simcock

Clerk – Mrs. F. McDonald  
RFO / Deputy Clerk – Mrs. C. Caddock  
Administrative Assistant – Mrs. H. Thomas

PCSO Tom Palfrey – Cheshire Police

1 Resident

**Apologies:** Councillors Scott (away), and Sheridan (personal).

**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.

150/23-24 **PUBLIC PARTICIPATION**

(a) **Police Monthly Update**

PCSO Palfrey provided the following report for the period August – September 2023:

*“Anti- Social Behaviour (4 reports)*

*1x Redshank Lane – Neighbour dispute general ASB*

*1x Warrington Road – Pitbull dog on the loose*

*1x Admirals Road – Scrambler Bike*

*1x Birchwood Business Park – Dog bite*

*Burglary – Dwelling*

*4x Halliday Close – Domestic related*

*1x Kelsall Close – Door left open*

*1x Lyster Close - Domestic related*

*1x Lords Lane – Stolen Vehicles*

*1x Woodhouse Close – Missing items*

*Burglary – Others*

*N/A*

*Vehicle Crime / Offences – Reports*

*N/A*

*Criminal Damage*

*1x Armstrong Close – Vehicle had been tampered with water in the fuel tank*

*1x Birchwood Shopping Centre – Damage to Deli kiosk in Asda*

*1x Birchwood Rail Station – Paintball shots fired at callers vehicle”*

PCSO Palfrey informed members that, in general, it has been a quiet month and there have not been many reports of anti-social behaviour (ASB), especially at Birchwood Shopping Centre. He said there is one specific group of young people who are causing some disruptions around John Keeney Play Area in Oakwood, which has not been directly reported recently as it is not an issue at the moment, but he said that Birchwood Police are monitoring the situation.

Councillor Ball asked about parking enforcement around Birchwood Community High School. He stated that during drop-off and pick-up times especially, parking is inconsiderate and often illegal and makes it dangerous for buses, other drivers and pedestrians.

PCSO Palfrey explained that he has stressed to the community that Birchwood Shopping Centre has three hours of free parking, and that parents who wish to drop students off should use this facility. He said that he is only able to oversee the parking situation and give instructions to people parking inconsiderately when he is on shift. He stated that it is not for the Police to enforce people parking on double yellow lines, only on the zig-zags. Parking on double yellow lines, etc. has to be enforced by WBC's Traffic Enforcement Officers.

Councillor Ellis mentioned that parking at Locking Stumps School, around Deanwater Close, at school closing time was fine for a while, but now the issues are back again.

PCSO Palfrey said that he has done a lot of work with the school children there in the past and hopes to be able to do so again soon. He said that without constant Police presence at the schools during these problem times, drivers will continue to park inconsiderately. He stated that he will continue to look into this problem.

Councillor Allen stated that there have been a number of motorbikes going down the alleyway at Deanwater Close at dangerous speeds, and asked if the Police were aware of this issue.

PCSO Palfrey explained that the Police have a dedicated Scrambler Team and explained that when either the local Police, or a resident, report the bikes, the information is sent on to the dedicated Scrambler Team who then build intelligence. He stated that this is an issue that the Police take seriously, and urged residents to report any sightings as this will then be given to the team.

The Clerk told PCSO Palfrey that during daily litter picks and visual checks of the area, our maintenance team had discovered two knives, one of which was sizeable. She stated that our main concern is that the locations in which the knives were found, were close to shops and appeared to have been deliberately hidden.

The Clerk stated that the first knife recovered several weeks ago was handed in at Birchwood Fire / Police Station by the maintenance operative who found it. The second knife was only discovered last week.

The Clerk said that she wanted to make the Police aware of the matter and the fact that the knives had been left in public places.

PCSO Palfrey asked the Clerk to send over information and photographs regarding the second knife, to him so he could add it to reports that can build intelligence for crimes in the area. He said that if the team uncover any more weapons, to contact the Police for further instructions, and mentioned that there is a 'Knife Surrender Bin' at the main Warrington Police Station in the town centre which are collected and sent to London to be recycled into other things. He also said he will be going into the local schools and will give a talk about knife crime.

