

# WRIGHTINGTON PARISH COUNCIL

At the Meeting of the Council of the Parish of Wrightington held on Monday 21<sup>st</sup> November 2022 at Mossy Lea Village Hall at 7.30pm the following were present:

Councillors: Mrs J Burton (Chairman), Mr F Johnson, Mr F Hodgkinson, Mr A J Shaw, Mr J Chambers, Mrs K Jukes, and Mr R Alexander. Also present were Borough Councillor Bailey and 10 members of the public.

## OPEN FORUM

(At this point in the Meeting members of the public present can report, ask questions, raise issues and make observations on parish matters or items appearing on the Agenda. Reports will also be received from the Police, Borough and County Councillors if attending – Once open forum is closed the Chairman will only suspend standing orders to allow public participation in extreme circumstances.)

The Chairman welcomed everyone to the meeting and asked that everyone's points of view be treated with respect. The Chairman reminded Councillors that the Parish Council cannot make any decisions during Open Forum. Open Forum is for the public to express their views, make comments, observations or objections on matters on the Agenda. Councillors will take that information on board when dealing with that Agenda Item in the Meeting. If a member of the public raises an item which is not on the Agenda, that the Parish Council cannot deal with under Highways and Environment, or Village Halls for example, the Chairman will suggest putting this on the next Agenda for discussion.

Borough Councillor Bailey – reported on the current LCC Moving Traffic Consultation and the wider issue of trying to restrict HGV's going through smaller villages to make them safer.

Public Present – A resident present reported on activity on West Quarry at the rear of his house. He reported the felling of trees, damage to gas pipe work caused by machinery, leakage of landfill gas and the effect this had on residents' health. He reported on the court summons in relation to gas leakage and storage of combustible materials on this land. It was stated that correspondence items a), b) and c) draw attention to issues at West Quarry. He requested that the Parish Council make it clear that they do not support the actions of the landowner. He reported that the landowner's Masterplan presented to the Parish Council in 2019 is unachievable and that pre-application advice sought by the landowner indicated that the site is Green Belt and a landfill site and that planning permission was unachievable. He suggested obtaining the planning officers pre-application advice to understand the bigger picture. Another resident requested that correspondence item c) be read out to inform those present of the contents and requested the right to speak about this afterwards. The Clerk read this item of correspondence aloud. He felt the contents were shocking, confirming that the breaches reported were relevant to West and Parbold Quarries. He reminded those present of 2 further enforcement notices i.e.: one for creating a car park without permission and one for burning waste on the pad. He reported that gas emissions which should be collected and burned off are being allowed to escape into the local area, that the combustible materials should be removed and disposed of in a site specifically for hazardous waste, that leachate from the landfill should be contained and dealt with properly. The resident reported an exchange of text messages which lead to a Meeting with the Vice-Chairman on the 14<sup>th</sup> of July 2021. The Chairman was unaware of this. He reported that he and the Vice-Chairman accessed West Quarry where they discussed broken gas systems, disconnected pipes and damaged well heads. They looked at the area where trees had been felled and where fencing was broken. They discussed the combustible materials on the pad and he showed the Vice-Chairman a sample of the materials which become contaminated during the break-down process. He explained to the Vice-Chairman that the information he was giving him was facts which can be evidenced. They looked at monitoring equipment at borehole No.8, 6m from a resident's garden and 65m from Appley Bridge Village Hall. He showed him publicly available information from the Environment Agency indicating that this borehole is releasing gas 5 times greater than the trigger levels. He explained to the Vice-Chairman the composition of the gas affecting the health of residents in the vicinity. He alleged that the Vice-Chairman had chosen to withhold vital information from the Parish Council and that he had chosen not to report the residents' views to the Parish Council. He suggested that in industry such inaction would result in instant dismissal. He asked the Clerk what laws the Vice-Chairman had broken and which regulatory body should be informed? He asked that the Chairman take swift and decisive action tonight despite the absence of the Vice-Chairman. It was reported that, as taken from the gov.com website the purpose of Parish Councils falls into 3 main categories 1) representing the local community. 2) delivering services to meet local needs. 3) improving quality of life and community well-being. The resident felt that the Vice-Chairman must not be allowed to bring this Parish Council into disrepute and that action should

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be taken before any further damage is done to the reputation of this Parish Council. He felt this was a breach of the Code of Conduct. It was suggested that Parish Councillors are using their own personal views and not taking account of residents' views. It was again pointed out that the Vice-Chairman had broken the Code of Conduct and points 1 and 3 of the government guidance and that the regulatory body to be informed should be LALC. The Clerk confirmed that if a breach of the Code of Conduct had occurred then any report would be to the Monitoring Officer.  
The Chairman closed Open Forum at 8.15 pm.

