

**MINUTES OF THE MAY ANNUAL COUNCIL MEETING**  
**OF BIRCHWOOD TOWN COUNCIL,**  
**HELD AT PARKERS FARM, DELENTY DRIVE**  
**ON TUESDAY 14<sup>TH</sup> MAY 2023, 6.30 PM**

**Present:** Former Councillor, Joe Dempsey in the Chair  
Councillors Allman, Atkin, Ball, Brereton, B. Dhillon, K. Dhillon, Ellis, Evans,  
Price, Reeves, Sheridan and Simcock.

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

1 Resident

035/24-25 **APPOINTMENT OF CHAIR 2024/2025**

Joe Dempsey (Chair of the Council 2023/2024) welcomed everyone to the meeting.

This being the Annual Council Meeting, Mr Dempsey then called for nominations for the office of Chair for the next municipal year.

It was **proposed** by Councillor Sheridan and **seconded** by Councillor Brereton that Councillor Ellis be nominated for the office of Chair.

There were no other nominations for the office of Chair of the Council.

**RESOLVED: unanimously** that Councillor Ellis be appointed Chair for the municipal year 2024/2025.

Councillor Ellis accepted the appointment and signed the Declaration of Acceptance of Office in the presence of the Clerk.

Former Chair Joe Dempsey left the meeting.

**Councillor Ellis in the Chair**

On accepting the office of Chair, Councillor Ellis thanked Members for their support.

036/24-25 **APPOINTMENT OF VICE CHAIR**

Councillor Ellis then called for nominations for the office of Vice Chair for the municipal year 2024/2025.

It was **proposed** by Councillor Ellis and **seconded** by Councillor Reeves that Councillor Sheridan be nominated for the office of Vice Chair.

There were no other nominations for the office of Vice Chair of the Council.

**RESOLVED: unanimously** that Councillor Sheridan be appointed Vice Chair for the municipal year 2024/2025.

037/24-25 **APPOINTMENT OF LEADER OF THE COUNCIL**

This is a position that Birchwood Town Council chooses to elect a Member to. The role and function of the Leader is set out in the Council's Standing Orders, regarding appointments.

It was **proposed** by Councillor Brereton and **seconded** by Councillor Simcock that Councillor Reeves be nominated as Leader of the Council.

There were no other nominations for the position of Leader of the Council.

**RESOLVED: unanimously** that Councillor Reeves be appointed Leader of the Council for the municipal year 2024/2025.

038/24-25 **CODE OF CONDUCT FOR MEMBERS**

The Chair reminded Councillors that all Members have a duty to abide by the official national guidelines regarding the Local Authorities (Model Code of Conduct) Order 2007 (S1 No 1159) which came into effect on the 3<sup>rd</sup> May 2007.

Birchwood Town Council's Code of Conduct was last updated in 2021.

The purpose of the Code is to promote and maintain high standards of conduct.

The Code has been adopted under section 27 of the Localism Act 2011 and is based on the following core principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

The Code sets out general obligations about the standards of conduct expected of members and co-opted members of the Council, together with provisions about registering and declaring interests. It can be viewed on the Town Council's website:

<https://www.birchwoodtowncouncil.gov.uk/councillor-code-of-conduct>

The Clerk stated that there are no proposed changes to the Code of Conduct for 2024/2025.

Members were requested to formally record their adoption of the Code of Conduct to operate for the period May 2024 – May 2025.

It was **proposed** by Councillor Atkin, **seconded** by Councillor Brereton and **unanimously resolved:** that the Town Council confirms the adoption of its current Code of Conduct (last revised in 2021).

039/24-25 **STANDING ORDERS 2024/2025**

The RFO reminded Members that this document was amended to incorporate amendments and updates made to NALC's Model Standing Orders in 2020. Statutory and/or legal text is published in bold type and cannot be removed.

The Standing Orders have had no additional changes to them for the 2024/2025 municipal year.

As there were no additional changes suggested by Members, the Clerk requested that Members consider formally adopting the Standing Orders May 2023 document.

It was **proposed** by Councillor K. Dhillon, **seconded** by Councillor Sheridan and **unanimously resolved** to formally adopt the Standing Orders for 2024 - 2025.

040/24-25 **FINANCIAL REGULATIONS 2024/2025**

The RFO explained some draft changes that have been made to the Financial Regulations. These changes include added/amended text and some new information.