The Chair thanked PCSO Palfrey for his attendance, and PCSO Palfrey left the meeting.

(b) **Public Participation**

*Councillor Reeves declared an interest as he is related to the resident.*

One member of the public attended the meeting. The resident explained that she resided in Gorse Covert and had seen on previous BTC meeting minutes that we had complaints from residents regarding the overgrowth of trees and shrubs in the area. This resident wanted to state that she holds the opposite view regarding the vegetation, and believes that Birchwood benefits a lot from the abundance of greenery in the area, including the importance of it for residents' mental health.

The resident stated that the flail, which had been used in works performed by WBC in recent weeks, had done a lot of damage to shrubs it was cutting and believes that the flail size used was not appropriate for the walkways and bridlepaths we have in Birchwood. She mentioned that a fellow resident told her that they had stopped the WBC team on their flail because they were churning up the ground, making it unsightly and damaging the grass.

The resident added that she hoped that BTC and WBC would be able to find a mutual compromise between keeping the area in a well-kept state and not removing too much vegetation, and that it is possible to mow a path for access but leave the majority to grow.

The Clerk asked the resident about the flail used and determined it to be the large agricultural flail. She stated that this is usually reserved for jobs with large stretches of vegetation such as the Brook Footpath. She explained that the reason WBC use this equipment is a matter of resource. She said that it would take more people more time to maintain the vegetation with gentler methods, but understands that the use of the flail seems excessive.

The resident stated that she feels other areas of Warrington are mowed and landscaped 'more sensitively'.

The resident also mentioned a row of cherry trees outside Gorse Covert Primary School and said that they are choked with ivy and slowly deteriorating, and asked if any maintenance could be done to preserve these trees as they are well-loved in the community.

The Clerk said that Gorse Covert is complicated in terms of land ownership, so would have to consult the land ownership map to get a better idea of who the trees belong to.

**Action:** Clerk's office to consult land ownership map and report trees for possible maintenance.

Councillor Atkin informed the resident that during our recent meeting with WBC representatives, BTC were told that the level of maintenance we are currently receiving for trees and shrubbery was the most they could offer.

The Chair thanked the resident for attending, and the resident left the meeting.

#### 151/23-24 **JULY COUNCIL MEETING MINUTES**

Councillor Simcock **proposed**, Councillor Evans **seconded** and it was **unanimously resolved** that: The Minutes of the Council Meeting held on 25<sup>th</sup> July 2023 be approved as an accurate record and signed by the Chair.

#### **PROGRESS**

#### 152/23-24 **WARRINGTON BOROUGH COUNCIL (WBC)**

##### **Communication**

##### **(a) Issues Raised Regarding the Brook Footpath and Underpass**

Following the July Town Council meeting's public participation, the Clerk has reported the issue of the poor drainage at the underpass, that goes from the Brook Footpath to Birchwood Forest Park, to WBC.

The Clerk stated that the scheduled maintenance for overgrown shrubs along the Brook Footpath has now been completed using the agricultural flail.

The Clerk has contacted WBC regarding the large piece of metal sticking up from the ground in the wooded area near the footpath, and provided photographs, but is still waiting for a response on this matter.

##### **(b) Forest Park Mowing**

A resident at the July Town Council meeting enquired about whether an inspection is done prior to mowing on the Forest Park as he found pieces of metal whilst walking his dog which had been shredded by the mower.

The Clerk contacted WBC to enquire but due to GDPR, WBC needed to speak to the resident directly. The Clerk has contacted the resident but has not received a reply.

##### **(c) Graffiti in the Area**

The Clerk stated that BTC's maintenance team have recently removed a large amount of graffiti from John Keeney Play Area in Oakwood. The team took before and after pictures and the park looked much better afterwards.

At the July Town Council meeting, a resident reported some offensive graffiti at the underpass near the Brook Footpath. Councillor Bowden had informed the Council of WBC's policy to remove any offensive graffiti within 24 hours. This was reported by Councillor Bowden, and following the meeting, by BTC Officers. The resident was urged to also make a report, but we are unaware if they did or not. The Clerk said that the graffiti is currently still there.