58. **APOLOGIES** – Were received and accepted from Councillor House (working late).
59. **DECLARATIONS OF INTEREST** – Members were asked to consider any personal/prejudicial interest they may have to disclose in relation to matters under discussion at the Meeting – **Councillor Mrs Jukes declared a personal and prejudicial interest due to the fact that she is currently in a legal dispute with the owner of West Quarry over land ownership, which remains on-going. No further declarations were made at this point in the Meeting however, should a Councillor feel he/she has any interest in later matters he/she will declare it at that point.**
60. **MINUTES** – The Minutes of the Meeting of the Parish Council held on Monday 17<sup>th</sup> October 2022 had been circulated in advance of the Meeting – Councillor Alexander felt the Minutes required amending in relation to the substance of the proposal voted on at the July Meeting. The Clerk read aloud what Minutes should be, as defined by Charles Arnold Baker in Local Council Administration in English Parishes and Welsh Communities and as taken from Knowles on Local Authority Meetings – A Manual of Law and Practice. Councillor Shaw proposed that the Minutes are a true record. Councillor Johnson seconded the proposal. Councillor Alexander put forward an amendment that the Minutes do not represent in some detail the events that happened in the Parish Council Meeting of October. This was seconded by Councillor Chambers. **Following a majority vote the proposal was carried and it was Resolved – That the Minutes are a correct record and were signed by the Chairman.**  
Councillor Alexander, on a point of order, suggested that the vote was invalid as the Chairman had accepted a vote from Councillors who did not stay for the entire Meeting. The Chairman confirmed that the Parish Council will be moving on from this point in the Meeting. Councillor Alexander confirmed that he did not accept the Minutes.
61. **PARISH COUNCIL STANDING ORDERS & PARISH COUNCILLORS CODE OF CONDUCT** – Requested by the Chairman as it has been pointed out that Meetings can be difficult for members of the public to listen to and understand. She confirmed that she will be taking the Meetings back to basics. Any Councillor wishing to speak is asked to raise a hand. Councillors will be asked to speak on the matter up for discussion on the Agenda, before making the decision. Having taken advice from West Lancashire BC Monitoring Officer, this is the most appropriate way to control meetings and discussions, and to ensure that the Parish Council and Parish Councillors are complying with their Standing Orders and Code of Conduct. She confirmed that whilst healthy debate is good, recent Meetings have been very difficult to control and for the Clerk to Minute. She confirmed that all Councillors have received a copy of Standing Orders and the Code of Conduct and she hoped that the Council can now move forward as a Parish Council and represent the community – **This was noted by the Parish Council.**
62. **CORRESPONDENCE/INFORMATION ITEMS**  
Items reported to, & noted by, the Council – no decision required: REPORT 1 – pages 7 – ACCEPTED.  
Items requiring discussion, observations or action by the Council:  
a) Copy of an Enforcement Notice issued in respect of work/activity at West Quarry, Appley Bridge, to Maybrook Developments (Appley Bridge) Ltd and Northern Diver (International) Ltd, effective from 30<sup>th</sup> November 2022. Reference the laying of road plainings without planning permission. Action required – break up road plainings, remove all materials arising from carrying out the work, ensure the plainings are not deposited elsewhere on the land and

