



Minutes of the Meeting held on 11 February 2019 at 7.00pm in Elton Community Centre

**PRESENT:** Councillors Maureen Wilson (Chair), Colin Crispin, Martin Dickinson, Pauline O'Reilly, Margaret Lockhart, Steve Serna, Ruth Ackroyd

### **19.17 APOLOGIES FOR ABSENCE**

Councillors Nigel Goodliffe, Ron Reading and Ian Miller

### **19.18 DECLARATIONS OF INTEREST**

No declarations of interest as Cllr Crispin left the meeting.

### **19.19 PUBLIC SPEAKING**

There were quite a few members of the public who wished to raise their concerns in relation to Planning Applications made by the Owners of Orchard Park Caravan Park. Residents of nearby properties (Coppice Green, Marsh Lane and Anvil Close) who felt that over the last few years the owners of the Caravan Park had flouted Planning Laws and shown total disregard to neighbours when digging up car parking spaces, cutting down trees and positioning a number of extra mobile homes within the Caravan Park. Members of the public spoke very strongly about how they had been shown no consideration from the owners of the Caravan Park and that when they had complained to Cheshire West and Chester Council about the issues (intrusion/lack of privacy, water ingress, collapsed garden fencing due to excavation, homes being sited without Planning Permission, intensive overdevelopment) they felt their complaints had fallen on deaf ears until last year. Despite CWAC issuing the Caravan Park owners with Breach Notices and ordering the removal of the illegal homes, the owners of the Caravan Park had not done so and instead kept making various Planning Applications to CWAC. The residents pointed out that it was noted that Elton Parish Council "had not objected to the Planning Applications". Cllr Ackroyd explained that the Parish Council had not commented on the previous Planning Applications as it had not been aware of them. Cllr Wilson

explained that the recent Planning Applications made by the Owners of the Caravan Park were due to be discussed by Councillors later this evening and a decision would be made on the Parish Council's stance, taking into consideration all the comments made by members of the public this evening. Cllr Wilson also advised that residents should also make their own individual representations to the Planning Officer with their concerns. A member of the public supplied the Parish Clerk with an email address of the person they had been dealing with at CWAC Planning Department – Mike Allard [mike.allard@cheshirewestandchester.gov.uk](mailto:mike.allard@cheshirewestandchester.gov.uk)

A member of the public who lives in Highfield raised her concerns relating to the Protos Appeal Plot 8 Ince Resource Recovery Park Grinsome Road Ellesmere Port Cheshire - Removal of Condition 13 (railway line into the site) of planning permission 16/03074/FUL (Energy for Waste Facility). Cllr Wilson said that Protos had made an Appeal to the Secretary of State against CWAC's decision to refuse to grant planning permission. A Public Forum was held on 22 January 2019 to discuss this matter along with 2 other contentious Planning Applications and following this meeting the Parish Clerk had submitted a letter to the Planning Inspectorate objecting to the removal of Condition 13 and supporting of CWACs decision to refuse this Appeal. The closing date for submissions was 7 February 2019 and a decision is awaited in relation to this matter.

A member of the public commended the Parish Council on the dog park. She said it was fantastic and an asset to the Village and she was very happy to hear that it was planned to be extended. She suggested that rather than extend the dog park to one large area, it would be more beneficial if there could be 2 separate paddocks.

A resident of Coppice Green enquired what the Parish Council was going to do about the fly-tipping and fallen trees across the pathway of Pogo's Wood (aka Marsh Lane Greenway). Cllr Wilson explained that it was currently unadopted and ownership was in dispute between CWAC and Elton Parish Council. Until that issue was resolved the Parish Council would be unable to carry out any work in that area. Previously, volunteers/residents had come together to clear the area but that was approximately 2 years ago. It was suggested that the residents could do this again.

A member of the public asked if anything had been done about contacting CWAC in relation to matters she had raised relating to the walkway off Rycroft at the December 2018 Parish Council meeting

The Parish Clerk explained that she had contacted the Locality Manager at CWAC and had been advised that these matters needed to be logged via CWAC's website, which the Parish Clerk did. However, she was later contacted by CWAC requesting further information on the location, which the Parish Clerk was unable to give due to lack of knowledge on the area. Therefore, residents should log these issues themselves on CWAC's website. Then if there were any questions/queries CWAC could then contact the resident directly. It was agreed that the Parish Clerk would prepare a notice for placing on the Parish Council website advising residents to log general issues and dog fouling on CWAC website.