It was **proposed** by Councillor Ball, **seconded** by Councillor Atkin, and **unanimously resolved** to formally adopt the amended Financial Regulations, which had been copied to Members in their papers.

041/24-25 **APPOINTMENT OF THE COUNCIL'S SUB-COMMITTEES – 2024/2025**

Councillors discussed the appointments to sub-committees and Members were asked if they wished to be considered for any particular committee.

It was **resolved:** that there would be three sub-committees for 2023/2024 as follows:

1. Finance, Audit and Personnel
2. Youth, Leisure, Community and Environmental (with Climate Change to be incorporated into this sub-committee)
3. Policy, Strategy and Engagement

It was **resolved:** that the appointments to the three sub-committees are:

- |  |   |
|--|---|
| (i) Finance, Audit and Personnel<br>Sub-committee    | Councillors Atkin, Brereton, K. Dhillon,<br>Ellis, Reeves and Sheridan. |
| (ii) Youth, Leisure & Environment<br>Sub-committee   | Councillors Atkin, Brereton, Ellis, Price,<br>Sheridan and Simcock.     |
| (iii) Policy, Strategy & Engagement<br>Sub-committee | Councillors Atkin, Brereton, Ellis, Price,<br>Reeves and Sheridan.      |

042/24-25 **APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES:**

Councillors discussed the appointment of representatives to outside bodies and **resolved that:** the representatives on outside bodies 2023/2024 would be as follows:

- (a) **Your Housing Group**  
Councillor Brereton and Councillor Price
- (b) **Police Representative**  
Councillor Ball
- (c) **Birchwood Carnival Committee**  
Councillor Atkin, Councillor B. Dhillon and Councillor Simcock
- (d) **Warrington Rights of Way Forum**  
Councillor Evans
- (e) **Friends of Birchwood Forest Park**  
Councillor Evans, Councillor Sheridan and Councillor Simcock
- (f) **Risley Moss**  
Councillor Reeves

(g) **Oakwood Community Association**

Councillor Allman, Councillor Ellis, Councillor Price, Councillor Sheridan and Councillor Simcock would like to re-instate the Oakwood Community Association. Councillor Allman still holds some funding for the OCA, as the previous treasurer.

It was suggested that Councillor Allman calls a meeting and that the Woodland Room at Birchwood C of E Primary School be considered as a location.

**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.

The Chair also reminded Members that it is a legal requirement for them to complete / update their Register of Interest Forms within 28 days of becoming a Councillor or of any changes being made.

Councillors had been given blank copies of Register of Interest Forms to complete

**Action** Members to fill out their Register of Interest Forms and return to the office as soon as possible.

043/24-25 **PUBLIC PARTICIPATION**

(a) **Police Monthly Update**

PCSO Palfrey was not in attendance at this meeting, but he sent a monthly Police report for the time period of 22/04/2024 – 14/05/2024, for information, prior to the meeting.

*“Tru Cam has been deployed to areas around the East and Birchwood, we have caught a number of drivers and the highest being 41 MPH on Admirals Road*

**Anti-Social Behaviour x6**

*1x Heather Close – Neighbour Dispute*

*1x Greenfinch Grove – Youths on the park*

*1x Whitethroat Walk – Youths kicking door*

*1x Bickerton Close – Scrambler Bikes*

*1x Birchwood Shopping Centre – Indecent exposure*

*1x Redshank Lane – Scrambler Bike*

**Burglary Dwelling**

*N/A*

**Burglary Others**

*N/A*

**Vehicle Crime / Offences – Reports**

*N/A*

### Criminal Damage

*1x Chadwick House – Youth related issues”*

Some Members stated that the Police report feels too vague, and they would like to ask PCSO Palfrey to elaborate on some of the issues mentioned.

Councillor Brereton asked if there could be any more information given on the ‘indecent exposure’ incident that occurred at Birchwood Shopping Centre.

#### **Action**

Clerk’s office to contact PCSO Palfrey to ask if he is able to give additional information regarding this incident.

Councillor Ball stated that details of the TruCam’s speed captures do not offer information about the actions are taken following the offence, and the consequences for speeding drivers.

Based on previous discussions with the Police it is understood that a letter is automatically generated from ANPR technology, and normal speeding fines/points are issued.

Councillor Ball asked if another Police Officer could be sent to Council Meetings if PCSO Palfrey is unavailable so that Members can ask more information following the receipt of the Police report.