After the resident reported the increased amount of graffiti on the electrical boxes in the area, which makes the area look untidy, the Clerk informed Members that BTC's maintenance team attempted to remove some of the graffiti, but the cleaning products were starting to remove the paint so she contacted the provider, Vodafone. She called the emergency number on the back of the box, but no one answered, so she used the live chat function on the provider's website. The representative told the Clerk that there is scheduled maintenance planned for the utility boxes, but he was not aware what maintenance that entailed.

Councillor Brereton stated that there is some offensive graffiti on the side of Birchwood Tennis and Leisure Centre. She wondered why this had not been removed or painted over during the refurbishment that has been undertaken over the summer. She is concerned that no further improvements will be made to the outside of the building.

The Clerk informed the Council that this has already been reported to WBC, but she was told that it would have to be reported to LiveWire directly, as the leisure centre is under their authority. Officers have since reported this to LiveWire. They replied that they are not sure who is responsible for cleaning the graffiti, and will have to get back to BTC with more information.

**(d) Speed Signage in Locking Stumps**

Following the update list from WBC (which was circulated to Members prior to the meeting), the Clerk queried the update regarding speed signage that read '*WBC provided BTC with quote, in discussion to programme works.*' Simone at WBC informed the Clerk that this was regarding speed limit signage outside Locking Stumps Primary School which will be installed during October half term. Officers were not aware that this work was planned.

Councillor Ellis said that he had looked into having the speed reduced around the school from 30 mph to 20 mph, but to date he has not received any feedback or update regarding this.

**(e) Working with WBC – Meeting**

The Clerk confirmed that the meeting with Mr. David Boyer and Mr. Ian Brackenbury from WBC took place on Tuesday 5<sup>th</sup> September 2023 at the Council offices. The Clerk's office circulated the meeting notes to Councillors prior to the Council meeting and asked if all Councillors present at the WBC meeting were happy with the notes written.

Councillors present at the WBC meeting agreed and approved that the notes written were an accurate reflection of the content of the meeting.

The Clerk asked if Councillors wanted the notes to be circulated to Mr. Boyer and Mr. Brackenbury at WBC.

All Councillors present **resolved** that the notes should be forwarded to WBC.

**Action** RFO to circulate the notes to Mr. Boyer and Mr. Brackenbury.

The Clerk stated that it is frustrating trying to communicate with WBC because in the past, BTC have been able to talk directly with various people and departments at the Borough Council, but this is no longer possible. She said that when WBC requires information or action from us, they expect an immediate response, but the same consideration is not given to us should we need something from them.

Councillor Atkin said that it was apparent to him that we no can longer speak to people or departments directly and must go through Simone. He said that it is clear that WBC has decided that BTC staff and Councillors should have no role in dealing with 'low-level' grievances, and must instruct residents to go through the appropriate WBC channels.

Councillor Bowden said that he has raised this matter many times with WBC that there should be a way for Councillors and Officers of local Parishes to communicate directly and to help/ represent their residents. He said he does not believe it is appropriate to have Simone as a 'go-between'.

Councillor Allen commented that the weed-spraying around Birchwood, particularly Birchwood Shopping Centre was inconsistent and poorly applied.

#### 153/23-24 **YOUR HOUSING GROUP (YHG) – UPDATE**

##### **Meeting and Walkabout with YHG**

The Clerk confirmed that the Walkabout with Councillors and YHG representatives in Locking Stumps took place on Thursday 24<sup>th</sup> August 2023. The Clerk said it was a productive meeting, with YHG taking away a list of actions to complete.

#### 154/23-24 **GYPSY AND TRAVELLER AWARENESS TRAINING**

Following the Gypsy and Traveller awareness training in July, the Clerk received 'Cultural Awareness Guides' from the Cheshire and Warrington Traveller Team and distributed them to Councillors prior to the meeting. Officers are still waiting for further resources to be sent and will chase this up.