Another matter raised by a member of the public was that a sign on the electricity substation on the Village Green relating to a by-law in respect of dog fouling had been removed by contractors when the substation had been painted approximately 2 years ago. This sign had not been reinstated. Could a new sign be put in place? Cllr Wilson agreed that a new sign could be put on the Village Green and arrangements would be made for this to be done.

A member of the public raised the condition of the bus stops and that she believed they were the Parish Council's responsibility. Cllr Wilson said that she would make enquiries about this.

The Community Centre AGM was raised as a concern as it had not yet taken place. Cllr Wilson said that it would be added to the Agenda for next month's Parish Council meeting. Cllr Crispin left the room.

## **19.20 POLICE REPORT**

Cllr Lockhart reported that it had been very quiet apart from a petty theft from the Spar.

## **19.21 MINUTES**

The Minutes of the Council Meeting held on 14 January 2019 were motioned for approval by Cllr Wilson. Cllr Lockhart asked Cllr Wilson if she could define the responsibilities for the dog park which was given back to her at January's meeting. Cllr Wilson referred to CHALC recommendations that more than 1 person should be assigned to each responsibility. Cllr Dickinson requested that the CHALC recommendations Cllr Wilson was referring to be forwarded to all Councillors. Cllr Wilson agreed to do this. Cllr Lockhart was

very unhappy that following last month's Parish Council meeting and her reinstatement onto the dog park committee, she was not invited to a meeting with a contractor in relation to the dog park. Cllr Wilson apologised for the oversight stating she thought Cllr Reading had invited Cllr Lockhart. Cllr Serna expressed his disappointment that Cllr Lockhart had not been invited to attend the meeting about the dog park. Cllr Lockhart put a vote of no confidence in against Cllr Wilson and said she wanted this minuted.

## 19.22 FINANCE

(1) To note/approve payments made in January 2019

Date	For	Amount
03.01.19	Countrywide – Ground Maintenance – Inv No 38431	£205.70
03.01.19	Reimbursement to Elton Community Centre – Screwfix Order No A3846362937 – Traffic cones and high viz Waistcoat	£119.16
09.01.19	Morris & Co Invoice No 122856	£127.74
14.01.19	Northwich Town Council Invoice No 3279 Operational Play Inspection and clean	£88.20
14.01.19	Chester Voluntary Action Invoice No 472 – Training	£15.00
14.01.19	Parish Clerk Expenses	£51.01
15.01.19	Staff Wages	£1148.18
15.01.19	HMRC	£149.80
16.01.19	Cllr Wilson Expenses	£150.00
16.01.19	Reimbursement to Elton Community Centre for lockable cupboard	£180.00
16.01.19	Mid Cheshire Maintenance Inv SI-2530 for work on Jubilee Field	£708.00
22.01.19	Direct Debit - Peninsula Business	£131.56
24.01.19	PKF Littlejohn Inv SB201805020 – AGAR Return 2018	£288.00
28.01.19	Northwich Town Council Invoice No 3310 – Repairs to play equipment	£936.00
28.01.19	Countrywide – Ground Maintenance (01.07.18 to 31.07.18) – Inv No 14222	£562.28
28.01.19	Countrywide – Ground Maintenance (01.08.18 to 31.08.18) – Inv No 21134	£562.28
28.01.19	Countrywide – Ground Maintenance (01.04.18 to 30.04.18) – Inv No 2788	£562.28

28.01.19	Countrywide – 2 x additional areas cut Oct 18 – Inv No 30339	£60.00
<b>Total</b>	<b>January 2019</b>	<b>£5,985.11</b>

Cllr Wilson stated that it had come to light that errors had been made by the previous Parish Clerk relating to the payment of invoices to Countrywide in respect of grass cutting. It appears that Elton Parish Council had paid a couple of invoices which belonged to Ince Parish Council. These amounts would be reimbursed.

Cllr Wilson said that for the forthcoming year we should look to find a new contractor for the grass cutting. Cllr Serna suggested joining up with Ince Parish Council and sharing a contractor. Cllr Dickinson stated he thought that Countrywide had done a good job overall, in particular the Village Green.

Cllr Dickinson asked why the contract with Play Inspection & Maintenance Services had been terminated. Cllr Wilson said that inspection reports had not been coming through to the Parish Council which lead to issues with the play equipment not being dealt with resulting in unnecessary expenditure for minor repairs which had been left and then needing more substantial repairs than if they had been dealt with sooner.

