

WRIGHTINGTON PARISH COUNCIL

At the Meeting of the Council of the Parish of Wrightington held on Monday 19th December 2022 at Appley Bridge Village Hall at 7.30pm the following were present:

Councillors: Mrs J Burton (Chairman), Mr F Johnson, Mr A J Shaw, Mrs K Jukes, and Mr R Alexander. Also present were 14 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. A resident present reported on information acquired in relation to the company supporting the Quarry owner financially in the purchase of East, West and Parbold Quarries. It was reported that the company confirmed their client was familiar with draining quarries, that the Quarry would be filled with construction waste from another site after which, a housing developer had agreed to purchase and develop the site. There is no mention of these actions being taken for safety reasons. The resident asked the Parish Council to withdraw their support for the Certificate of Lawfulness to drain and fill the quarry. He feels that this should be the subject of a full planning application if safety is an issue. This request will be on the next agenda for discussion. Another resident present read aloud a statement he had prepared in relation to the approval of the October Minutes at the November Meeting. He reported that at the November Meeting the October Minutes were disputed. 4 Councillors left the October Meeting before the end of the Meeting. The resident did not consider the October Minutes to be accurate in detail nor, that they were approved appropriately. It was alleged that it was unconstitutional and illegal that the Chairman allowed a Councillor who had not stayed until the end of the Meeting to propose the Minutes as a correct record. He asked the Chairman to comment. The Chairman confirmed that this would be on the next agenda. It was alleged that the Chairman allowed Councillors to vote on the accuracy of the October Minutes who had not stayed until the end of the Meeting. When these irregularities were raised by a Parish Councillor, it was reported that the Chairman had closed down any further discussion. The Chairman was asked if she acknowledged her errors in judgement and that the vote was unconstitutional and should not have taken place. The Chairman made no comment. The Chairman was asked if she now accepted that only the 4 Councillors present for the entire meeting were eligible to vote. The Chairman made no comment. The Clerk was asked why, as providing guidance to ensure compliance with due process is her remit, no guidance was offered. The Clerk made no comment. This will be on the January Agenda.

Residents were also present to discuss the application on the agenda 2022/1193/LDC - Certificate of Lawfulness – use of land for the parking of not more than 16 cranes, the parking of heavy goods vehicles, together with ancillary servicing, repair and office accommodation. Marsden Crane Hire, Church Lane, Wrightington. The verbal and written concerns of a number of residents in the vicinity of the operating centre were reported. It was confirmed that a resident had contacted the Driver Vehicle Standards Agency, and reported that they only have a licence for 6 cranes and 2 HGV's, granted in 1990. Residents are extremely concerned about the considerable increase in the numbers of vehicles to this small site in a rural area, the nuisance caused by the activities i.e. noise, contamination to drainage from washing of vehicles, damage to the carriageway on Church Lane from the continuous activity of heavy vehicles entering and exiting the site, and the environment impact of this increase in this rural area. The Council will take these factors into account when discussing the application on the Agenda.

Borough Councillor Jukes – reported that she had visited Church Lane and is concerned about the speed of vehicles on the lane and as a result, she has asked LCC to reduce the speed limit to 30mph. She confirmed that she is happy to work with the residents, have a meeting, and will contact and support the residents with this matter. Residents thanked BC Jukes for her help.

Open Forum closed at 7.50pm.

73. APOLOGIES - Were received and accepted from Councillor House (unwell) and Councillor Hodgkinson (unwell).

74. 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.**

75. **MINUTES** – The Minutes of the Meeting of the Parish Council held on Monday 21st November 2022 had been circulated in advance of the Meeting. Councillor Jukes stated she was unhappy that it was Minuted that she left the Meetings unwell and felt this was discriminatory. The Clerk confirmed that it was also Minuted when other Councillors left the Meetings. The Clerk put the reason for her leaving the Meetings in the Minutes out of compassion and for no other reason. Councillor Shaw confirmed that he would possibly be leaving the Meeting early for health reasons. Councillor Shaw proposed that the Minutes are a true record. Councillor Alexander seconded the proposal. **Resolved – That the Minutes are a correct record and were signed by the Chairman.**

76. **ALLEGATION OF BREACH OF CODE OF CONDUCT AGAINST THE VICE-CHAIRMAN** – The Chairman reported that at the previous Meeting she had been asked to take swift and decisive action regarding the alleged breach of the Code of Conduct by the Vice-Chairman. In relation to this the Chairman confirmed that she went on site at West Quarry in response to a report from a resident in February 2021. She spoke to the West Lancs. BC tree officer with regard to removal of the trees and damage to the gas pipes from tree roots and also to Borough Councillor Baybutt. She reported back on her site visit to Parish Councillors by email. The Vice-Chairman did not withhold vital information as the Parish Council were aware of all the factors and activity at West Quarry. The Chairman confirmed that having taken legal advice from the Monitoring Officer at West Lancashire Borough Council, no breach of the Code of Conduct has taken place and no further action is required.