**Action** Clerk's Office to contact Cheshire and Warrington Traveller Team for missing resources.

#### 155/23-24 **BIRCHWOOD ROYAL ORDNANCE FACTORY (ROF) MEMORIAL**

Councillor Ellis stated that he has spoken to Gaynor Kerry, one of the Park Rangers about the possibility of an additional formal unveiling. Gaynor has spoken to the other Park Ranger, Dave Hazelhurst, and they collaboratively put forward the idea of laying a wreath to mark the event.

They proposed a date of Sunday 12<sup>th</sup> November, as it is in-line with Remembrance Day. Gaynor has said that after the laying of the wreath, the Rangers would provide a 'History of the Area' event in the Ranger's Centre.

Councillor Ellis said that the problem we had last time is that the message only got around locally and was not advertised until later, and wanted to remind the Council that people who live further afield have links to the ROF factory and may like to be in attendance for an additional event.

The other potential issue is that there will be a number of other Remembrance Day events already taking place on this date.

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

#### **156/23-24 WARRINGTON BOROUGH COUNCIL (WBC)**

- (a) Sent/received – various emails/online reports/telephone calls following queries/contact from residents regarding flytipping, tree/shrubbery/hedge issues (including ownership) etc.
- (b) Sent – Email to WBC Parks Department to bring their attention to graffiti on John Keeney Play Area.
- (c) Received – Email from WBC's Cabinet Support Officer requesting electronic copies of Declaration of Interest forms and a link to where BTC have them published on our website. This has been done.
- (d) Sent – Email to WBC reporting an open barrier at the Biffa site entrance on Silver Lane, Risley.
- (e) Sent - Report to WBC regarding the weeds on some 'cobbled' roundabouts stating they will need further attention from WBC's landscape team (i.e., application of weedkiller which our team cannot do).
- (f) Received – Email from resident with concerns about parking along Ordnance Avenue blocking the footpath for wheelchair and pram users.
- (g) Sent – Email to WBC re: BTC being behind on mowing due to staff sickness and annual leave.
- (h) Received – Email from WBC re: works at Powell Avenue to install dropped kerbs and tactile paving.

The Clerk stated that whilst new bollards have been installed on Powell Avenue, one was recently left unlocked. After a call to WBC, a temporary lock was installed. A resident commented to the BTC team that it is a shame that it is not a retractable bollard as they believe them to be sturdier.

- (i) Received – Invitation to the Chair to attend the Annual Remembrance Day Service and Parade taking place at the War Memorial at Bridge Foot, Warrington.

#### **Action**

Councillor Dempsey to copy BTC into invitation reply.

- (j) Received – Information re: proposed speed reductions on Birchwood Park Avenue.
- (k) Received – invitation to the Local Electric Vehicle Infrastructure Briefing. Councillors Dempsey and Scott had expressed an interest in attending.

157/23-24 **YOUR HOUSING GROUP**

- (a) Sent/received – various emails/reports following queries/contact from residents including issues with flytipping, shrubbery maintenance, trees blocking light from street lamps, etc.
- (b) Sent – Email to YHG regarding an abandoned skip. Councillor Brereton was contacted by a number of residents as it was becoming a potential fire hazard.
- (c) Sent – Email to YHG regarding wooden stumps on the car park of Forbes Close.
- (d) Received – Email from resident asking to be added onto hedge cutting rota. Upon giving their address, they were directed to contact YHG, as their home is under YHG’s jurisdiction.
- (e) Sent – Email to YHG re: a bin that was ‘taken apart’ at The Birches (gym area) in Locking Stumps.
- (f) Sent – Email to YHG regarding vegetation significantly hindering two street lamps in Locking Stumps.

Councillor Atkin stated that during a recent meeting between BTC and WBC, it had been discussed that Councillors would undertake a survey of the whole area to see which street lamps are affected and collate this information.

Councillor Atkin suggested that Councillors could walk their areas to compile individual lists, or walk together in groups, noting down any problem street lamps.

A discussion took place regarding potentially asking residents to help report the street lamps in their areas via social media.