Cllr Lockhart question the annual cost of maintaining the planters. Cllr O'Reilly asked why the Allotment Committee had not been asked if they were interested in maintaining the planters. This would give a vital income to the Allotment Committee and thus keeping the money in the Village. Cllr Wilson said that due to health and safety this wouldn't be possible. Cllr O'Reilly said that in Helsby they offer "adopt a planter" so why could this not be done in Elton? Cllr Wilson asked Cllr O'Reilly to take the suggestion to the Allotment Committee for consideration. Cllr Serna mentioned that the Scouts run a plant sale each year and maybe the Parish Council could purchase their plants from the Scouts.

Cllr Dickinson queried the purchase of traffic cones. Cllr Wilson said that the car park outside the Community Centre is owned by the Parish Council. The cones were purchased for use at the unveiling of the WW1 Memorial.

Cllr Dickinson requested that time be set aside to discuss responsibilities to finance. Cllr Wilson said that the Finance Report had only just been received back from the accountants.

Cllr Dickinson questioned the amount spent by the Parish Council

on the Community Centre drains when the drains were the responsibility of the Community Centre. Cllr Wilson reiterated that there was a health and safety concern as the drains were backing up in the doctors and the scout hut.

The matter of the play area inclusive swing will be put on next month's agenda.

(2) Income January 2019 – None

(3) Balance in Bank as at 31 January 2019 £35,041.48

## 19.23 PLANNING

(1) **Applications** received by CWAC since the last meeting of the Parish Council

18/04671/WAS	Protos, Plot 4 Grinsome Road, Ellesmere Port CH2 4RB - Development of a Bio-Substitute Natural Gas Renewable Fuels Facility that would utilise up to 175,000 tonnes per annum of waste wood and RDF to generate a gas for injection into the gas Grid (proposed 84 HGV movements) – agreed that quite a good development, however the Parish Clerk to raise concerns relating to HGV traffic and comment that this development highlights the need for a railway line onto the Protos site.
19/00106/S73	Orchard Park, Orchard Park Caravan Park, Elton, Cheshire – Removal of Condition 1 of Permission 03/00034/S73 – ongoing restrictions on the management of the park – Agreed that the Parish Clerk will lodge a comment objecting to this application due to residents' concerns raised this evening.
19/00109/LDC	Orchard Park, Orchard Park Caravan Park, Elton, Cheshire – Lawful Development Certificate - Lawful use of the entire site is as a caravan site and land used in conjunction with the caravans for parking – it was agreed that the Parish Clerk will lodge a comment objecting to this application due to residents' concerns raised this evening.

**(2) Decisions** made by CWAC since the last meeting of the Parish Council

18/03778/FUL	12 Deansfield Way, Elton CH2 4PP – Two storey side extension - APPROVED
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**(3) Appeals** made to CWaC since the last meeting of the Parish Council

None	
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**(4) Appeals** made to the Planning Inspectorate

APP/A0665/W/15/3129221	Little Meadow, Shotwick-Frodsham Road, Thornton Le Moors, Elton, Chester, Cheshire CH2 4LD – The use of land for the stationing of caravans for residential purposes for 2 permanent gypsy pitches and 6 transit pitches with dayrooms and hardstanding ancillary to that use – UPHELD – this is a temporary approval for 4 years.
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## 19.24 CHAIR REPORT

**(1) Update on Planning Applications discussed at last month's Parish Council Meeting on 14 January 2019**

Cllr Wilson referred the Planning Update attached to these minutes.

Cllr Wilson confirmed that a meeting with the Project Manager for BGS would take place on Wednesday 13 February 2019 at 2pm at Elton Community Centre. Andy Canham, the Geologist who was a resident, will be attending. Members of the public are welcome, however, Cllr Wilson said that she didn't want it to turn into an anti-fracking demonstration.

**(2) Station Adoption**

Cllr Wilson has been liaising with Sharon Marshall, the Localities Manager, about the possibility of working together

with Elton Primary School to adopt Ince and Elton train Station. Cllr Wilson said it is a good idea, however it will have to be put on hold until after the elections in May. Cllr Wilson has met with Mr Manning, the acting Head of Elton Primary School, and he is very keen to collaborate with the Parish Council on a number of projects.

## **19.25 COUNCILLORS' REPORTS**

### **(1) Jubilee Field**

An Extraordinary Meeting of the Parish Council will be held on Monday 18 February 2019 at 7pm in order to discuss the layout of the Jubilee Field. Cllr Dickinson to bring copies of his plans. Cllr Dickinson to forward to the legislation relating to the Natural Environment Act 20023 to Councillors for their perusal in good time prior to the meeting on 18 February 2019.