77. **CORRESPONDENCE/INFORMATION ITEMS**

Items reported to, & noted by, the Council – no decision required: REPORT 1 – pages 6 – ACCEPTED.

Items requiring discussion, observations or action by the Council:

- a) Notification appointment of PKF Littlejohn LLP as external auditors for 22/23-26/27 – **Noted.**
- b) Copy statement from Councillor Alexander regarding recent exchanges at Parish Council Meetings – **Noted.**
- c) Further to information in relation to court action and enforcement action against the company and landowner of East, West and Parbold Quarries reported at the November Meeting, a request has been received that the Parish Council submit updated questions to the landowner to obtain updated answers as it appears the legal actions contradict previous answers given to residents – **The Chairman reported that the advice from LALC is that this is now a legal dispute and the relevant enforcement officers are dealing with it. The Chairman proposed that the Parish Council take LALC’s advice and recommended that the originator of the email sends the questions directly to the landowner. This was seconded by Councillor Shaw. Resolved the Council will suggest that the originator of the email send the questions directly to the landowner. The Council will request that if a reply is received, a copy be forwarded to the Council, for information.**
- d) Confirmation from the resident that a request for a donation will be withdrawn as the intention was to highlight to the Parish Council the possible consequences of their decisions. The author also requests that the Parish Council discuss the need for financial planning, needs assessments and how annual levels of expenditure are determined – Matters for the Budget Meeting – **Noted**
- e) Confirmation that the cost of replacing the defibrillator cabinet at Sharrocks will be £820 +VAT in total. The delivery company has agreed to replacement and installation costs – **Noted. It was suggested the site be re-assessed to determine if there is a less vulnerable position for the defibrillator cabinet to be fitted i.e.: possibly move it slightly further away from the gate.**
- f) Info. on the Lancashire Community Food Grant Scheme – **Noted.**

- g) National Highways and Transport Survey – **The Clerk will complete on behalf of the Council**
- h) Parish Council Capital Grants 23/24 – open for applications until 7th February 2022 – **The following suggestions were made: Upgrading the toilets and redecorating at Mossy Lea Village Hall. Upgrading toilets at Appley Bridge Village Hall. Purchase of a projector and screen for use at Appley Bridge Village Hall. The Clerk asked who was going to draw up the specifications for work to the toilets at both village halls – no response received to this. The Clerk will obtain a price for a projector and screen for the next Meeting. These suggestions will be discussed at the Budget and January Parish Council Meeting.**

Councillor Juckes left the Meeting during these discussions.

- i) Update on the route of the old road adjacent to BP garage – a large quantity of soil has been deposited on this route, effectively making the route impossible to use as a safe route. It is understood a gate will be erected on the Mossy Lea Road end of the route and that spoil from side dressing in the area will be stored on this site and moved at a later date – **It was reported that the bollards have now been removed. This will be monitored.**
- j) Late items received which may require discussion/action/observations for the next Agenda – i) The Clerk reported that defibrillator consumables are currently out of stock – **Noted.** ii) Public Space Protection Order – Dog Control Survey – **The Chairman confirmed she had looked at this and reported that dog control in the countryside has become a problem since lockdown. Furthermore, she does not believe they should be allowed on play areas. Resolved – The Clerk will complete the survey on behalf of the Parish Council.**

78. WINTER PLANNING/PROGRAMME – Councillors were concerned about liability should an incident occur. The Council has to assess the risk and decide how they want to mitigate it going forward. If the Council has done its utmost to ensure the safety of the village hall users, this will be taken into account when deciding if they have fulfilled their duty of care. The question of whether it should be up to village hall users to decide whether to access the village hall car park and village hall was raised, however, it was stressed that a disclaimer to reflect this would be insufficient to remove Parish Council liability should an incident occur. It is felt that the recent weather conditions were extreme and that other factors e.g.: age related issues, whether young or old, could all lead to slips, trips and falls. The Council will deal with these situations as they arise for the moment and discuss this again at the January Meeting.

79. 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 remains 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 and the road surface is very uneven and breaking up. The chain-link fence at the footway edge of the playing field/play area adjacent to Mossy Lea Village Hall is damaged, loose and requires attention.
- Flooding on the roundabout at junction 27 is a significant problem.

80. REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES – Nothing to report.

81. PARISH COUNCIL WEBSITE – PARISH COUNCIL DEDICATED EMAIL ADDRESSES
– Follow up and report back by Parish Councillors – This will be discussed at the January Meeting.

82. VILLAGE HALLS

MOSSY LEA – A replacement Burco hot water heater will cost in the region of £380. Councillor Alexander agreed to look into this in more detail. If this model is deemed suitable, Councillor Alexander will confirm this and the Clerk will order a replacement hot water heater.