restoration/reinstatement to a natural state. Within 2 months of the effective date of the notice to carry out removal works and reinstatement works within 3 months – **Councillor Jukes left the Meeting during these discussions. Councillors all agreed that 6 charges in court and 2 enforcement actions is shocking and disgusting and agreed that the landowner and the company will be, and should be, punished through the legal process and that the Health and Safety Executive should take him to task. Councillors appreciate that it affects those who live around the quarry. However, the Parish Council has to be cautious when commenting on things in case they are seen to be pre-judging matters. Councillors stressed that, despite criticism of the Parish Council by members of the public, all decisions on quarry related matters are made by LCC. The Parish Council can comment but has no authority to do anything. It was suggested that the residents need to be making these comments directly to LCC, West Lancs. BC and the Environment Agency. Councillors are disgusted at the level of deceit, coercion and criminality in the cases against the landowner and his company and, knowing that the company has pleaded guilty to the 6 charges against them, asked that in light of this the Parish Council withdraw their support for him. The Chairman confirmed that support from the Parish Council was for proposals at East Quarry not for activity at West Quarry. Concern was expressed about the possible offences which could occur in the future at East Quarry. The Chairman confirmed that she attended West Quarry at the time of the reported methane leaks, and when the trees were felled, even speaking to the tree officer at West Lancs. BC at the time. It was confirmed that the Parish Council had also written about the combustible materials and the failing gas monitoring equipment. The Chairman confirmed that the Parish Council supported the application to install the ramp and the draining and filling of East Quarry but not any of the activities at West Quarry. It was confirmed that LCC deal with all the activities at the Quarry and that residents should ask their County Councillor to support their objections at County Level. Councillor Alexander proposed that, given the information put forward tonight, the Parish Council should withdraw, and no longer continue to support the landowner or his company in any of his plans. Councillor Chambers seconded this. It was again confirmed that the Parish Council do not support any of the actions at West Quarry. It was reiterated that the Parish Council objected to the combustible waste stored on the pad and to the methane leaks. The only support is for the draining and filling of East Quarry, not all his developments. Given the illegal activities of the last 12 months the Council were asked to withdraw support for the company and the landowner. These are now all legal matters and the Parish Council cannot interfere with a court case. The Parish Council are being asked to withdraw all of their support for all the reasons expressed so far, for the company and landowner breaking the law. Councillor Shaw said the proposal was illegal as the vote to support the draining and filling of East Quarry was taken in July and cannot be altered for 6 months and that the proposal was not to stop his illegal activities it was to save lives. It was confirmed that if the correct authorities decide that he can go ahead and drain and fill East Quarry, then it would be up to those authorities e.g. LCC and the Environment Agency, to ensure compliance. It is not up to the Parish Council to police this, it is LCC and the EA's responsibility. It was suggested that whilst the Parish Council sympathise with the residents, no further comments should be made about the landowner or the company, to avoid possible legal action. These matters should be left to the courts to decide. There was no vote on the proposal. These matters should be left to the right authorities to deal with.**

Councillor Jukes re-joined the Parish Council Meeting.

- b) Information/Email trail from a resident in relation to correspondence between West Lancs. BC & Northern Diver in respect of the unauthorised development referred to in a) above, summarising the chain of events leading to the issue of the enforcement notice. + a copy of an extract from The Maybrook Group website dealing with West Quarry, Community Questions and Answers – which the resident would like discussed in Open Forum above – **Noted.**
- c) Response from the Environment Agency to the Parish Council request for an update of the current position with regard to legal action in relation to activity at West Quarry, Appley Bridge. Read aloud in Open Forum – **Noted.**

- d) Email from a resident who is of the opinion that some Councillors are voting on important matters directly affecting the local community, based on their own opinions – **Councillor Alexander reported anything he has said about development plans for East & West Quarry are supported by the community and are not his personal views, including not having trust in the landowner or the company. Other Councillors noted this item.**
- e) Email from a resident requesting clarification of the outcome of the WI request for a grant from the Parish Council for a projector stand and, depending upon the outcome of those discussions, a request for a donation towards enhancing and improving the environment of Appley Bridge – **The Clerk will ask if this is a genuine request for a donation.**
- f) Copy of LCC’s latest version of their SPID Policy and Procedure – October 2022 for information – **The Clerk highlighted some aspects of the protocol which the Council will need to consider when purchasing and deploying their own SPID’s. The Insurance implications will need to be pursued and understood when relocating the SPID’s. It may be necessary to employ a contractor to move them around going forward – Noted.**
- g) Request from LCC for your observations on their intention to apply for new powers to enforce moving traffic contraventions. To be trialled in 4 locations initially – **Noted.**
- h) Request from LCC for your observations on the present operation of the highways Public Realm Agreement & any suggestions for improvement – **Council happy with the agreement.**
- i) Consultation on the subjects and scope of the new Wigan Local Plan – **Noted.**
- j) Notification from ElanCity of an end of year special offer on a twin pack of Elan City Radar Speed Signs, including the mobility pack. (SPID) – **The Clerk explained the differences between purchasing a battery operated moveable SPID and purchasing solar powered moveable units, plus additional solar panels for additional locations. Resolved – The Parish Council will purchase 2 x solar powered SPID’s plus 2 x additional solar panels. These will serve 2 SPID locations in each ward of the Parish.**
- k) Late items received which may require discussion/action/observations for the next Agenda – i) Info. on the new Lancashire Crowd Funding projects – **Noted.** ii) Info. on LCC Warm Spaces Grants – **Noted.** iii) Survey on Forthcoming Local Plan – **The Clerk will complete the survey**