Cllr Dickinson raised the matter of the Minutes from the meeting on 14 January 2019, specifically section 19.11. He wanted his written reply to these minutes to be published. Cllr Dickinson felt that the contents of the minutes of 14 January 2019 were slanderous and stated that he would seek legal advice. Cllr Wilson said that the fact was the works undertaken on 10 January had not been authorised by the Parish Council. Cllr Dickinson called Cllr Wilson a liar. Cllr Wilson asked Cllr Dickinson if he would like to rescind his comment. Cllr Dickinson refused. Therefore, Cllr Wilson asked for Cllr Dickinson's comments to be put in the minutes. Cllr Serna stated to Cllr Dickinson that a vote had not been taken on the carrying out of the works, only to obtain quotes and funding for the work. Cllr Serna pointed out that in fact it had been agreed (and minuted as such) only a few days prior to the works being undertaken, that a quote would be obtained from another contractor. Cllr Dickinson said he did not know the contractor was going to start the work. Cllr O'Reilly asked Cllr Dickinson how the contractor gained access to the site. Cllr Dickinson replied that the contractor had cut the chain. It was agreed that Cllr Dickinson's reply would be published as part of these minutes but that they would be anonymised. It was also agreed that the first part of Cllr Dickinson's reply would be omitted as it was not considered necessary to publish that section.



**(2) Website / Social Media / Newsletter**

Cllr Lockhart asked why there was no mention of the Church Hall on the Parish Council website? Cllr Wilson said that it was because the Parish Council could not affiliate itself to a religious body. There was discussion around the Church Hall being a community building and not a place of worship. It was agreed that Ruth should write a small piece relating to the Church Hall and email this to Cllr Crispin for putting on the Parish Council website.

**(3) Dog Park**

An Extraordinary Meeting of the Parish Council will be held on Monday 18 February 2019 at 7pm in order to discuss the layout of this and the Jubilee Field. Cllr Dickinson requested that an indication of the overall cost of maintaining the dog park be brought to the meeting.

**The Chair Closed the Open meeting and requested that members of the public leave as there was to be a closed session.**

**AGENDA PART 2 – MATTERS TO BE CONSIDERED IN THE ABSENCE OF THE PRESS AND THE PUBLIC**

**19.26 POLICIES AND PROCEDURES**

Cllr Wilson advised that at the Parish Council meeting on 11 March 2019 she will explain to Councillors the process for completing their nomination papers for the May election.

**19.27 OTHER MATTERS**

Cllr Ackroyd referred to Cllr Lockhart's earlier vote of no confidence and asked what the next step was to be. Cllr Lockhart explained that she just wanted her vote of no confidence in Cllr Wilson on the record and that there was no further action required.

**19.28 DATE AND TIME OF THE NEXT MEETING**

Monday 18 February 2019 at 7.00pm in the Elton Community Centre. The Chair closed the meeting at 9.30pm.

## PLANNING UPDATE

### Geological Research Facility – Planning Application Ref 18/04894/FUL

- The Parish Clerk has liaised with Helsby Parish Council, Mickle Trafford Parish Council and Frodsham Town Council regarding the Planning Application for the Geological Research Facility. The Parish Clerk for Helsby has confirmed that Helsby Parish Council objects to this Planning Application and has lodged its objections with the Planning Department. Frodsham Town Clerk has advised that Frodsham Town Council supports this Application and has lodged its support with the Planning Department. Mickle Trafford Parish Council have not confirmed either way if they object/support.
- Parish Clerk has lodged Elton Parish Council's objection to this planning application using Andy Canham's model letter. The model letter has also been placed on Elton Parish Council's website and a link has been placed on Elton Parish Council Facebook page for residents to use if they so wish.
- The Parish Clerk contacted Rob Charnley, the Case Officer at CWAC, to request an extension to the consultation period on the ground of complexity and CWAC Planning Portal being down for maintenance between 14 January and 17 January 2019. Mr Charnley has stated that the period will be extended at least until end of February 2019 and if the Parish Council required further time then they should let him know.
- The Parish Clerk has contacted Frack Free Upton who are already aware of this application. They will contact the Parish Clerk shortly.

### Protos, Plot 8 Ince Resource Recovery Park, Grinsome Road – Planning Inspectorate Ref APP/A0665/W/18/3213090 (removal of Condition 13 (railway line into the site) of Planning Permission 16/03074/FUL (Energy for Waste Facility). Application 18/01543/S73. Appeal Ref 19/00001/REF

- The Parish Clerk has lodged Elton Parish Council's objection to this appeal with the Planning Inspectorate quoting STRAT10 of the Local Plan Part 1 (Transport and Accessibility).
- Helsby Parish Clerk has confirmed that Helsby Parish Council have written to the Planning Inspectorate to reiterate their objection removal of Condition 13 also stating STRAT10.