APPLEY BRIDGE – The Clerk reported a request from the caretaker, who has booked the village hall for a charity New Year's Eve party to raise money for Cancer Research UK and Duchenne Muscular Dystrophy, if the Parish Council would consider not charging for the hire of the hall on this occasion.

Resolved – there will be no charge for the charitable use of the Village Hall on New Year's Eve.

Village Halls and car parks closed from Tuesday 13th December for Health & Safety reasons. Both halls were re-opened before Christmas.

- 83. PLANNING** To discuss the following applications:
- 1) 2022/1119/FUL Proposed front dormer extension and entrance door alterations. 5 Hinds Head Avenue, Wrightington - **Resolved – No Objections.**
 - 2) 2022/1193/LDC Certificate of Lawfulness – use of land for the parking of not more than 16 cranes associated with a crane hire business, the parking of heavy goods vehicles associated with the haulage business, together with ancillary servicing, repair and office accommodation. Marsden Crane Hire, 38 Church Lane, Wrightington - **The Council objects to the application for a Certificate of Lawfulness for the proposed use. The site is too small and its rural location means it is totally unsuitable for the size of the vehicles proposed, the weight of the vehicles proposed and the volume of cranes and heavy goods vehicles associated with this business. The proposals are excessive for the size and location of the site. The large vehicles accessing and exiting the site often block this narrow country lane causing highway safety issues. The nuisance caused to the residents by the washing of vehicles near to the entrance of the site is unacceptable. The number of vehicles proposed and the length of time it takes to wash down each vehicle will result in a significant loss of amenity to neighbouring residents. The noise the generator used to power wash the vehicles, and the water run-off from the site after vehicle washing, is a nuisance to the residents living around the site. Furthermore, there is no mention of a separation tank, through which the water containing oil, diesel and other detritus from washing the vehicles should go through. Instead the water run-off from cleaning the vehicles is allowed to flow onto the carriageway and into the existing drainage system, including any contaminants which are washed off the vehicles. The Parish Council would like to ask officers to check the licence granted in 1990 for commercial use of the site and determine to what extent the terms of the licence have been breached. The Council also believe that the views of the residents who have to live close to this site and witness the breaches, the pollution and the nuisance on a daily basis, should be taken into account when making any decision on the proposals. The Parish Council therefore object to the certificate of lawfulness as they believe that the site is not big enough to handle the size, weight and excessive number of vehicles proposed. They feel that the nuisance and loss of amenity to the residents should be given serious consideration. They object to the potential harm to the drainage and the potential environmental issues which could result from the proposals. The Parish Council believe that the certificate of lawfulness should not be granted but, that the proposals should be the subject of a full planning application.**
 - 3) 2022/1215/FUL Single storey extension to rear of property. Waterside House, Stonemill Rise, Appley Bridge - **Resolved – No Objections.**
 - 4) 2022/1216/FUL Proposed pitched roof over existing front dormer, front porch, single storey rear extension and first floor rear dormer extension. 243 Mossy Lea Road, Wrightington - **Resolved – No Objections.**
 - 5) 2022/1273/FUL Retrospective application to extend approved gable cladding over 3no. gable end windows. Pesto, 206 Appley Lane North, Appley Bridge - **Resolved – No Objections.**
 - 6) 2022/1277/FUL Proposed single storey side extension following removal of existing detached garage. New entrance porch to front elevation. 8 Hinds Head Avenue, Wrightington - **Resolved – No Objections.**
 - 7) 2022/1283/FUL Conversion of the existing barn – first floor to ancillary residential accommodation associated with the existing dwelling. 349 Mossy Lea Road, Wrightington – **Resolved – No Objections.**
 - 8) 2022/1212/FUL proposed single storey side extension with associated alterations, including new driveway access from the highway. 5 Toogood Lane, Wrightington. **Resolved – No Objections.**

84. LANCASHIRE ASSOCIATION OF LOCAL COUNCILS – Notification of Planning Training – 23/2/23 (fully booked), 25/4/23 and 15/6/23 all 7-9pm, remote training – **Noted.**