### 63. HIGHWAYS AND ENVIRONMENTAL MATTERS

- Councillor Johnson confirmed that some items on his list have now been addressed. He reported that the carriageway surface on the roundabout at Junction 27 of the M6 is in a very poor state of repair and is considered dangerous. The sunken cutting on Crow Orchard Road, near St Joseph’s Church still requires attention. He has requested a footway and road sweep on Mossy Lea Road, using the LCC Report It system – The reply received indicates that Mossy Lea Road is swept on a 12 week cycle and was last swept on 19/6/22. The response to Report 1(k) says it was last swept on 4/9/22. Councillor Johnson thinks that this is incorrect. Having spoken to an operative he understands that the road sweepers often break down and are in the garage for repair.

Standing Orders were suspended to allow BC Bailey to enter the discussion. He asked Councillor Johnson to forward any correspondence in relation to street cleaning to himself and BC Jukes for follow up as he is also unhappy with street cleansing across the Borough. The Meeting resumed.

- Flooding on the roundabout at Junction 27 of the M6 is dangerous and blocked gullies require attention.
- Parked vehicles in the vicinity of St Joseph’s School on Mossy Lea Road are obstructing passage for lorries and farm vehicles. The Police have been informed on a number of occasions as vehicles are not only obstructing passage for large vehicles but they often obstruct the footways too. Something needs to be done as this is a significant problem.
- The Council will ask if Dial-a-Ride West Lancs. could work with Dial-a-Ride Wigan so that Wrightington residents can access services and facilities in Wigan e.g.: doctors, opticians etc.

### 64. REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES – LCC Parish & Town Council Conference – attended virtually by Councillor Alexander and the Clerk. It was confirmed that the conference was interesting and informative. Presentations were made on Warm & Welcoming Spaces, Enforcement Powers, Mario and the Love Clean Streets App. – **Noted.**

**65. PARISH COUNCIL WEBSITE – PARISH COUNCIL DEDICATED EMAIL ADDRESSES**

– The Clerk explained that it is now time for the Parish Council to consider supplying each Parish Councillor with a dedicated Parish Council email address. This will minimise the risk of any sensitive data being processed by the Parish Council and Councillors. Having investigated this it appears that some website producers provide a number of email addresses when creating and managing the website to ensure compliance with accessibility legislation, to ensure they are modern and up to date and fully compliant as required. There is a set-up charge for this which varies between providers and an on-going annual charge to administer the website, domain name, hosting and to ensure compliance. Councillors Alexander and Shaw agreed to look at the information obtained by the Clerk and report back at the next Parish Council Meeting. The Parish Council will need to understand the levels of control offered to them, that they suite the Parish Council's needs and how many people can work on/access the website. The Clerk explained that it would still be necessary for someone to administer the day to day activity on the website e.g.: uploading the Agenda, Minutes, updating documentation etc. The Clerk confirmed that her knowledge and experience of websites is negligible and that if she were to undertake any of this, training and additional hours to undertake the training and administer the website, would be required. This is also not something she would wish to undertake alone. One or more people would need to volunteer to assist with this.

During this item Councillor Jukes left the Meeting unwell.

**66. NEWSLETTER** – For a decision on distribution, if required, in the Mossy Lea Ward. The Clerk will obtain prices for delivery by Royal Mail to the whole Parish and circulate this information to Councillors. If this proves cost prohibitive, distribution by a local distribution company will be undertaken in Appley Bridge and copies for Mossy Lea will be put in the Village Hall, in the local Churches & Church halls for collection. Forward planning should address this for next year.