Encirc Glass – Planning Application 18/04948/S73 (Variation of Condition 4 (to reduce HCV Movements))

- The Parish Clerk has lodged Elton Parish Council's objection to this Planning Application on the grounds of noise pollution, air pollution, loss of amenity, traffic flow, effects on road infrastructure and safety concerns if HGV movements increased.

Protos, Plot 4 Ince Resource Recovery Park – Bio-SNG Facility (incinerator) (84 HGV movements) – Planning Application Ref 18/04671/WAS

- A Public Consultation Even took place at Elton Community Centre on 29 and 30 January 2019.

Air Quality Monitoring along Ash Road, Elton

The Parish Clerk has been liaising with Ian Nadin, Senior Regulatory Services Officer at Cheshire West and Chester Council, regarding the Parish Council's concerns in relation to current air quality and the potential additional impact on the air quality along Ash Road and Elton in general. Ian has confirmed that an increase in the flow of HGVs of the magnitude proposed in the above Planning Applications, would require an air quality impact assessment to accompany the planning application. He advised that his department would be consulted for comment. Ian also said that Carbon dioxide is a greenhouse gas rather than a local pollutant, so it is not something that his department monitor. Nitrogen dioxide (NO<sub>2</sub>) on the other hand, is a pollutant emitted from vehicle exhausts and one which is monitored widely. A national objective has been set for the protection of public health and the vast majority of Air Quality Management Areas (AQMAs) across the UK, including three in Cheshire West and Chester, have been designated because of exceedances of the annual mean objective for NO<sub>2</sub>. Taking into account the current traffic flow, background pollution levels and distance of houses from the carriageway, it has not been necessary to declare an AQMA around Ash Road. They will determine whether this would still be the case with the proposed increase in HGVs on receipt of the assessment referred to above. For reassurance, however, they will install a NO<sub>2</sub> diffusion tube on Mulberry Close. This will commence Wednesday 6th February 2019 and the tube will be replaced and analysed at monthly intervals. The Parish Clerk has requested that the monthly data analysis be forwarded to her.

## **Councillor Dickinson's reply to the Minutes of Elton Parish Council meeting 14 January 2019**

At an Extraordinary Meeting of the Parish Council held on the **26 September 2018** the following statement within the minutes and in section **18.86** should be held as a matter of fact.

*'The meeting had been called to consider options available for funding of the work needed on the Jubilee Field in order to bring it up to standard so that the general public could access it for leisure purposes. As an aside it was noted that a similar park in Northwich was sponsored by Cheshire West & Chester Council. Grant was available from a number of sources but time was running out to apply for some of these grants. It was resolved that Councillor Dickinson should explore the options available and apply for funding where possible. Councillor Dickinson was also asked to supply details of where the boundary of the Dog Park area would be.'*

At the forementioned meeting a quote was presented to the Parish Council detailing the works to be carried out and the associated costs.

**It was agreed to seek the sum total of £912 for the associated works through the Cheshire West and Chester Council Members Budget Award Scheme to avoid the costs associated with the Jubilee Field development being incurred by the Parish Council, its expenditure being limited by a modest precept.**

On **11 November** Elton ward councillor confirms that he is happy to fund the work and invites myself to complete the formal application process.

Funding is confirmed and the Parish Council informed at the meeting of **12 November**.

A completed application form is sent via email to the relevant Officers and also to **Cllr xxxx** on **16 November 2018**.

It should be read and noted that a condition for the funding was to complete works by **31 December 2018**.

On **14 December 2018** and via email I enquired to the company from which the quote was provided confirming funding and for them to offer possible dates for completing the associated works. No response was received to this email, however on **Thursday 10 January 2019** at **13:10** a text message was received the contents of which stated;

*'Hi just to give the heads up I think xxxxx is planning on starting your job in Elton today'.*

Needless to say, by the time I arrived on the Jubilee Field, xxxxxx had completed the work and left Elton.

**Despite the obvious mix-up, the work completed was of significant quality in that it levelled the area for the purpose intended and a £120 discount was provided on the invoice. The enthusiasm of the company involved is such that they are prepared to supply, free of charge 2-3 bins and a park bench to the project.**

**I now invite Elton Parish Council to revisit the Minutes dated 14.01.19 and in particular section 19.11**

It is with interest that I would also point out that a verbal plan of the concept design for the Jubilee Field development was provided to the Parish Council and minuted as such on **12 March 2018**, as of **20 January 2019** the forementioned minutes are not available on the Parish Council website. It is also of interest that a write up and concept plan was also posted to the Parish Council's Facebook page around the same time, but has since been deleted.

Kind Regards,

Martin Dickinson.