Details of the 2022-23 National Salary Award agreement to be implemented from 1st April 2022 and Annual Leave Entitlement – for discussion - The Clerk explained that the national salary award agreement had now been reached and equated to an increase of £1 per hour across all salary scale points. The Clerk asked if the Parish Council would do as Charnock Richard Parish Council had done and, if the £1 per hour increase is agreed, would they consider adding another £0.13 per hour to take the Clerk to an actual scale point rather than just below it. This will make any future adjustments easier to calculate and more workable. Following discussion it was **Resolved** – **that the Clerk's Salary be increased by the recommended £1 per hour + the additional £0.13 required to take it to salary scale point 28 going forward with immediate effect.** The Clerk further explained that her paid hours per week (12.5) entitle her to 6.6 weeks of annual leave, however, it is impossible for the Clerk to take 6.6 weeks off work as there are both legal and timely dates and deadlines which have to be met, some on a monthly basis, which prevent taking any lengthy periods of leave. Therefore, it is often necessary for the Clerk to do things whilst on holiday, or prior to going on leave, in order to meet the legal requirements. It is also not possible to pay the Clerk for leave which is not taken. The Clerk explained this, merely to inform Councillors, as she accepts that this is the nature of the job but wanted to make Councillors aware of these facts. Some Councillors confirmed that there is a significant difference in the nature of the role at Wrightington, as there are also 2 village halls to run. It was also confirmed that the role of Clerk to the Parish Council has changed significantly over the years. Councillors agreed that the job description for the role of Clerk will be discussed in more detail at a future meeting.

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

For Payment:

Collins & Darwell	Newsletters	£265.00
Matrix FSE Ltd	VAT payable on previous invoice	£94.00
Local Life 247 Ltd	Delivery of Newsletters to Appley Bridge	£27.70
Joseph Noblett	Christmas Tree – ABVH	£54.00
SLCC	50% of Annual Subscription Costs	£111.00
The Wiper Co. Ltd	Toilet Rolls and Hand Towels – MLBH & ABVH	£76.80
Charnock Richard PC	50% cost of Annual Zoom Subscriptions	£59.95
Mrs C A Cross	Clerk's Salary – Net	£900.79
D/D NEST	Pension Contributions (employer + employee)	£35.70
D/D Plusnet	Internet ABVH	£23.62
D/D Plusnet	Internet MLVH	£27.60
D/D Waterplus	Water usage ABVH	£37.74
D/D Waterplus	Water usage MLVH	£31.29
E.on	Electricity MLVH	£140.89
E.on	Electricity ABVH	£16.58
British Gas	Gas usage MLVH (Oct-Dec)	£268.74
British Gas	Gas usage ABVH (Oct-Dec)	£532.42

The following items will be paid and ratified at the January Meeting:

Chubb Fire	Extinguishers ABVH	£70.92	
Mr D Burton	Planters ABVH & MLVH	£325.00	
	Key Safe for MLVH	£10.00	
	Half yearly grounds maintenance ABVH	£340.00	£675.00
LALC	E-learning courses for the Clerk	£45.00	

Resolved: Payment of the above accounts is approved.

86. DATE AND VENUE OF NEXT MEETING

RESOLVED: That the next Meeting of the Parish Council will be held on Monday 16th January 2023 at Mossy Lea Village Hall. Budget Meeting at 6.30pm and the Parish Council Meeting 7.30pm.

Minutes 73 to 86 will be accepted as a correct record and signed by the Chairman at the Meeting to be held on Monday 16th January 2023.

Members of the Public and Press are welcome to attend

Meeting Closed: 8.57 pm.

Chairman:

Date:

REPORT 1

- a) Notification permission granted for variation of condition 2 to planning application 2021/0030/FUL to amend the approved drawings. Derby House, Mossy Lea Road, Wrightington.
- b) Notification permission refused/granted for 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 Farmhouse, 10 Tunley Moss, Wrightington.
- c) Notification permission granted for extension of a coursed stone, 3 bedroom house to create an open plan kitchen/living/dining area. Including demolition of existing single storey extension & back wall with bay window. New levelled patio area to rear. 14 Ashfield Terrace, Appley Bridge.
- d) Notification permission granted for two storey gable extension with sun room on ground floor along with gym/office on first floor. Ty Chwarel, 49 Appley Lane North, Appley Bridge.
- e) Notification permission refused for variation of condition 5 on planning permission 2018/0632/FUL in relation to lighting. Tunley Moss Farmhouse, 10 Tunley Moss, Wrightington.
- f) Notification prior notification, agricultural and demolition is permitted development for erection of a monopitch, open fronted steel portal framed agricultural building. Lane Farm, Mossy Lea Road, Wrightington.
- g) Notification permission granted for proposed extension and alterations to grade II listed building. 9 Whittle Lane, Wrightington.
- h) Notification Listed Building Consent granted for proposed extension and alterations to grade II listed building. 9 Whittle Lane, Wrightington.
- i) Details of Rainbow Hug recycle trees – Posters in Notice Boards.
- j) Details of recycled plastic Queen Elizabeth II memorial benches.
- k) Request from a resident for information from the November Meeting re: support for Maybrook and Parish Council Standing Orders – Information supplied.
- l) Copy Open Spaces – Autumn 2022 Edition.
- m) Copy CPRE Lancashire Voice – Winter Edition
- n) n) Copy CPRE Countryside Voice Autumn/Winter

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.