**67. VILLAGE HALLS**

**MOSSY LEA** – It was reported that the hot-water boiler in the kitchen is no longer working. A price for a replacement boiler will be obtained for the next Meeting. Councillor Johnson suggested that the toilets are in need of an upgrade, pipework boxing in, repainting, new doors etc. as it is difficult to clean properly. It was suggested that this may be a suitable Capital Bid to West Lancs. BC.

**APPLEY BRIDGE** – Lingotots Friday morning's places available for 0-5 year olds, stopped in December. Results of enquiry to Village Hall users on the potential use of a projector, stand and screen – indicate that many consider this would be an asset although not all users would use it. The Clerk confirmed that the WI has now purchased the tall stand they needed. Councillors agreed that they will hold off on purchasing a projector, stand and screen for the moment. The Clerk reported on Remembrance Day which went well. Left over pop and crisps have been left in the village hall and Councillors agreed that this be donated to the Scouts. A donation of £7.65 was collected for refreshments on Remembrance Day. Councillors agreed that this be given to the British Legion. The Clerk reported a request from the friends of Parbold Cinema to put leaflets in the village halls and in the Notice Boards to try to improve attendance. Councillors agreed to this request. The Chairman reported that grants are available from ASDA towards the provision of warm spaces. It was agreed this is a good idea however, staffing is an issue.

It was reported that the village halls will not be required for a by-election before Christmas. It is likely to be held in early spring.

**68. PLANNING** To discuss the following applications:

- 1) 2022/0983/LDC Certificate of Lawfulness for existing hard standing area adjoining a track running south to north along the ménage with a car park area south of the ménage. Modular building used to house horses. Tunley Moss Farm, 10 Tunley Moss, Wrightington – **Councillor Shaw declared an interest and took no part in the discussions. Resolved – No Objections.**
- 2) 2022/1035/FUL Retrospective planning application for a site storage compound erected adjacent to site car park and fencing. Unit 2 Conway Industrial Estate, Skull House Lane, Appley Bridge - **Resolved – No Objections.**
- 3) 2022/1046/ADV Lighting scheme consisting of 9 floodlights and 60m of festoon lighting. Pesto, 206 Appley Lane North, Appley Bridge – **Resolved – the Council has no objections in**

**principle to the proposals provided they would not in any way affect night-time driving or create a road hazard. Also, that they would not cause a potential distraction to motorists and would not have a detrimental impact on neighbouring residents.**

69. **STANDING ORDERS – Resolved:** In Accordance with Standing Order No 19, Standing Order No 18 was suspended to allow the remaining items of business to be conducted.
70. **LANCASHIRE ASSOCIATION OF LOCAL COUNCILS** – Notification of Training Events for Parish Councillors – New Councillors & Clerks Training & Getting Parish Councils prepared for Local Council Elections in May. Request from Clerk to take up some E-Learning Courses available through LALC. Details of the 2022-23 National Salary Award agreement to be implemented from 1<sup>st</sup> April 2022. **The Clerk confirmed that if any Councillors wished to attend the training please book online to receive the necessary joining instructions. An invoice will be sent to the Parish Council in due course for payment. The Clerk asked if she could sign up for 3 of the E-Learning courses on the website i) Understanding Precepts ii) Data Protection Essentials GDPR iii) Stress Management. The Clerk explained that her role had been particularly challenging and stressful over the past few years and felt that the latter course would provide her with the necessary tools to deal with the stress and to learn how to raise such issues with the Parish Council as her employer. The cost of each course is £15. Resolved – The Parish Council agree that the Clerk enrol on these 3 courses. Invoice to be paid in due course.** The Clerk asked that the national salary award and annual leave entitlement be put on the next agenda for discussion – Councillors agreed to this request.