The Chair stated that it is usually reliant on the resources and staff they have available, and that the Police Constables for Birchwood cover the whole of Warrington East.

The Clerk suggested that with the election of the new Police and Crime Commissioner, they may reintroduce meetings at the Town Hall. As Councillor Ball has been elected as BTC’s Police Representative, he could bring up any issues here on behalf of the Town Council.

The Clerk also stated that we have been informed that a knife surrender bin has been in Birchwood Shopping Centre today, however, it was not well-advertised and Officers only found out after the event had passed.

There are three other opportunities locally to make use of knife surrender bins, which are at Padgate Community Centre between 1pm – 2pm on Tuesday, 14<sup>th</sup> May, Woolston Neighbourhood Hub between 9am – 10am on Thursday, 16<sup>th</sup> May, and Culcheth Library between 11am – 12pm on Friday, 17<sup>th</sup> May.

#### (b) Public Participation

There was one member of the public in attendance, but they had no comments to add at this time.

### 044/24-25 APRIL COUNCIL MEETING MINUTES

Councillor Simcock **proposed**, Councillor Brereton **seconded** and it was **unanimously resolved** that: The Minutes of the Town Council Meeting held on 23<sup>rd</sup> April 2024 be approved as an accurate record and signed by the Chair.

## **PROGRESS**

### 045/24-25 **WARRINGTON BOROUGH COUNCIL**

(a) **Garrett Field Roundabout**

The Clerk stated that she will contact WBC about the issue with speeding on the Garrett Field roundabout which resulted in an incident between vehicles prior tonight's Council Meeting. The number of accidents at the junction has been raised with WBC previously, but we have not yet had a response from WBC.

(b) **Flooding on Delenty Drive and Lords Lane**

The Clerk stated that cones and temporary markings have been laid down on the road outside our offices on Delenty Drive. Officers believe this is related to the drainage/flooding issue we have reported on numerous occasions but have had no official information from WBC.

Similar markings have been added to Lords Lane, about which we have also made numerous reports of ongoing flooding to WBC.

(c) **Information Board for Cross Lane South Cemetery**

The Clerk stated that, despite multiple attempts to liaise with WBC about this matter, there has been no update.

(d) **Wildflowers**

The Clerk confirmed that most of the areas chosen for Wildflowers have now been sprayed and prepared, ready for seeding.

### 046/24-25 **YOUR HOUSING GROUP (YHG) - UPDATES**

(a) **Walkabout with YHG**

Following a walkabout between the Clerk, BTC's Senior Maintenance Operative and Paul McNeilly from YHG, the Clerk reported that YHG are now aware of the numerous issues residents are having on the Chatfield estate. This includes misused bin areas which are encouraging rubbish to be flytipped, flytipping that has been reported to YHG and has not been collected for many months and dangerous steps that were taped off after a previous BTC/YHG walkabout in January, but the tape has since been removed.

YHG's representative has raised these matters internally and has assured BTC that if nothing has been done, he will escalate it further.

The Clerk stated that the MUGA in Chatfield was also brought up during the walkabout. It is in need of some maintenance work, including cleaning. YHG have said they will look into this.

The Clerk said that they noticed around five trees near Leatham Close which were dead, in poor condition or potentially dangerous. The day before the meeting, one of these trees had been pushed over.

The Clerk added that tomorrow, YHG would be doing a safety inspection of the trees, and any work would be actioned in an "appropriate timeframe".

YHG have suggested reintroducing quarterly meetings between BTC and YHG to discuss matters such as those noted during the walkabout.

Officers have said that BTC will agree to partake, as long as it is not wasting the Council's time or effort.

(b) **Landscaping**

The Clerk asked YHG for a cutting schedule but has not yet received one. She stated that BTC have been informed that shrubs and trees will start to be cut at the end of July.

Councillor Brereton stated that tenants of YHG properties have been given a letter regarding a cutting schedule and could bring one to the Clerk for information.

**Action** Councillor Brereton to bring YHG cutting schedule letter to BTC offices.

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

047/24-25 **WARRINGTON BOROUGH COUNCIL**

- (a) Sent/Received - Various emails/online reports/telephone calls following queries/contact from residents regarding flytipping, tree/shrubbery issues, grass cutting, potholes, dog fouling, etc.
- (b) Received – various Traffic Notices.
- (c) The Clerk confirmed that WBC has undertaken the first round of grass cutting for all WBC owned areas in Birchwood. She added that there have been a number of complaints in recent days about the maintenance of grass verges in Locking Stumps.