**Action** Councillors and Clerk’s Office to make arrangements for facilitating collecting information on street lamps.

158/23-24 **MISCELLANEOUS CORRESPONDENCE/ISSUES**

- (a) Received – various emails from Warrington Voluntary Action (WVA).
- (b) Sent – Reports to Cheshire and Warrington Traveller Team regarding Traveller encampments.

Councillor Ellis stated that some options have been discussed regarding Silver Lane that might work, however, access is still required by Biffa.

- (c) Received - Email from Avoira – asking if they can they use BTC’s logo on the Public Sector page of their website.
- (d) Received – Email from resident with a complaint of unacceptable noise from the industrial area behind Warrington Road, stating that speaker systems were sounded as early as 05.00am. A response was sent.



- (e) Received – Resident’s complaint re: the Smart Parking ANPR cameras at Birchwood Shopping Centre. A response was sent.
- (f) Email from resident re: ways to raise concerns with the Council. A response was sent.
- (g) Sent – Email to The Land Trust re: overgrown vegetation and low hanging branches in Flaxley Close.

159/23-24 **CHESHIRE POLICE**

- (a) Received – Various Neighbourhood Alerts
- (b) Received – Email from the Police Crime Commissioner regarding ‘Honor’-based abuse in Cheshire with a link to a survey.

160/23-24 **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.
- (b) Received – ChALC weekly e-bulletins with various attachments, details of training sessions, etc.
- (c) Received – SLCC – various updates, briefings, news items, etc

161/23-24 **PUBLICATIONS RECEIVED**

Various LGC e-mail correspondence/briefings.

162/23-24 **CURRENT PLANNING APPLICATIONS FOR COMMENT AND OBSERVATION AND OTHER RELATED PLANNING ISSUES**

- (a) **Warrington Borough Council - Development Management Committee (DMC)**
  - (i) There was nothing of specific relevance to Birchwood on the agenda at the August 2023 DMC meeting.  
  
One item of specific relevance to Birchwood was on the agenda at the DMC on the 14<sup>th</sup> September 2023: **Application No. 2023/00903/FUL – 21** Killingworth Lane, Birchwood, WA3 6TA.
  - (ii) Information re: enforcement cases specific to Birchwood have been circulated to Members.
  - (iii) NALC has published a consultation document re: Local Plans (already circulated to Members). The consultation closes on 18<sup>th</sup> October 2023.

(b) **Planning Decisions**

- (i) **Application No. 2023/00255/FULH** 49 Ringwood Close, Birchwood, Warrington, WA3 6TQ. Demotion of existing attached garage and construction of a new detached garage. **Granted.**
- (ii) **Application No. 2023/00631/CLDP** 7 Picton Close, Birchwood, WA3 6NL. Proposed demolition of existing conservatory and construction of single storey rear extension. **Granted.**
- (iii) **Application No. 2023/00269/FULH** 7 Havisham Close, Birchwood, Warrington, WA3 7NB. Proposed first floor side extension and single storey rear elevation. **Granted.**
- (iv) **Application No. 2023/00473/TPO** 708 Warrington Rd. WA3 6AU. Remedial pruning 5 trees. **Granted.**
- (v) **Application No. 2023/00773/DISCON** 2 Kelvin Close, Birchwood, WA3 7PB. Discharge of Condition 6 (Boundary Treatments/Additional Planting), Condition 7 (Electric Charging/Cycle Storage), Condition 8 (Parking Strategy), Attached to Planning Permission Reference no. 2022/42751. **Discharged.**
- (vi) **Application No. 2023/00970/NMA** Chadwick House, Warrington Road, Warrington, WA3 6AE. Revised entrance canopy design. Existing concrete façade columns to be painted (RAL 7016). Removal of existing timber cladding to the side cheeks of the front elevation projections, and replacement with white render to match existing. **Granted.**
- (vii) **Application No. 2023/01091/AGR** Tenement Farm, Mill House Lane, Warrington, WA3 7ET. Proposed agricultural building. **Prior approval required and granted.**
- (viii) **Application No. 2023/01030/HPA** 24 Sandicroft Close, Birchwood, WA3 7LA. Proposed single storey rear extension to extend beyond the rear wall by 6.00m, height of 3.60m & the height of the eaves 2.30m. **Prior Approval Not Required.**
- (ix) **Application No. 2023/00903/FULH** 21 Killingworth Lane, Birchwood, Warrington, WA3 6TA. Proposed single storey side extension. **Granted.**