71. **ACCOUNTS** - To receive the following list of accounts for Approval:

**For Payment:**

RBL Poppy Appeal	Wreath		£27.50
Wrightington Windows Cleaning	Bus Shelters x 3		£210.00
Matrix FSE Ltd	Removal of defib box Sharrocks	£70.00	
	Removal of & Relocation of defib box In Touch	£200.00	
	Removal of & Relocation of defib box Mill Lane	£200.00	£470.00
Waterplus	Water Charges ABVH		£54.37
Mrs C A Cross	Pop & Crisps – Remembrance Day		£36.50
Mrs C A Cross	Decorating Materials – MLVH		£9.39
Mrs C A Cross	Clerk’s Salary – Net		£900.79
Mrs J Rogers	Tea & Coffee – Remembrance Day		£19.19
Mr F Johnson	Reimburse cost of window cleaning at MLVH		£18.00
D/D NEST	Pension Contributions (employer + employee)		£35.70
D/D Plusnet	Internet MLVH		£27.60
D/D Plusnet	Internet ABVH		£23.62
Open Spaces Soc.	Annual Subscriptions		£45.00
D/D Waterplus	Water usage MLVH		£46.39

**Receipts:**

West Lancs. BC 2<sup>nd</sup> Part of the Concurrent Contributions 2022/23 £1159.00

Request to set up Direct Debit for Waterplus payments at ABVH – Agreed.

**Resolved: Payment and Receipt of the above accounts is approved.**

**72. DATE AND VENUE OF NEXT MEETING**

**RESOLVED:** That the next Meeting of the Parish Council will be held on Monday 19<sup>th</sup> December 2022 at Appley Bridge Village Hall at 7:30 pm.

Minutes 58 to 72 will be accepted as a correct record and signed by the Chairman at the Meeting to be held on Monday 19<sup>th</sup> December 2022.

Members of the Public and Press are welcome to attend

Meeting Closed: 10.10 pm.

Chairman:

Date:

## **REPORT 1**

- a) Notification permission refused for demolition of existing house and erection of new house. The Poplars, Tunley Lane, Wrightington.
- b) Notification permission granted for change of use from residential flat to storage for use of existing shop. Flat 1, 308 Mossy Lea Road, Wrightington.
- c) Notification permission granted for retention of 2 shipping containers, a poultry shed with external pen. Erection of 2 ménage mirrors. Tunley Moss Farmhouse, 10 Tunley Moss, Wrightington.
- d) Notification permission granted for single storey rear extension. 156 Appley Lane North, Appley Bridge.
- e) Notification permission granted subject to conditions for felling of a tree as a result of ash die back. Sandon, Hall Lane, Wrightington.
- f) Notification permission granted subject to conditions for tree work at 120B Mossy Lea Road, Wrightington.
- g) Notification of overnight road closure on Appley Lane South, 10pm Wednesday 30<sup>th</sup> November to 6am Thursday 1<sup>st</sup> December, to enable installation of a fibre optic cable on behalf of BT.
- h) Confirmation that the Flowering Cherry Tree to be planted by the Parish Council at the Meadows to mark the Queen's Platinum Jubilee will be £149.94. Agreed to go ahead with purchase.
- i) Confirmation from an Appley Bridge resident of the continued wish to be a Parish Councillor, on either the Appley Bridge or Mossy Lea Ward, should a vacancy arise.
- j) Copy of permission granted by LCC to attach poppies to street lights in the Parish.
- k) Confirmation from West Lancs. BC that Mossy Lea Road is swept every 12 weeks. That it was last swept on 4<sup>th</sup> September and that they are trying to keep sweepers on schedule where possible.
- l) Confirmation that LCC has tipped some soil from side dressing operations on the route of the old road adjacent to BP garage, which they intend to use as top soil in the future. Also, that substantial concrete bollards are to be placed at the entrance to deter fly tipping and access.
- m) Request from a resident for information on Parish Council finances, roles and responsibilities and other matters – Information supplied.

**Meeting Protocols:** Please note the following procedures to ensure the smooth running of the meeting:

- Members of the public will only be able to speak during the Open Forum section of the meeting. If you wish to speak during this section please email the Clerk by 5pm on the day before the meeting, with brief details of the subject matter being raised. The Chairman will ask the member/s of the public to speak. Before speaking, the member of the public should state their name. Time permitting the Chairman will ask if members of the public wish to raise anything else, however, dependant on time, this may need to be held over until the next meeting. Each member of the public will be able to speak for a limit of three minutes.
- Parish Councillors wishing to speak are asked to please raise a hand and the Chairman will invite him/her to speak.
- To vote, members should raise their hand as appropriate.