048/24-25 **YOUR HOUSING GROUP**

- (a) Sent/Received - Various emails/reports following queries/contact from residents including issues with flytipping, shrubbery maintenance, etc.
- (b) Sent – email to YHG reporting that two barriers on Ainscough Common are loose. The Clerk confirmed that the barriers are not next to each other, but still could pose a potential hazard if they fell over. YHG have raised this internally.

049/24-25 **MISCELLANEOUS CORRESPONDENCE**

- (a) Received – Various emails from Warrington Voluntary Action (WVA).
- (b) Received – an email from a concerned resident regarding cutting of the grass verges in Oakwood and the potential damage it might have to biodiversity.  
  
A response was sent to the resident including further information regarding possible land ownership and contact details for WBC.
- (c) Received – an invitation to residents for the 'Friends of Gorse Covert Mounds' group meeting and AGM on Wednesday, 22<sup>nd</sup> May 2024 at 7:30pm in The Poacher public house. This has been displayed on our noticeboards.

050/24-25 **CHESHIRE POLICE**

Received – Various Neighbourhood Alerts.

051/24-25 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, consultations, etc.
- (c) Received – SLCC – various updates, briefings, new items, etc.

052/24-25 PUBLICATIONS RECEIVED

Various LGC e-mail correspondence/briefings.

053/24-25 CURRENT PLANNING APPLICATIONS FOR COMMENT AND OBSERVATION AND OTHER RELATED PLANNING ISSUES

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

- (i) The next DMC is scheduled to take place on the 23<sup>rd</sup> May 2024. There were no items specific to Birchwood on the main agenda for discussion.
- (ii) Information re: enforcement cases specific to Birchwood have been circulated to Members.
- (iii) To note that the following information has been received from WBC relating to the ‘calling-in’ of planning applications:

*“Dear Clerks,*

*Please be aware that on 15<sup>th</sup> April 2024 a modification to the Constitution was agreed by full Council that relates to the calling-in of planning applications to Development Management Committee by Parish and Town Councils. This now states that:*

***d) Any application for development where a notice in writing, and within 21 days of being notified by the Local Planning Authority (21 days is inclusive of weekends and bank/public holidays), has been given to the Director of Growth by a Town or Parish Council, for the relevant ward within which the application site is located, which has expressed a clear view, of either support or objection, view contrary to the subsequent officer recommendation and identifying, to the satisfaction of the Director of Growth, a relevant planning reason(s) for referral;***

*Therefore, a definitive view on whether a Parish or Town Council wish to support or object a proposal will need to be given along with relevant planning reasons within 21 days in order for it to trigger call-in.”*

(b) **Planning Decisions**

At the time of the meeting, there were no Planning Decisions for Birchwood listed on WBC’s weekly lists.



(c) **Planning Applications**

*All plans can be viewed via:*

[http://www.warrington.gov.uk/home/transport\\_planning\\_and\\_environment/Planning/Search\\_planning\\_applications/](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. 2024/00225/FUL** Unit D, E and F Birchwood Shopping Centre, Warrington, WA3 7PQ. Proposed external alterations to existing retail units to facilitate their operation as a single foodstore (Use Class E); modifications to vehicular access and car parking; relocation of mechanical plant and associated site works.
- (ii) Following last month's late submission to the papers for **Application No. 2024/00312/FULM** Spencer House Dewhurst Road, Warrington, WA3 7PG. Proposal for 11 no. small industrial units contained within 2 no. buildings to be located on land adjacent to Spencer House 81A Dewhurst Road, Warrington, WA3 7PG:

Officers asked Councillors for any comments they had regarding the application, and this has been compiled into a response written by the Clerk and sent to Councillors, for approval, which will need to be sent following the Council Meeting due to a short deadline.

The Chair stated that he 'called it in' when he was still a Borough Councillor and does not believe it will get to the DMC, as his understanding is that the Highways colleagues at WBC have also objected to the proposal.

Members **unanimously resolved** for the Clerk to send the draft response as an objection to the Planning department.

**Action**

The Clerk to send objection letter on behalf of BTC to WBC Planning.

**This part of the meeting concluded at 7.35 pm.**