(c) **Planning Applications**

*All plans can be viewed via:*

[http://www.warrington.gov.uk/home/transport\\_planning\\_and\\_environment/Planning/Sech\\_planning\\_applications/](http://www.warrington.gov.uk/home/transport_planning_and_environment/Planning/Sech_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. 2023/00925/DISCON** Land at Junction 11 of the M62 Motorway, Warrington. Discharge of Condition 43 (HS2 Ecology safeguarded area) on previously approved application 2023/00333 (Motorway service area).
- (ii) **Application No. 2023/00968/FULH** 2 Turton Close, Birchwood, Warrington, WA3 7LU. Single Storey rear extension, garage conversion and widening of driveway.
- (iii) **Application No. 2023/01006/DISCON** Land at Trident Business Park, Warrington. Discharge of Condition 4 (Drainage) on previously approved application 2021/40696 (Employment Use).
- (iv) **Application No. 2023/01055/FUL** The Poacher, 40 Gorse Covert Road, Birchwood, Warrington, WA3 6UG. New external grade timber pergola with poly-carbonate roof covering. New external timber and metal tall posts.

Councillor Atkin stated that this application is not a retrospective application and was concerned that work had been undertaken prior to BTC receiving this application. He said that he registered an enforcement breach with WBC regarding this but reported that work has now been completed at the location.

Councillor Ellis stated that applicants can undertake work prior to submitting applications, but should the application then be refused, they would need to remove all the work and restore the site to its original condition at great cost and effort to themselves.

Councillor Ball said that it is frustrating that the company that owns the pub, appears to have gone against the rules.

Councillor Bowden said that we may not be fully aware when the application was first submitted and advised that they may have taken all correct steps. Councillor Bowden said he would investigate further.

- (v) **Application No. 2023/01096/FULH** 8 Langwell Close, Birchwood, Warrington, WA3 6TB. Detached garage in front of principal elevation of property.
- (vi) **Application No. 2023/01095/FUL** 1 Fern Close, Birchwood, Warrington, WA3 7NU. Change of use for area edged red on the plan from open space/grass verge to residential garden amenity with perimeter fencing driveway and dropped kerb already approved under application ref 2023/00104/FULH.

There were no comments from the Council but to advise YHG as it appears to concern their land.

**Action** Clerk's office to advise YHG regarding the above.

- (vii) **Application No. 2023/00925/DISCON** Land at Junction 11 of the M62 Motorway, Warrington. Discharge of Condition 43 (HS2 Ecology Safeguarded area) on previously approved application 2023/00333 (motorway service area).

- (viii) **Application No. 2023/00926/DISCON** Land at Junction 11 of the M62 Motorway, Warrington. Discharge of Condition 42 (HS2 Utilities Safeguarded area) on previously approved application 2023/00333 (motorway service area)
- (ix) **Application No. 2023/00927/DISCON** Land at Junction 11 of the M62 Motorway, Warrington. Discharge of Condition 41 (Design and Method statement) on previously approved application 2023/00333 (motorway service area)
- (x) **Application No. 2023/00947/DISCON** Land at Junction 11 of the M62 Motorway, Warrington. Discharge of Condition no. 21 (Details of the installation and maintenance of the underground storage tanks), pursuant to LPA reference number 2023/00333/VARC. Attached to outline planning permission reference no. 2019/35726.
- (xi) **Application No. 2023/00948/DISCON** Land at Junction 11 of the M62 Motorway, Warrington. Discharge Conditions 23 and 24 (Water Framework Assessment and a detailed design for the diversion of Silver Lane Brook). Pursuant to LPA reference number 2023/00333/VARC. Attached to outline planning permission reference no. 2019/35726.

**This part of the meeting concluded at 7.15 pm.**